

The Egham Band

(inc: The Egham Band, The Egham Youth Band, The Egham Training Band & The Egham Youth Brass Project)

The Egham Band Child Protection & Safeguarding Policy

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This policy applies to all members of The Egham Band or anyone working on behalf of The Egham Band. 'The Egham Band' includes: The Egham Band, The Egham Youth Band, The Egham Training Band and The Egham Youth Brass Project.

Safeguarding Policy

The purpose of the policy:

- To protect children, young people and adults with care and support needs who are members of The Egham Band.
- To provide staff and volunteers with the overarching principles that guide our approach to child protection.

The Egham Band believes that a child, young person or adult with care and support needs should never experience abuse of any kind. We have a responsibility to promote the welfare of all children, young people and adults at risk and to keep them safe. We are committed to practice in a way that protects them.

Legal Framework

This policy has been drawn up on the basis of law and guidance that seeks to protect children, namely:

- Children Act 1989
- United Convention of the Rights of the Child 1991
- Data Protection Act 1998 and subsequent data protection guidance
- Human Rights Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- The Mental Capacity Act (2005)
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedom Act 2012
- Children and Families Act 2014
- The Care Act (2014)
- The Care Act (2014) Care and Support Statutory Guidance (specifically the safeguarding section of this)
- Special educational needs and disability (SEND) code of practice: 0 to 25 years - Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities; HM Government (2014)
- Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers; HM Government (2015)
- Counter-Terrorism and Security Act 2015
- Working together to safeguarding children: a guide to inter-agency working to safeguard and promote the welfare of children; HM Government (2015)
- General Data Protection Regulations (European Union) (2017)

We recognise that:

- The welfare of the child/young person is paramount, as enshrined in the Children Act (1989).
- All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse.
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

In addition, bands are aware that they also have safeguarding responsibilities towards adult members, some of whom may be vulnerable at different times in their lives. The principles outlined above in relation to children, also apply to our work with adults. In terms of a legal framework, the arrangements for those over 18 are governed by the Care Act 2014. This Act stipulates that statutory safeguarding duties apply to an adult who:

- has care and support needs.
- is experiencing, or at risk of, abuse or neglect.
- as a result of those care and support needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

We will seek to safeguard children and young people by:

- Appointing a Designated Safeguarding Officer (DSO) for children, young people and adults with care and support needs. See [Appendix 1](#) for Roles and Responsibilities of the Designated Safeguarding Officer.
- Valuing, listening to and respecting them, ensuring that, in the case of adults, we work with their consent unless 'vital interests' [as defined in the Data Protection Act (1998)] are at stake, or the person has been assessed as lacking mental capacity [as defined in the Mental Capacity Act (2005)].
- Adopting child protection and adult safeguarding practices through procedures and a code of conduct for and members and volunteers.
- Recruiting new members safely, ensuring all necessary checks are made.
- Sharing information about safeguarding and good practice with members and parents of children and young people involved with The Egham Band.
- Sharing information about child protection and adult safeguarding with children, parents, volunteers and members.
- Sharing concerns with agencies who need to know and involving parents and children appropriately.
- Providing effective support and training for members.
- Using our procedures to manage any allegations against members, volunteers and anyone working on behalf of The Egham Band.
- Creating and maintaining an anti-bullying environment and ensuring that we have a policy and procedure to help us deal effectively with any bullying that does arise. Ensuring that we have an effective complaints and whistleblowing measures in place.

- Ensuring that we provide a safe physical environment for our children, young people, members and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance.
- Reviewing our policy and good practice annually.

When there are concerns

- When there are concerns about the welfare of any child/young person all adults in our band are expected to share those concerns with the Designated Safeguarding Officer.
- The Designated Safeguarding Officer is responsible for:
 - Monitoring and recording concerns
 - Making referrals to Social Care Services without delay
 - Liaison with other agencies
 - Arranging child protection training for band members and officials.

Confidentiality

- In cases of disclosure of abuse, either by children, young people, adults with care and support needs or parents, we are obliged to share the information with the Designated Safeguarding Officer who may have to refer the concerns to Social Care Services

Allegations and Concerns

- Concerns about the welfare of a child or allegations of abuse will be referred without delay to the Designated Safeguarding Officer, Deputy Designated Safeguarding Officer or other band official who will contact Social Care Services or the police as appropriate
- Adults in The Egham Band are able to refer the matter directly if the Designated Safeguarding Officer is not available and/or if there is an imminent risk of danger to a child.

Policy Review

- This Child Protection and Safeguarding Policy will be reviewed annually and will be affirmed by The Egham Band's executive committee.

Useful contact details

Designated Safeguarding Officer:

Nick Handley
07789 65 60 95
band@nickhandley.co.uk

Surrey County Council Children's Social Care Department:

Monday to Friday from 9am to 5pm: 0300 470 9100
Out of hours call the emergency duty team: 01483 517898

NSPCC Helpline:

0808 800 5000
help@nspcc.org.uk

ChildLine:

0800 1111 (textphone 0800 400 222)

www.childline.org.uk

Surrey Police:

101 or 01483 57 12 12

In an emergency where you are concerned for the child's immediate safety you should call Surrey Police on 999/112.

Brass Bands England Welfare Officer:

01226 771 015

Dealing with a safeguarding concern

Ways that abuse might be brought to your attention:

- A child or adult might make a direct disclosure about themselves.
- A child or adult might make a direct disclosure about another person.
- A child or adult might offer information that is worrying but not a direct disclosure.
- A member of The Egham Band or volunteer might be concerned about the appearance or behaviour of a child or adult at risk, or about the behaviour of someone (e.g. a parent or carer) towards a child or adult at risk.
- A parent or carer might make a disclosure about abuse that a child or adult is suffering or at risk of suffering.
- A parent or carer might offer information about a child or adult that is worrying but not a direct disclosure.

When talking to a child or adult who has told you that they or another person is being abused:

- Reassure them that telling someone about it was the right thing to do.
- Tell them that you now must do what you can to keep them (or the person who is the subject of the allegation) safe.
- In the case of an adult with mental capacity, ask them if they will give their consent to the information being passed on to an external investigating agency.
- Let them know what you are going to do next (i.e. discuss the matter with The Egham Band's Designated Safeguarding Officer).
- Let the person tell their whole story. **DO NOT** try to investigate or quiz/ask leading questions of them, but make sure that you are clear as to what they are saying.
- Ask them what they would like to happen because of what they have said, but **DO NOT** make or infer promises you can't keep.
- In the case of a child, give them the ChildLine phone number: **0800 1111**.
- In the case of an adult, check whether they have anyone they can talk to about the matter; if not, tell them that they can talk to you (if you are willing for them to do so).

Helping someone in immediate danger or in need of emergency medical attention:

- If someone is in immediate danger and is with you, remain with them and call the police.
- If the person is elsewhere, contact the police and explain the situation to them.
- If the person needs emergency medical attention, call an ambulance and, while you are waiting for it to arrive, get help from your first aider.
- If the first aider is not available, use any first aid knowledge that you may have yourself to help the person.

- You also need to contact The Egham Band's named Designated Safeguarding Officer responsible for child protection/adult safeguarding to let them know what is happening.

A decision will need to be made about informing the person's family and the local authority children's social care department, and when they should be informed. If you have involved the police and/or the health services, they should be part of this decision. Consider the welfare of the child or adult in your decision making as the highest priority. Issues that will need to be considered are:

- the person's wishes and feelings;
- in the case of an adult, their consent or the withholding of their consent, and whether there are 'vital interests' or mental capacity issues to consider;
- in the case of a child, the parent's right to know (unless this would place the child or someone else in danger, or would interfere with a criminal investigation);
- the impact of telling or not telling the parent or family;
- the current assessment of the risk to the person and the source of that risk;
- any risk management plans that currently exist.

Once any immediate danger or emergency medical need has been dealt with, follow the steps set out in the flowchart at the end of this section.

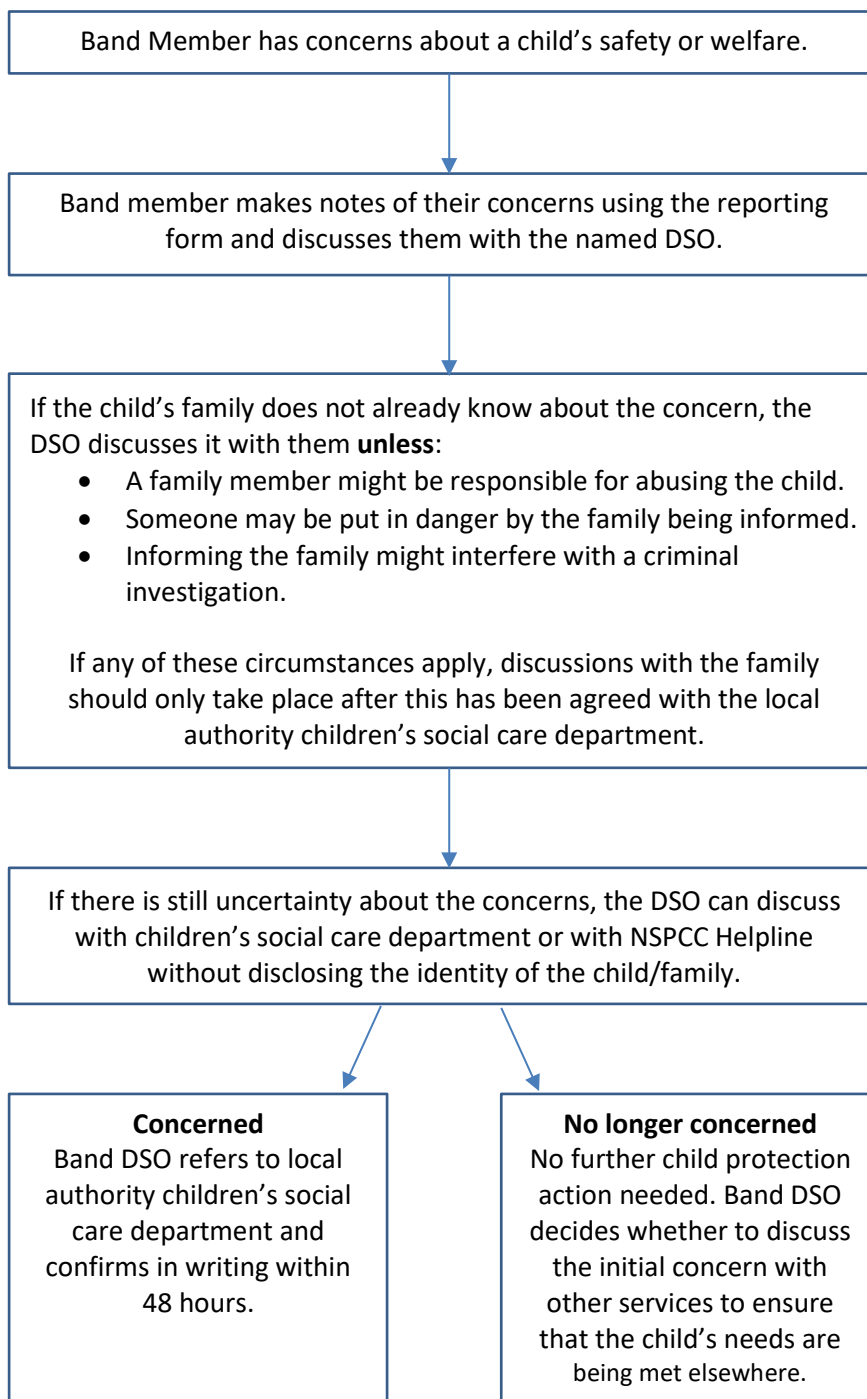
Keeping a record of your concerns

It is important to keep a clear detailed record of events and communication in relation to the concern. It can be used to forward information to the statutory child protection or adult safeguarding authorities if a referral to them is needed. The form/log should be signed and dated by all those involved in its completion and kept confidentially on the person's file. The name of the person making the notes should be written alongside each entry.

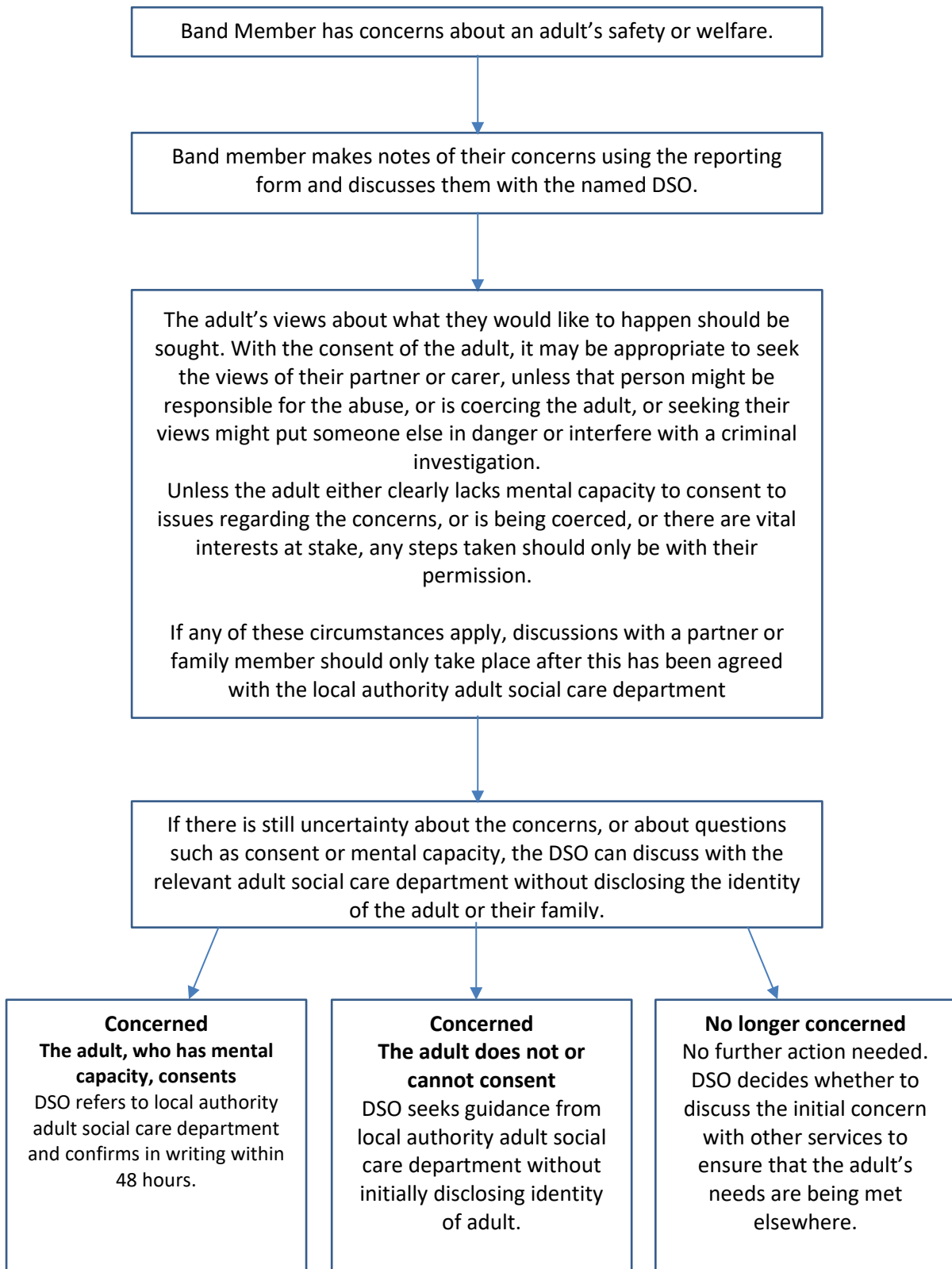
Procedure for helping a someone not in immediate danger

We aim to ensure that everyone within The Egham Band and any other children or adults at risk who may come to the attention of The Egham Band receive the protection and support they need if they are at risk of abuse.

This procedure provides clear direction to members and volunteers of The Egham Band if they have concerns that a child needs protection.



This procedure provides clear direction to members and volunteers of The Egham Band if they have concerns that an adult at risk needs protection.



What is Abuse and the Different Types of Abuse

Abuse comes in many forms. There are four identified categories of abuse as described by the government guidelines Working Together to Safeguard Children (1999); physical, sexual, emotional and neglect.

Physical Abuse

Physical abuse is an action or in-action causing injury or physical harm to an individual. It may involve; hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also occur when a parent or carer feigns the symptoms of or deliberately causes ill health to an individual in their care. In some cases, the injuries will be caused deliberately. In others, they may be accidental but caused by the individual being knowingly put at risk.

Sexual Abuse

Sexual abuse occurs when someone uses power or control to involve an individual in sexual activity in order to gratify the abuser's own sexual, emotional or financial needs or desires. It may include; showing or encouraging someone to view pornographic material or involving them in the production of such material, forcing or enticing someone to take part in sexual activities (whether or not they are aware of what is happening), encouraging someone to behave in sexually inappropriate ways, involving or forcing an individual in watching other people's sexual activity or engaging in inappropriate discussions about sexual matters.

Emotional Abuse

Emotional abuse is the persistent or severe emotional ill-treatment of an individual that is likely to cause serious harm to their development. It may include; conveying to someone the message that they are worthless, unlovable, inadequate, or their only value is to meet the needs of another person, regularly making them feel frightened by shouts, threats or any other means, being so over-protective towards them that they are unable to develop or lead a normal life, exploiting or corrupting an individual, e.g. by involving them in illegal behaviour. Some level of emotional abuse is involved in all forms of ill-treatment of a vulnerable person, though it may also occur alone.

Neglect

Neglect involves persistently failing to meet someone's basic physical, psychological or emotional needs, which is likely to lead to serious impairment of their well-being. It may include; failing to provide appropriate supervision to keep them from danger, lack of supervision of activities or leaving them alone, failing to ensure that their basic needs for food, shelter, clothing, health care, hygiene and education are met.

Other forms of Abuse

Economic exploitation

Economic exploitation is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of an individual's belongings or finances without their full understanding or consent or consent of the parent, legal guardian or carer of the individual.

Organised or Multiple Abuse

Organised or multiple abuse is defined as abuse involving one or more abusers and an individual or group of abused people. The abusers may be acting together or in a co-ordinated way to isolate or otherwise 'mark' or identify someone as being different in such a way as to bring about harm. This is more prevalent in, although not exclusive to, peer-based abuse, such as mass 'de-friending' on social media sites. It can also take the form of several small acts, which could be considered insignificant in isolation, but when grouped together bring about harm to an individual.

Domestic Violence and Domestic Abuse

Domestic violence and domestic abuse are defined as any violence between current or former partners in an intimate relationship. The violence may include, physical, emotional, sexual and financial abuse. Children and adults at risk can be traumatised by witnessing or being exposed to domestic violence or may be at risk if they try to intervene to protect a parent or sibling.

Emerging forms of abuse

As suggested under the 'Sexual Abuse' heading above, it should be noted that perpetrators are increasingly using online methods to access children and young people as well as to indulge in abuse by creating or downloading abusive images of them. Other forms of abuse that have come to public attention relatively recently have included the sexual exploitation of children and young people for commercial gain, forms of modern slavery, and abuse linked to cultural or religious belief (such as: Female genital mutilation (FGM), honour violence, forced marriage, radicalisation or abuse associated with a belief in spiritual possession).

Abuse of a position of trust

This is a legal concept within The Sexual Offences Act 2003. It involves an adult of 18 or over engaging in sexual activity with or in the presence of a child or young person under 18, where the older person is in a position of responsibility towards the child or young person in one of a variety of settings, including a 'workplace setting'. The concept also covers 'causing or inciting a child' to engage in sexual activity, and 'causing a child to watch a sexual act'.

Responsibilities under Working Together to Safeguard Children

It is the responsibility of band leaders and those working with young members to share information and work together with statutory partners if they have concerns that a child or young person may be at risk of abuse or neglect. Once a referral has been received by a local authority children's social care team, they should, within one working day, make a decision about the type of response that is required and acknowledge receipt to the referrer. Feedback should also be provided to the referrer on decisions taken by the local authority. For example, the local authority, may take the view that the child and family are in need of support services, or may decide that the child is in need of protection. If a band believes that the position taken by the local authority is inadequate to protect the child or young person, we will consider escalating the referral within the Local Authority. It is not the job of bands to take a view on whether abuse has taken place or is at risk of taking place, nor is it the job

of bands to conduct an assessment on this matter; this is the role of the statutory agencies such as the local authority and police.

Abuse of adults

There are many different types of abuse affecting adults. They include:

Physical

This is 'the use of force which results in pain or injury or a change in a person's natural physical state' or 'the non-accidental infliction of physical force that results in bodily injury, pain or impairment'. It may include behaviours like the misuse of medication, inappropriate restraint or the use of inappropriate sanctions, as well as the actions more commonly associated with physical abuse (such as slapping, pushing etc.).

Sexual

Examples of sexual abuse include the direct or indirect involvement of the adult at risk in sexual activity or relationships which they do not want or have not consented to. Specific behaviours could include:

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- sexual assault
- putting pressure on the young adult to consenting to sexual acts

Emotional and psychological

This is behaviour that has a harmful effect on the person's emotional health and development, or any form of mental cruelty that results in mental distress, the denial of basic human and civil rights such as self-expression, privacy and dignity. Specific behaviours might include:

- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyberbullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

Organisational

Institutional abuse is the mistreatment or neglect of an adult at risk by a regime, or individuals within settings and services, that adults at risk live in or use. It may include care or support provided in the person's own home. Such abuse violates the person's dignity, resulting in lack of respect for their human rights. It may range from one-off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Discrimination

This type of abuse may include:

- discrimination based on gender, race, colour, language, culture, religion, politics or sexual orientation
- discrimination based on a person's disability or age
- harassment and slurs which are degrading
- hate crime

Financial and material

This is the use of a person's property, assets, income, funds or any other resources without their informed consent or authorisation. It may include:

- theft
- fraud
- internet scamming
- exploitation or coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions
- the misuse or misappropriation of property, possessions or benefits

Neglect and acts of omission

Examples of this might include:

- ignoring medical, emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

Self-neglect

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour like hoarding.

It should be noted that the legislation and guidance make it clear that this list is not exhaustive and that those working with adults at risk should be open to the possibility of other forms of abuse.

Consent and capacity: responsibilities under legislation and guidance affecting the safeguarding of adults

When statutory agencies consider whether a safeguarding response to an adult is needed under the Care Act 2014, they are required to examine three critical components: the person's need of care and support; their risk of, or experience of neglect or abuse; and their ability or inability to protect themselves.

These are not questions to which The Egham Band are expected to supply an answer. Rather, The Egham Band will seek advice from the local authority adult safeguarding team and will make a referral if necessary. It is also important to note that, even if the three critical components are not fully met, the person may still welcome and benefit from a preventative approach.

Managing issues of consent to the sharing of information is a critical difference between safeguarding children and young people under 18 and safeguarding those who are legally adults.

In its work with adults, The Egham Band can draw on set of national principles that reflects their approach to information sharing including consent, capacity and confidentiality, they are:

- **Empowerment** – supporting the adult to make their own decisions and informed consent.
- **Protection** – support and representation for those in greatest need.
- **Prevention** – it is better to take action before harm occurs, including signposting to agencies that can help.
- **Proportionality** – proportionate and least intrusive response appropriate to the risk presented.
- **Partnership** – local solutions through services working with their communities.
- **Accountability** – accountability and transparency in delivering safeguarding.

If someone gives consent to safeguarding information being shared, this should, where possible, take the form of something explicit such as signing a consent form.

Where someone who is capable of giving consent to information being passed on to a statutory safeguarding authority, declines to do so, The Egham Band should consider whether 'vital interests' are at stake under the terms of the General Data Protection Regulations (European Union) (2017). For example, this may include situations where the adult is in imminent or serious danger, or another person is in danger (including a child of the person or any other child or adult) or a crime has been or is about to be committed. If a brass band feels that any of these circumstances may apply, a referral to the local authority should be made even without the consent of the person.

The Mental Capacity Act 2005 provides a statutory framework to empower and protect people who may lack capacity to make decisions for themselves. The principles of the Act state that an adult at risk:

- has the right to make their own decisions and be assumed to have capacity unless proved otherwise
- must receive all appropriate help and support to make decisions
- has the right to make eccentric or unwise decisions (in the opinion of others), and that
- decisions made on behalf of a person who lacks mental capacity must be done in their best interests and be the least restrictive of their basic rights and freedoms.

In addition, decisions are time and decision-specific. This means that a person may be able to make a certain decision, but not others, at a particular point in time. Decision-making ability may fluctuate over time.

Therefore, The Egham Band will also pass on information where it appears that the adult at risk may lack mental capacity to consent to this or may be being coerced to withhold consent. The local authority will then consider who can obtain a 'best interests' decision and how it can be made.

Procedures advise that the local authority will do this after full consideration of the Mental Capacity Act Code of Practice and also of the extent of appropriate involvement from the family and/or carers of the adult at risk.

An assessment of their capacity should be made by a professional person qualified to do so. In making this assessment, consideration will be given by the local authority to seeking the support of an Independent Mental Capacity Advocate to support the individual who lacks capacity.

Any decision made on behalf of an adult at risk should weigh up and balance both the Mental Capacity Act and the Human Rights Act, to protect their best interests whilst respecting their rights.

A summary of the key elements can be found on:

www.scie.org.uk/publications/adultsafeguardinglondon/files/protecting-adults-at-risk-in-london.pdf

Indicators of Abuse

Even for those experienced in working with abused individuals, it is not always easy to recognise a situation where abuse may occur or has already taken place. The Egham Band acknowledges that most people involved in the organisation are not experts in such recognition, but indications that someone 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.
- Descriptions or discussion including what appears to be an abusive act involving them.
- Someone else (a child or adult), expresses concern about the welfare of someone else.
- Unexplained changes in their 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 their peers.
- Losing/gaining weight for no apparent reason.
- Becoming increasingly dirty or unkempt.

There may be many signs and indicators that a child or adult is being abused or is at risk. Equally, most of the signs are not themselves diagnostic of abuse (although some physical signs may lead to a positive diagnosis of abuse by a medical professional). Equally, some children and adults who suffer abuse show no outward signs of what is happening to them.

At least as important as specific physical or behavioural signs are the way in which different signs and indicators may be clustered together or perhaps a change in a child's or adult's behaviour or appearance that cannot be easily explained in any other way. It is important to remember that a single agency or person is unlikely to pick up on all the signs that may be present in an abusive situation, and that concerns need to be shared to enable a referring agency to build up a clearer picture of what may be going on for a child or adult at risk.

For more information about signs and indicators of abuse of children and young people, go to the NSPCC website:

<https://www.nspcc.org.uk/preventing-abuse/signs-symptoms-effects/>

For more information about adult abuse, go to the SCIE website:

<http://www.scie.org.uk/publications/ataglance/69-adults-safeguarding-types-and-indicators-of-abuse.asp>

It is not the responsibility of The Egham Band or its members to decide that child abuse is occurring, but it is their responsibility to act on any concerns.

Additional Resources

This document should be read in conjunction with the following documents:

- Code of Conduct
- Whistle Blowing Policy
- Anti-Bullying Policy
- Recruitment Policy
- Health and Safety Plan
- Guidelines for the use of Social Media
- Photography & Videography Policy

Additional Documents

- Welcome Booklet
- Risk Assessments
- Reporting Concerns Template

- Complaints Procedure

Further Resources

- For more information about signs and indicators of abuse of children and young people, go to the NSPCC website:
<https://www.nspcc.org.uk/preventing-abuse/signs-symptoms-effects/>
- For more information about adult abuse, go to the SCIE website:
<http://www.scie.org.uk/publications/ataglance/69-adults-safeguarding-types-and-indicators-of-abuse.asp>
- www.childline.org.uk

This policy statement was last reviewed on 24-SEPT-2019.

Signed:

SIGNATURE ON FILE

The Egham Band - Designated Safeguarding Officer

History

Version	Date	Comments
1.0	December 2016	Initial Version
1.1	January 2017	Annual Review – no changes
1.2	February 2018	Annual Review – no changes
2.0	April 2019	Annual Review and re-write
2.1	Sept 2019	Committee Review & Approval

Appendix 1 – Designated Safeguarding Officer’s Role

Organisation: The Egham Band

Reports to: Chairperson

Purpose of the role

To take the lead role in ensuring that appropriate arrangements are in place at The Egham Band for safeguarding children, young people and adults at risk.

To promote the safety and welfare of children, young people and adults at risk, that are members of The Egham Band, and other children and adults at risk, with whom The Egham Band may come into contact.

Duties and responsibilities

1. Make sure that all issues concerning the safety and welfare of children, young people and adults at risk, who are members of The Egham Band, are properly dealt with through policies, procedures and administrative systems.
2. Make sure that all players, volunteers, children/young people, adults at risk, parents/carers and the management committee are made aware of the procedures and what they should do if they have concerns about a child or adult at risk.
3. Receive and record information from anyone who has concerns about a child or adult at risk who is a member of The Egham Band.
4. Take the lead on dealing with information that may constitute a child protection or an adult safeguarding concern. This includes assessing and clarifying the information, and taking decisions where necessary in consultation with the Chair of the management committee and statutory child protection and adult safeguarding agencies.
5. Consult with, pass on information to and receive information from statutory child protection and adult safeguarding agencies, such as the local authority children’s social care department, the adult social care department and the police. This includes making formal referrals to these agencies when necessary.
6. Consult with the NSPCC Helpline and/or the Brass Band England Designated Safeguarding Officer or other local contacts when such support is needed.
7. Report regularly to the management committee.
8. Be familiar with and work within local inter-agency child protection and adult safeguarding procedures developed by the local safeguarding children board and local safeguarding adult board.
9. Be familiar with issues relating to child protection and abuse, and adult safeguarding and abuse, and keep up-to-date with new developments in this area.

Attend training in issues relevant to child protection and adult safeguarding from time to time and share knowledge from that training with other volunteers and management committee members.