



LIVE MUSIC NOW SCOTLAND

POLICY & PROCEDURES FOR THE SAFEGUARDING OF CHILDREN & YOUNG PEOPLE

Written following NSPCC Guidelines

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Policy for the Safeguarding of Children & Young People

1. Introduction to Live Music Now

LMN was established in 1977 by the violinist Yehudi Menuhin, and retains his initial twofold aims:

- To enhance people's lives by bringing live music into their everyday experience, especially those whose access is restricted due to disability or disadvantage
- To promote standards of excellence in musicians and music leaders at the outset of the careers and support their developing careers

Live Music Now operates on an international, national, regional and local level. Its work is delivered through a branch system. There are seven branches across the UK and LMN Scotland is the only devolved branch. LMN organises over 2,500 performances and workshops each year in venues for children with special educational needs and disabilities, older people, hospital patients, young offenders, adults with learning difficulties, physical disabilities, mental health problems or sensory impairments, isolated rural communities: in short any group whose members are normally denied access to high quality creative experiences through social, economic or geographical disadvantage.

The objective of each LMN performance is to engage, entertain and stimulate its audience and to enable them to experience the therapeutic, educational and social benefits of live music, shared within an audience and as participants. Audiences at LMN performances are actively encouraged to take part in the concert through a broad range of musical and group activities which are appropriate to their abilities.

2. The Purpose and scope of the Policy

- To provide protection for the children and young people who receive LMNS's services, including the children of adult members or users
- To provide musicians, LMNS staff, project management team members, Trustees and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection.

This policy applies to all LMNS musicians, trainers, mentors, staff, project management team members, musicians, volunteers, Trustees of the charity and anyone working on behalf of LMNS.

3. Legal framework

This policy and the accompanying procedures have been written using guidelines issued by the NSPCC and are underpinned by the following legislation;

- Children (Scotland) Act 1995
- Protection of Children (Scotland) Act 2003
- Protection of Vulnerable Groups (Scotland) Act 2007
- Children's Hearings (Scotland) Act 2011
- National Guidance for Child Protection in Scotland 2014
- Children & Young People (Scotland) Act 2014
- UN Convention of the Rights of the Child 1991
- Protection of Children & Prevention of Sexual Offences (Scotland) Act 2005
- Data Protection Act 2018
- Relevant government guidance on safeguarding children

This policy should be read alongside LMN's policies and procedures including:

- E-safety
- Company Handbook
- Musician's Handbook
- Health and Safety
- Privacy and Data

4. Policy Statement

LMNS believes that:

- children and young people should never experience abuse of any kind
- we have a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that protects them

5. Principles

We recognise that:

- the welfare of children is paramount in all the work we do and in all the decisions we take
- 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.

LMNS will seek to keep children and young people safe by:

- valuing, listening to and respecting them
- appointing a Designated Safeguarding Officer (DSO) for children and young people, a deputy and a lead trustee/board member for safeguarding
- adopting child protection and safeguarding best practice through our policies, procedures and code of conduct for staff and volunteers
- developing and implementing an effective online safety policy and related procedures
- providing effective management for staff and volunteers through supervision, support, training and quality assurance measures
- recruiting staff and volunteers safely, ensuring all necessary checks are made
- recording and storing information professionally and securely, in line with data protection legislation and guidance
- sharing information about safeguarding and good practice with children, their families, staff and volunteers
- using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately
- using our procedures to manage any allegations against staff and volunteers appropriately
- 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 effective complaints and whistleblowing measures in place
- ensuring that we provide a safe physical environment for children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance
- building a safeguarding culture where staff and volunteers, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

6. Contact details

LMNS Designated Safeguarding Officer (DSO)

Name: Lesley-Ann Smith
Role: General Manager
Telephone: 07815 792054
Email: lesleyann.smith@livemusicnow.scot

LMNS Deputy DSO

Name: Carol Main
Role: LMNS Director
Telephone: 0131 332 6356 / 07967 696709
Email: carol.main@livemusicnow.scot

LMN rUK DSO

Name: Karen Irwin
Role: Strategic Director, Live Music Now
Telephone: 07971 446375
Email: karen.irwin@livemusicnow.org.uk

NSPCC Helpline
0808 800 5000

We are committed to reviewing our policy and good practice annually.

Procedures for the Safeguarding of Children & Young People

1. Introduction

These procedures have been drawn up, using guidance from the NSPCC, to ensure the safety and protection of all children and young people involved in Live Music Now Scotland (LMNS) activities through adherence to the guidelines outlined in this document. They fit with the basic principles outlined in the LMNS *Policy for the Safeguarding of Children and Young People*.

These procedures apply to all those who work for LMNS, in paid or unpaid roles, and are intended to ensure that all LMNS activities (taking place in venues booked by LMNS and host venues such as schools, hospitals, community centres, arts centres etc and online) 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. Disclosure Scotland checks

Musicians join LMN and are eligible to work for any of the branches across the UK. All musicians joining the LMN scheme are required to undergo one of the following checks to ensure that they are suitable and appropriate people to be working with children.

- Scotland – Disclosure Scotland PVG scheme
- England & Wales – an Enhanced DBS check
- Northern Ireland – an AccessNI check

All musicians working in Scotland must apply to join the PVG scheme. If they are already a member then a record update must be submitted for LMNS. Musicians are not able to carry out work for LMNS until they have their PVG membership in place and up to date.

If a musician has had a DBS or AccessNI check which is less than a year old at the time of joining LMN in the rest of the UK then a copy must be provided prior to their being able to work for LMN. For musicians who haven't previously had a check then this must be carried out prior to them delivering work. If the musicians have signed up for the DBS Update Service, then a check will be carried out online.

All LMN artists' DBS, or AccessNI checks must be renewed every 3 years, or checked via the Update Service every three years. This is not required in Scotland as musicians remain part of PVG once registering.

All new musicians take part in safeguarding training as part of their induction and initial training with particular emphasis on working with children and young people with additional needs. The induction training includes learning about the needs of young people to promote effective communication and engagement in musical activities

LMNS staff who supervise musicians delivering regular work with young people are also required to join the PVG scheme. LMNS volunteers who attend events are also required to complete Disclosure checks.

3. Recognising abuse and responding to disclosures

Children and young people who have been abused may want to tell someone, but not have the exact words to do so. They may attempt to disclose abuse by giving adults clues, through their actions and by using indirect words. Adults need to be able to notice the signs that a child or young person might be distressed and ask them appropriate questions about what might have caused this. You should never wait until a child or young person tells you directly that they are being abused before taking action. Instead, ask the child if everything is OK or discuss your concerns with LMNS's designated safeguarding lead, the host venue's designated safeguarding lead or the NSPCC helpline.

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.

3.1 Identifying concerns

3.1.1 Disclosure

Disclosure is the process by which children and young people start to share their experiences of abuse with others. This can take place over a long period of time – it is a journey, not one act or action. Children may disclose directly or indirectly and sometimes they may start sharing details of abuse before they are ready to put their thoughts and feelings in order. Not all disclosures will lead to a formal report of abuse or a case being made or a case being taken to court, but all disclosures should be taken seriously. It takes extraordinary courage for a child to go through the journey of disclosing abuse. It's vital that anyone who works with children and young people undertaking this journey is able to provide them with the support they need.

3.1.2 How disclosure happens

Children and young people may disclose abuse in a variety of ways, including:

1. directly – making specific verbal statements about what has happened to them
2. indirectly – making ambiguous verbal statements which suggest something is wrong
3. behaviourally – displaying behaviour that signals something is wrong (this may or may not be deliberate)
4. non-verbally – writing letters, drawing pictures or trying to communicate in other ways.

Children and young people may not always be aware that they are disclosing abuse through their actions and behaviour. Sometimes children and young people make partial disclosures of abuse. This means they give some details about what they've experienced, but not the whole picture. They may withhold some information because they:

- are afraid they will get in trouble with or upset their family
- want to deflect blame in case of family difficulties as a result of the disclosure
- feel ashamed and/or guilty
- need to protect themselves from having to relive traumatic events.

When children do speak out it is often many years after the abuse has taken place.

3.1.3 Barriers to disclosure

Some children and young people are reluctant to seek help because they feel they don't have anyone to turn to for support. They may have sought help in the past and had a negative experience, which makes them unlikely to do so again. They may also:

- feel that they will not be taken seriously
- feel too embarrassed to talk to an adult about a private or personal problem
- worry about confidentiality
- lack trust in the people around them (including parents) and in the services provided to help them
- fear the consequences of asking for help
- worry they will be causing trouble and making the situation worse
- find formal procedures overwhelming

Not all children and young people realise they have experienced abuse.

3.2 Spotting the signs of abuse

Child abuse happens when a person – adult or child – harms a child. It can be physical, sexual or emotional, but can also involve a lack of love, care and attention. Neglect can be just as damaging to a child as physical or sexual abuse. Children may be abused by: family members, friends, people working or volunteering in organisational or community settings, people they know, or, much less commonly, by strangers. Children suffering abuse often experience more than 1 type of abuse. The abuse usually happens over a period time, rather than being a single, isolated incident. Increasingly, abuse can happen online.

Children and young people who have been abused may want to tell someone, but not have the exact words to do so. They may attempt to disclose abuse by giving adults clues, through their actions and by using indirect words. Adults need to be able to notice the signs that a child or young person might be distressed and ask them appropriate questions about what might have caused this. For a summary of the types of abuse and how to recognise them, **see Appendix B**.

3.3 Responding to a disclosure

The people children and young people choose to disclose to need to listen, understand and respond appropriately so the child gets the help, support and protection they need.

If a child tells you they are experiencing abuse, it's important to reassure them that they've done the right thing in telling you. Make sure they know that abuse is never their fault. Use these 3 techniques to help the child feel they are being listened to and taken seriously:

- **show you care, help them open up:** Give your full attention to the child and keep your body language open and encouraging. Be compassionate, be understanding and reassure them their feelings are important. Phrases such as 'you've shown such courage today' help.
- **take your time, slow down:** Respect pauses and don't interrupt the child – let them go at their own pace. Recognise and respond to their body language. And remember that it may take several conversations for them to share what's happened to them.
- **show you understand, reflect back:** Make it clear you're interested in what the child is telling you. Reflect back what they've said to check your understanding – and use their language to show it's their experience.

Non-biased approach: It's vital that any child who is trying to disclose abuse feels that they are being listened to and taken seriously.

But there can be a risk of unfair bias against the alleged abuser as formal investigations progress if professionals are not careful. This means it's important to maintain an unbiased approach when responding to disclosures and follow your organisation's procedures to ensure each case is treated in a fair and transparent manner and that the child gets the protection and support that they need.

Making notes: It's important to keep accurate and detailed notes on any concerns you have about a child. You will need to share these with the nominated child protection lead. Include:

- 1 the child's details (name, age, address)
- 2 what the child said or did that gave you cause for concern (if the child made a verbal disclosure, write down their exact words)
- 3 any information the child has given you about the alleged abuser.

A reporting template for providing a good record is enclosed in Appendix A.

REMEMBER - if a child makes a disclosure:

- 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 LMNS's designated person and/or the safeguarding lead in the venue you are working in

4. Information Sharing

4.1 When to share information

Timely information sharing is key to safeguarding and promoting the welfare of children. You may need to share information about the children and families you are working with for a number of reasons including:

- You are concerned that a child or a member of their family may be at risk of significant harm
- Someone from another agency has asked for information about a child or a family.

You must always have a clear and legitimate purpose for sharing a child's personal information. Information should not be shared unless others need to know. Decide what specific information is appropriate to share and who to share it with.

- Prioritise the safety and wellbeing of the child and anyone else who may be affected by the situation.
- Make sure you share the information quickly and securely. The sooner you report your concerns the better. This means the details will be fresh in your mind and action can be taken quickly.
- Identify how much information should be shared. This will depend on the reasons for sharing it.
- Use language that is clear and precise. Different agencies may use and understand terminology differently.
- Make sure the information you are sharing is accurate. Make it clear what information is factual and what is based on opinion (yours or other people's).

4.2 Facts and opinions

When recording information, you should be as factual as possible. If you need to give your own or somebody else's opinion, make sure it is clearly differentiated from fact. You should identify whose opinion is being given and record their exact words.

4.3 Consent

Children should be given the opportunity to decide whether they agree to their personal information being shared. If a child doesn't have the capacity to make their own decisions, ask their parent or carer (unless doing so would put the child at risk of harm). You should always seek consent to share information about an adult. **If consent is refused or if you're unable to seek consent, you can still share information with relevant professionals if this is in the public interest.** This includes protecting children from significant harm and promoting the welfare of children.

4.4 Confidentiality

Never promise a child that you will keep the things they're telling you a secret. Explain that you may need to share what they've told you with someone who will be able to help.

If a child or young person needs confidential help and advice direct them to the NSPCC Childline 0800 1111. This service offers children and young people confidential help and advice. Calls to 0800 1111 are free and children can also contact Childline online or find advice on the Childline website. Many children and young people will seek help because they know where to go and believe that it will make a difference. Others may not have the confidence to seek support or be too scared to ask for help. They may not get the help they need until they reach crisis point.

5. Barriers to reporting abuse

LMNS recognises that there are a number of significant barriers that can prevent children and young people reporting their concerns, and that LMNS musicians, staff, project management team members, Trustees and voluntary committee members who have a disclosure made to them may face barriers in reporting or sharing their concerns with the Safeguarding Officer.

5.1 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

LMNS 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
- 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

5.2 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

LMNS is aware of these barriers and will ensure that all LMNS musicians, staff, project management team members, Trustees and voluntary committee members have had sufficient training and information to enable them to overcome these barriers.

5.3 Other possible barriers to reporting abuse

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

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.

6. Reporting Concerns

If a child is suffering or at risk of suffering significant harm, you can share information with appropriate agencies or professionals without the child's or their parent's consent

1. If a child is in immediate danger, call the police without delay on 999.
2. If you are visiting a school or other community venue, e.g. children's hospital, or delivering online activity associated with a venue, then you must report your concern to the host venue's Designated Safeguarding Officer and follow the venue's safeguarding policy and procedures unless it could lead to more danger. LMNS's Safeguarding Officer can provide additional support and guidance on this.
3. Report the concerns you have about a child as soon as possible to:
LMNS Designated Safeguarding Officer (DSO):
Lesley-Ann Smith, LMNS General Manager
Tel: 07815 792054
Lesleyann.smith@livemusicnow.scot

In the absence of the LMNS DSO, concerns should be reported to the LMNS Deputy DSO:
Carol Main (Director) Tel: 0131 332 6356 / 07967 696709.
Carol.main@livemusicnow.scot

4. Should the concerns involve both the designated safeguarding officer and the Director, the report should be made directly to the Children's Social Care Unit in the local authority where the alleged abuse took place. Contact details of the Children's Social Care Unit for each area can be found on the relevant local council website.

You can also get help and advice from **NSPCC Child Protection Helpline** Tel: 0800 800 5000

5. Suspicions must not be discussed with anyone other than those nominated above.
6. **A written record of any concerns must be made as soon as possible** using the *Child/Young Person Abuse Report Form* (See Appendix A). 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.)
7. LMNS'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 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.

6.1 Referring the concerns to the relevant agencies

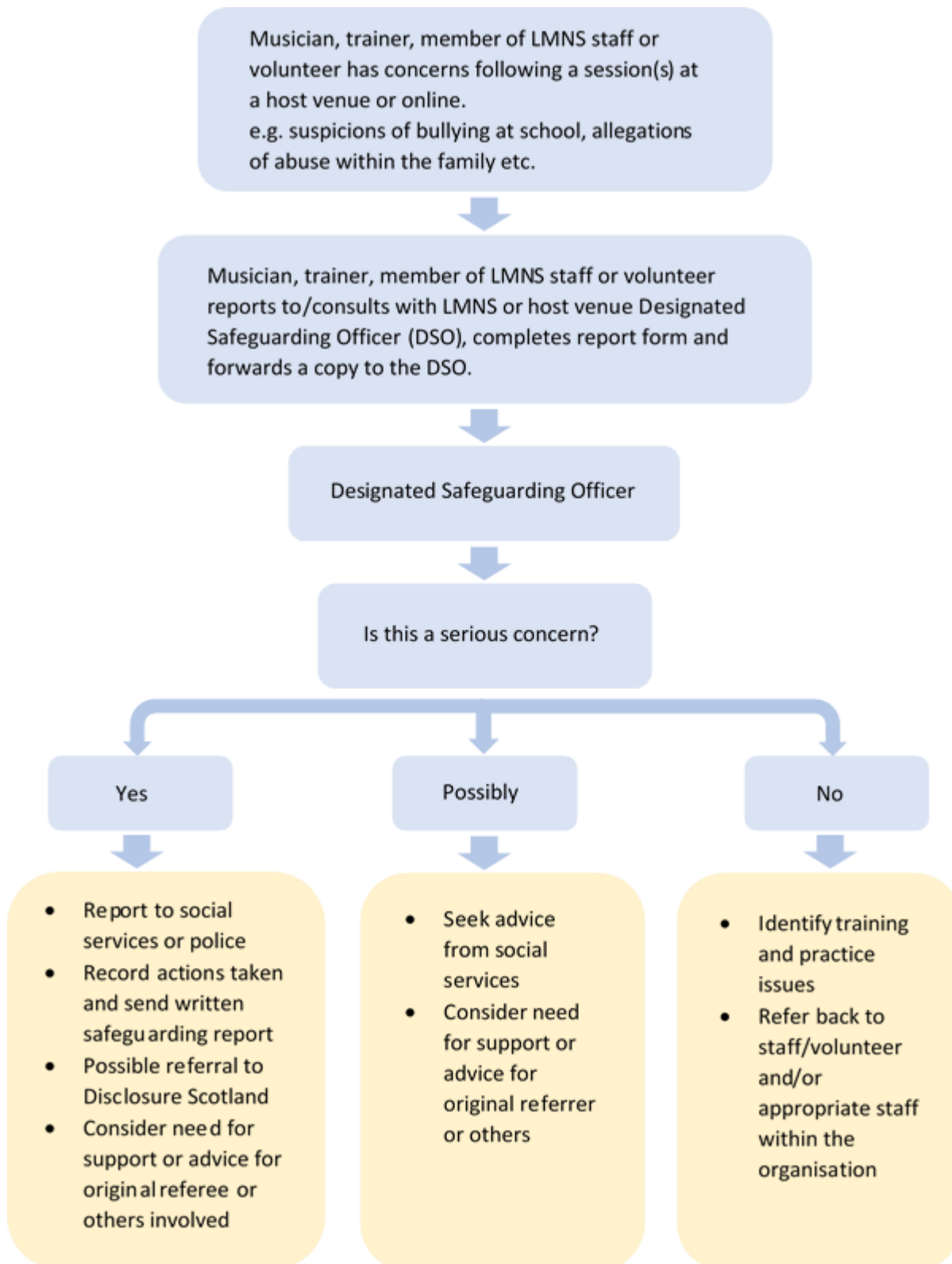
LMN is a UK wide charity, therefore concerns could be raised in any one of the local authority areas in the country and whilst LMNS is only responsible for Scotland, musicians may be working anywhere within the UK. It is the responsibility of the Safeguarding Officer to contact the relevant agencies within the local authority where the suspected or alleged abuse took place and to liaise with them throughout any ongoing investigations.

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
- 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 *LMNS 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

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

6.2 Flow chart of Reporting Procedure for reporting concerns of child abuse



7. Recording Information

7.1. 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 LMNS musicians, staff, project management team members, Trustees and volunteers 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.

7.2. Information Sharing - the Designated Safeguarding Officer's responsibility

- The Designated Safeguarding Officer (DSO) 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 DSO 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 DSO will, where possible, respect the wishes of children, young people or families who do not consent to share confidential information. The DSO 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 DSO 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.
- The DSO 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 DSO will always record the reasons for their decision – whether it is to share information or not.

A full description of the DSO's Roles and Responsibilities can be found in Appendix E.

8. Safeguarding Guidelines for online activities with young people

Safeguarding remains as important in the online environment as anywhere else. When working via Zoom or other approved online platforms to deliver music sessions for children and young people at home, LMNS musicians, staff and volunteers should follow these guidelines.

Before Sessions

- Personal accounts should not be used for online music sessions; musicians and staff should set up a work account, separate from personal accounts.
- Musicians should use their professional work email to contact the family.
- The use of social media or any way of communicating through unofficial channels is prohibited. Private chat or sharing of images between musicians and participants is prohibited.
- Privacy settings for the online platform must be used to make the session secure. For Zoom, use Meeting ID option to 'generate automatically' an ID for the meeting to reduce the risk of the meeting being accessed by a member of the public.
- The family/young person's contact and pre-session information should only be accessed via a secure Sharepoint folder or LMN database.
- Musicians and staff should correspond with the parent or carer, not the young person, about the sessions.
- Musicians should copy the relevant LMNS team member for that project into all correspondence with families.

On the day

- A neutral space (not a bedroom or bathroom) should be used for online sessions.
- The background should be professional and tidy; personal items should not be on display as they may distract the participants.
- Musicians should be in a room where others cannot see or listen in. If this is not possible, then headphones should be worn and screens angled away from other people.
- Musicians and staff should present themselves as if delivering face-to-face sessions, in dress & manner.
- The parent/carer must be present at the start of the session and remain in the room for the entire session. The session may have to be stopped if there is no adult present.
- If working with a teenager who doesn't require parent/carer support, then arrangements must be made for 2 adults to be present for the entire session. For example, LMN musician and LMN staff member; or LMN musician and venue staff member. The young person's parent / carer should be present at the start and end of the session.
- In conjunction with venues, sessions may be recorded and kept on file for 28 days for safeguarding purposes.

During the session

- Clear communication and appropriate pacing should be used to engage the young person.
- If the young person doesn't want to participate or isn't able to engage for any reason, then the parent/carer should be consulted. The session may need to finish early and the approach adapted for next time.

After the session

- If you have any safeguarding concerns regarding the young person, contact LMNS's designated safeguarding officer (Lesley-Ann Smith, lesleyann.smith@livemusicnow.scot). If the young person has been referred to the sessions via a school or organisation, inform their safeguard lead too.

9. Responding to concerns or allegations of abuse against an LMNS musician, member of staff, a project management team member, a Trustee or a volunteer

This includes anyone working with children in a paid or voluntary capacity (e.g. LMNS musicians, staff, project management team members, Trustees and volunteers). 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 LMNS 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.

9.1 Support for the Reporter of suspected abuse

It is acknowledged that feelings generated by the discovery that an LMNS musician, staff or project management team member, Trustee or voluntary committee members is, or may be, abusing a child, will raise concerns amongst other staff and volunteers. This includes the difficulties inherent in reporting such matters.

LMNS 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.

9.2 Types of investigation

Where there is a complaint of abuse against a member of the LMNS voluntary or paid team, 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 LMNS disciplinary investigation.

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

9.3 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:

9.3.1 Poor Practice

- If, following consideration, the allegation is clearly about poor practice, the DSO and Director will deal with it as a misconduct issue.
- If the allegation is about poor practice by the DSO or Director, or the matter has been handled inadequately and the concerns remain, it should be referred to LMNS's Board of Trustees. They will decide how to deal with the allegation and whether or not to initiate disciplinary proceedings.

9.4 Suspected Abuse

- Any suspicion that a child has been abused by that an LMNS musician, staff or project management team member, Trustee or voluntary committee member should be reported to the DSO at the earliest opportunity

- The DSO 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 DSO is the subject of the suspicion/allegation, the report must be made directly to the Director who is then responsible for taking the action outlined above

9.4.1 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 Designated Safeguarding Officer
- The 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. information is accurate, regularly updated, relevant & secure).

9.4.2 Internal Enquiries and Suspension

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

Irrespective of these findings, LMNS 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 members. This may be a difficult decision; particularly where there is insufficient evidence to uphold any action by the police. In such cases LMNS 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 LMNS works will always remain the paramount concern.

9.4.3 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. LMNS will support the children, parents and LMNS 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.

10. Whistleblowing policy and procedure

Whistleblowing occurs when a member of staff or volunteer raises a concern about misconduct, illegal or underhand practices by individuals and/or an organisation; or about the way care and support is being provided, such as practices that cause harm or risk of harm to others or are abusive, discriminatory or exploitative. This will include situations where a staff member's or volunteer's concerns are not acted upon by the DSO or appointed person, or the Director.

In line with LMNS's whistleblowing policy and procedures:

- LMNS is committed to the highest possible standards of conduct, openness, honesty and accountability;
- LMNS takes poor or malpractice seriously and ensures that a whistleblowing concern is clearly distinguished from a grievance;
- Staff or volunteers have the option to raise concerns outside of line management structures;
- Staff or volunteers are enabled to access confidential advice from an independent source;
- LMNS will, where possible, respect the confidentiality of a member of staff raising a concern through the whistleblowing procedure; and
- It is a disciplinary matter both to victimise a bona fide whistleblower and for someone to maliciously make a false allegation.

There may be situations in which concerns or allegations turn out to be unfounded. It is important that everyone in the organisation knows that if they raise a concern which, through the process of investigation, is not validated, they have not in any way been wrong in their initial action. LMNS endorses responsible action and whistleblowers should be confident of support.

It is everyone's duty to be vigilant in preventing abusive practice.

APPENDIX A

Child/Young Person Abuse Report Form

Please answer all relevant questions as fully as you can and pass the form on as quickly as possible (even if you cannot complete all sections).

Work location	
Name of Child	
Age/Date of Birth	
Gender	
Names of parent(s) (if known)	
Home Address (if known)	

PLEASE COMPLETE THOSE SECTIONS BELOW THAT ARE RELEVANT

1 Disclosure by a child or young person
When was the disclosure made (dates and times)?
Who did the child/young person make the disclosure to?
What did the child/young person actually say?

2 Indicators

Describe any signs or indicators of abuse (with times and dates)

Has the child/young person alleged that any particular person is the abuser
(if so, please record details and the relationship, if any, to the child/young person below)

3 Concerns expressed by another person about a child/young person

Record the concerns that were passed to you (with dates and times) and if possible ask the person who expressed the concerns to confirm that the details as written are correct.

4 Details of any immediate action taken, e.g. first aid, etc

<p>5 Does the child/young person have any particular needs, e.g. communication, etc?</p>
<p>Signatures</p>
<p><i>To be signed by the person reporting the concern</i></p> <p>Name _____</p> <p>Job title _____</p> <p>Signed _____ Date _____</p>
<p><i>Date received and actioned by Designated Safeguarding Officer/Deputy</i></p> <p>Name _____</p> <p>Signed _____ Date _____</p>
<p><i>Action taken by Designated Safeguarding Officer/Deputy</i></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Signed _____ Date _____</p>

APPENDIX B

Types of child abuse and how to recognise the signs

The following information is to assist LMNS musicians, staff, project management team members, Trustees and voluntary committee members to be more alert to the types and possible signs of abuse. This list is not a definitive guide but is to assist you to recognise the signs and know how to respond appropriately. These signs do not necessarily mean that a child is being abused. There may well be other reasons for changes in a child's behaviour such as a bereavement or relationship problems between parents/carers. In assessing whether signs are related to abuse or not, they need to be considered in the context of the child's development and situation.

The following information is taken from the NSPCC's Knowledge and Information Service: Definitions and signs of child abuse (Dec 2017).

What is child abuse?

Child abuse happens when a person – adult or child – harms a child. It can be physical, sexual or emotional, but can also involve a lack of love, care and attention. Neglect can be just as damaging to a child as physical or sexual abuse. Children may be abused by: family members, friends, people working or volunteering in organisational or community settings, people they know, or, much less commonly, by strangers. Children suffering abuse often experience more than 1 type of abuse. The abuse usually happens over a period time, rather than being a single, isolated incident. Increasingly, abuse can happen online.

1. Physical Abuse

Physical Abuse happens when a child is deliberately hurt, causing injuries such as cuts, bruises, burns and broken bones. It can involve hitting, kicking, shaking, throwing, poisoning, burning or suffocating. Physical abuse may also happen when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. Physical abuse can also be caused through omission or the failure to act to protect.

Spotting the signs of Physical Abuse

All children have trips, falls and accidents which may cause cuts, bumps and bruises. These injuries tend to affect bony areas of their body such as elbows, knees and shins and are not usually a cause for concern. Injuries that are more likely to indicate physical abuse include:

Bruising

- bruises on babies who are not yet crawling or walking
- bruises on the cheeks, ears, palms, arms and feet
- bruises on the back, buttocks, tummy, hips and backs of legs
- multiple bruises in clusters, usually on the upper arms or outer thighs
- bruising which looks like it has been caused by fingers, a hand or an object, like a belt or shoe
- large oval-shaped bite marks.

Burns or scalds

- any burns which have a clear shape of an object, for example cigarette burns
- burns to the backs of hands, feet, legs, genitals or buttocks.

Other signs of physical abuse include multiple injuries (such as bruising, fractures) inflicted at different times.

If a child is frequently injured, and if the bruises or injuries are unexplained or the explanation doesn't match the injury, this should be investigated. It's also concerning if there is a delay in seeking medical help for a child who has been injured.

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
- Running away from home

2. Emotional Abuse

Emotional abuse is emotional maltreatment of a child which has a severe and persistent negative effect on the child's emotional development. Most forms of abuse include an emotional element, but emotional abuse can also happen on its own. It involves: humiliating, putting down or constantly criticising a child; shouting at or threatening a child or calling them names; mocking a child or making them perform degrading acts; constantly blaming or scapegoating a child for things which are not their fault; trying to control a child's life and not recognising their individuality; not allowing them to have friends or develop socially; pushing a child too hard or not recognising their limitations; manipulating a child; exposing a child to distressing events or interactions such as drug taking, heavy drinking or domestic abuse; persistently ignoring them; being cold and emotionally unavailable during interactions with a child; never saying anything kind, positive or encouraging to a child and failing to praise their achievements and successes.

Spotting the signs of Emotional Abuse

There aren't usually any obvious physical signs of emotional abuse but you may spot signs in a child's actions or emotions. It's important to remember that some children are naturally quiet and self-contained whilst others are more open and affectionate. Mood swings and challenging behaviour are also a normal part of growing up for teenagers and children going through puberty. Be alert to behaviours which appear to be out of character for the individual child or are particularly unusual for their stage of development.

Babies and pre-school children who are being emotionally abused may:

- be overly affectionate towards strangers or people they haven't known for very long
- not appear to have a close relationship with their parent, for example when being taken to or collected from nursery
- lack confidence or become wary or anxious
- be unable to play

Older children may:

- use language, act in a way or know about things that you wouldn't expect for their age
- struggle to control strong emotions or have extreme outbursts
- seem isolated from their parents
- lack social skills or have few, if any, friends
- fear making mistakes
- fear their parent being approached regarding their behaviour
- self-harm.

3. Sexual Abuse

Sexual abuse is when a child is forced or persuaded to take part in sexual activities This may involve physical contact or non-contact activities and can happen online or offline. Children and young people may not always understand that they are being sexually abused. **Contact abuse**

includes sexual touching of any part of the body; forcing or encouraging a child to take part in sexual activity; making a child take their clothes off or touch someone else's genitals; rape or penetration. **Non-contact abuse** includes: flashing at a child; encouraging or forcing a child to watch or hear sexual acts; not taking proper measures to prevent a child being exposed to sexual activities by others; making, viewing or distributing child abuse images; allowing someone else to make, view or distribute child abuse images. **Online sexual abuse** includes: persuading or forcing a child to send or post sexually explicit images of themselves, this is sometimes referred to as sexting; persuading or forcing a child to take part in sexual activities via a webcam or smartphone; having sexual conversations with a child by text or online.

There may be physical signs that a child has suffered sexual abuse. These include:

- anal or vaginal soreness or itching
- bruising or bleeding near the genital area
- discomfort when walking or sitting down
- an unusual discharge
- sexually transmitted infections (STI)
- pregnancy.

Changes in the child's mood or behaviour may also cause concern. They may want to avoid spending time with specific people. In particular, the child may show sexual behaviour that is inappropriate for their age. For example:

- they could use sexual language or know things about sex that you wouldn't expect them to
- a child might become sexually active at a young age
- they might be promiscuous.

4. Neglect

Neglect is the ongoing 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 involve a parent's or carer's failure to: provide adequate food, clothing or shelter; supervise a child (including leaving them with unsuitable carers) or keep them safe from harm or danger; make sure the child receives appropriate health and/or dental care; make sure the child receives a suitable education; meet the child's basic emotional needs – parents may ignore their children when they are distressed or even when they are happy or excited. This is known as emotional neglect.

Neglect is the most common type of child abuse. It often happens at the same time as other types of abuse.

Signs of Neglect: neglect can be difficult to identify. Isolated signs may not mean that a child is suffering neglect, but multiple and persistent signs over time could indicate a serious problem.

Some of these signs include:

- children who appear hungry - they may come to school without lunch money or even try to steal food
- children who appear dirty or smelly and whose clothes are unwashed or inadequate for the weather conditions
- children who are left alone or unsupervised
- children who fail to thrive or who have untreated injuries, health or dental problems
- children with poor language, communication or social skills for their stage of development
- children who live in an unsuitable home environment, for example the house is very dirty and unsafe, perhaps with evidence of substance misuse or violence
- children who have taken on the role of carer for other family members.

5 Domestic Abuse

Domestic abuse is any type of controlling, bullying, threatening or violent behaviour between people who are or were in an intimate relationship. There are many different types of abusive behaviours that can occur within intimate relationships, including emotional, sexual, financial, psychological and physical abuse. Domestic abuse can be underpinned by an on-going pattern of psychologically abusive behaviour (coercive control) that is used by 1 partner to control or intimidate the other partner. Children's exposure to domestic abuse between parents and carers is child abuse.

Spotting the signs of domestic abuse

It can be difficult to tell if domestic abuse is happening, because it usually takes place in the family home and abusers can act very differently when other people are around. Children who witness domestic abuse may:

- become aggressive
- display anti-social behaviour
- suffer from depression or anxiety
- not do as well at school - due to difficulties at home or disruption of moving to and from refuges.

6 Bullying

Bullying can also be a category of abuse. Bullying is the abuse and/or intimidation by a person, people or an organisation against another or others. It may be a specific act or it may be institutional. It is an abuse of a perceived power relationship. Children can also bully other children. Bullying may include verbal abuse and intimidation, acts of physical or sexual abuse and coercion, e-bullying, through texting, filming on mobiles and posting on social networks. Whatever its form it is unacceptable. It must be challenged and appropriately addressed.

Some possible signs of bullying:

- Reluctance to attend activities previously enjoyed.
- Tearfulness, depression, erratic emotions, loss of concentration.
- Stomach aches, headaches, difficulty in sleeping, bed-wetting, bruising, cuts scratches, damaged clothing, bingeing on food, alcohol or cigarettes.
- Shortage of money, frequent loss of possessions.
- Asks for money or starts stealing (to pay bully/ies)
- Drop in performance.

Online bullying can also be known as **cyberbullying**.

Cyberbullying includes:

- sending threatening or abusive text messages
- creating and sharing embarrassing images or videos
- 'trolling' - sending menacing or upsetting messages on social networks, chat rooms or online games
- excluding children from online games, activities or friendship groups
- setting up hate sites or groups about a particular child
- encouraging young people to self-harm
- voting for or against someone in an abusive poll
- creating fake accounts, hijacking or stealing online identities to embarrass a young person or cause trouble using their name.

Other forms of harm

The NSPCC and inter-agency guidance draws attention to other sources of stress or harm for children and families such as exploitation by criminal gangs and organised crime groups; Female Genital Mutilation (FGM); child trafficking and modern slavery; child sexual exploitation and the influences of extremism leading to radicalisation. Whatever the form of abuse or neglect, you should put the needs of children first when determining what action to take.

APPENDIX C

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

1. Introduction

LMNS 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 LMNS musician, staff or project management team member, Trustee or voluntary committee member.

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”.¹

All organisations that provide services for or work with children, should have clear procedures for dealing with allegations of abuse, complaints or concerns about a member of staff or volunteer that is consistent with legislation and the local safeguarding partners child protection procedures.

1.2 The framework for managing allegations 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 Designated Safeguarding Officer identified in LMNS’s *Child Protection Procedure* immediately, if the DSO is unavailable or is the subject of the allegation, it should be reported to the Director. If the allegation meets any of the criteria in paragraph 1.2 LMNS will report it to the local authority child protection services within one working day.

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

Child protection services will discuss the matter with LMNS and, where necessary, obtain further details of the allegation and the circumstances in which it was made.

¹ *Working Together to Safeguard Children* – HM Government 2018

If the allegation is not patently false and there is cause to suspect that a child is suffering, or likely to suffer, significant harm, child protection services will follow their procedures and may ask for a strategy discussion to be convened straight away. In these circumstances, the strategy discussion should include the child protection services and a representative of LMNS, most likely the DSO.

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

2.3 Action following initial consideration

There are three possible courses 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 LMNS. 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, LMNS should discuss who will undertake that with child protection services. The investigating officer should aim to provide a report to LMNS within **10 working days**

On receipt of the report of the disciplinary investigation, LMNS 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, LMNS should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action

Note: 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 Disqualified From Working With Children List

If the allegation is substantiated, and on conclusion of the case LMNS dismisses the person or ceases to use the person's services, or the person ceases to provide his/her services, the employer has a legal duty to inform the relevant disclosure and barring agency. In Scotland this is Disclosure Scotland. In the rest of the UK this is DBS. LMNS also has a duty to report to the appropriate regulatory bodies such as OSCR and any professional regulatory body. 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 The person who is the subject of the allegation should also be told about the allegation as soon as possible (as long as this does not place any children at further risk of harm). LMNS should keep the individual informed of the progress of the case and arrange to provide appropriate support to them while the case is ongoing. If the person is suspended, LMNS 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. Everyone involved in the investigation should understand this.

3.3 Resignations and 'Settlement 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 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.

'Settlement agreements' – whereby a person agrees to resign and the employer agrees not to pursue disciplinary action must not be used in cases of alleged abuse.

3.4 Record keeping

LMNS will keep a clear and comprehensive summary of:

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

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 LMNS, at least until the person reaches normal retirement age, or for 10 years if that is longer.

3.5 Oversight and monitoring

LMNS has identified Lesley-Ann Smith, General Manager, 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 LMNS musicians, staff, project management team members, Trustees and voluntary committee members will know that they can go directly to child protection services to report their concerns.

3.6 Case review

If an allegation is substantiated, the managers and Trustees of LMNS must think widely about the lessons of the case and how they should be acted on. This should include;

- considering any factors that may have contributed to or failed to prevent abuse occurring
- reviewing safeguarding and child protection measures to ensure ongoing vigilance
- making changes to organisational policies and procedures as necessary.

In some cases a case review may be appropriate. This means an independent reviewer will speak to all the agencies involved and consider the case. They will consider whether there are lessons that should be shared more widely to improve safeguarding practice.

3.7 Code of conduct/professional boundaries

This document has so far outlined what LMNS 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 care² to safeguard and promote their welfare. It is important that all LMNS musicians, staff, project management team members, Trustees and voluntary committee members are aware of LMNS's expectations from the outset. This signifies that LMNS 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.

Further information on this area can be found on the [NSPCC's website](#).

² 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.

APPENDIX D

LMNS Code of Behaviour for adults working with children and young people

Purpose

This Code of Behaviour outlines the conduct LMNS expects from all our staff and volunteers. This includes trustees, voluntary committee members, musicians, trainers and anyone who is undertaking duties for the organisation, whether paid or unpaid.

The code aims to help us protect children and young people from abuse and reduce the possibility of unfounded allegations being made. In your role at LMNS you are acting in a position of authority and have a duty of care towards the children and young people we work with. You are likely to be seen as a role model and are expected to act appropriately.

Responsibility

You are responsible for:

- prioritising the welfare of children and young people
- providing a safe environment for children and young people
 - ensuring equipment and musical instruments are used safely and for their intended purpose
 - having good awareness of issues to do with safeguarding and child protection and taking action when appropriate.
- following our principles, policies and procedures including our policies and procedures for child protection/safeguarding, whistleblowing and online safety
- staying within the law at all times
- modelling good behaviour for children and young people to follow
- challenging all unacceptable behaviour and reporting any breaches of the behaviour code to Carol Main, Director
- reporting all concerns about abusive behaviour, following our safeguarding and child protection procedures - this includes behaviour being displayed by an adult or child and directed at anybody of any age.

Rights

You should:

- treat children and young people fairly and without prejudice or discrimination
- understand that children and young people are individuals with individual needs
- respect differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems, and appreciate that all participants bring something valuable and different to the group/organisation
- challenge discrimination and prejudice
- encourage young people and adults to speak out about attitudes or behaviour that makes them uncomfortable.

Relationships

You should:

- promote relationships that are based on openness, honesty, trust and respect avoid favouritism
- be patient with others
- exercise caution when you are discussing sensitive issues with children or young people
- ensure your contact with children and young people is appropriate and relevant to the work of the project you are involved in

- ensure that there is at least one adult who is not affiliated with LMNS present during LMNS activities with children and young people
 - if a situation arises where you are alone with a child or young person, ensure that you are within sight or hearing of other adults.
 - if a child specifically asks for or needs some individual time with you, ensure other staff or volunteers know where you and the child are.
 - only provide personal care in an emergency and make sure there is more than one adult present if possible

Respect

You should:

- listen to and respect children at all times
- value and take children's contributions seriously, actively involving them in planning LMNS activities wherever possible
- respect a young person's right to personal privacy as far as possible.
 - if you need to break confidentiality in order to follow child protection procedures, it is important to explain this to the child or young person at the earliest opportunity.

Unacceptable Behaviour

When working with children and young people, all LMNS musicians, staff, trainers, project management team members, Trustees and voluntary committee members must not:

- allow concerns or allegations to go unreported
- take unnecessary risks
- smoke, consume alcohol or use illegal substances
- develop inappropriate relationships with children and young people
- make inappropriate promises to children and young people
- engage in behaviour that is in any way abusive, including having any form of sexual contact with a child or young person
- let children and young people have your personal contact details (mobile number, email or postal address) or have contact with them via a personal social media account
- act in a way that can be perceived as threatening or intrusive
- patronise or belittle children and young people
- make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children and young people.

Upholding this code of behaviour

You should always follow this code of behaviour and never rely on your reputation or that of LMNS to protect you.

If you have behaved inappropriately you will be subject to our disciplinary procedures. Depending on the seriousness of the situation, you may be asked to leave LMNS. We may also make a report to statutory agencies such as the police and/or the local authority child protection services.

If you become aware of any breaches of this code, you must report them to Carol Main, Director. If necessary, you should follow our whistleblowing procedure and safeguarding and child protection procedures.

APPENDIX E

Designated Safeguarding Officer Role and Responsibilities

General

Live Music Now Scotland's Designated Safeguarding Officer (DSO) is Lesley-Ann Smith, General Manager. The Safeguarding Officer is responsible for dealing with any concerns about the protection of children. In the absence of Lesley-Ann, LMNS's Director, Carol Main, will act as the Deputy DSO.

Name: Lesley-Ann Smith
Role: General Manager
Telephone: 07815 792054
Email: lesleyann.smith@livemusicnow.scot

Name: Carol Main
Role: LMNS Director
Telephone: 0131 332 6356 / 07967 696709
Email: carol.main@livemusicnow.scot

If the concerns raised are about activity taking place in the wider LMN network then Live Music Now's DSO is Karen Irwin, Strategic Director. In the absence of Karen Irwin, LMN's Executive Director, Nina Swann, will act as the Deputy DSO.

Designated Safeguarding Officer

Name: Karen Irwin, Strategic Director, Live Music Now
Telephone: 0151 222 5467 / 07971 446375
Email: karen.irwin@livemusicnow.org.uk

Deputy Designated Safeguarding Officer

Name: Nina Swann, Executive Director Live Music Now
Phone/email: 020 7759 1803 or mobile 07956 946952
Email: nina.swann@livemusicnow.org.uk

Purpose of the Designated Safeguarding Officer Role

To take the lead in ensuring that appropriate arrangements for keeping children and young people safe are in place for LMNS.

To promote the safety and welfare of children and young people involved in LMNS's activities at all times.

Duties and responsibilities

1. Take a lead role in developing and reviewing LMN's safeguarding and child protection policies and procedures.
2. Take a lead role in implementing LMNS's safeguarding and child protection policies and procedures: ensuring all safeguarding and child protection issues concerning children and young people who take part in LMNS's activities are responded to appropriately.
3. Make sure that everyone working or volunteering with or for children and young people at LMNS including the board of trustees, understands the safeguarding and child protection policy and procedures and knows what to do if they have concerns about a child's welfare.
4. Make sure children and young people who are involved in activities at LMNS and their parents know who they can talk to if they have a welfare concern and understand what action the organisation will take in response.

5. Receive and record information from anyone who has concerns about a child who takes part in LMNS's activities.
6. Take the lead on responding to information that may constitute a child protection concern, including a concern that an adult involved with LMNS may present a risk to children or young people. This includes:
 - a. assessing and clarifying the information
 - b. making referrals to statutory organisations as appropriate
 - c. consulting with and informing the relevant members of LMNS's management
 - d. following LMNS's safeguarding policy and procedures.
7. Liaise with, pass on information to and receive information from statutory child protection agencies such as:
 - a) the local authority child protection services
 - b) the police. This includes making formal referrals to agencies when necessary.
8. Consult the NSPCC Helpline when support is needed, by calling 0808 800 5000 or emailing help@nspcc.org.uk.
9. Store and retain child protection records according to legal requirements and the organisation's safeguarding and child protection policy and procedures.
10. Work closely with the board of trustees to ensure they are kept up to date with safeguarding issues and are fully informed of any concerns about organisational safeguarding and child protection practice.
11. Report regularly to the board of trustees on issues relating to safeguarding and child protection, to ensure that child protection is seen as an ongoing priority issue and that safeguarding and child protection requirements are being followed at all levels of the organisation.
12. Be familiar with and work within inter-agency child protection procedures developed by the local child protection agencies.
13. Be familiar with issues relating to child protection and abuse and keep up to date with new developments in this area.
14. Attend regular training in issues relevant to child protection and share knowledge from that training with everyone who works or volunteers with or for children and young people at LMNS.