

LIVE MUSIC NOW SCOTLAND

POLICY & PROCEDURES FOR THE SAFEGUARDING OF ADULTS

Effective from:	10.02.2025
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SECTION ONE: Safeguarding at Live Music Now Scotland

Introduction to Live Music Now Scotland (LMNS)

Live Music Now Scotland's mission is to bring high quality live music to people throughout Scotland, particularly those who would otherwise not have access to its transforming benefits and ability to affect societal change. At the same time, LMNS supports outstanding early career artists in establishing sustainable careers as professional musicians based in Scotland through fairly paid performing experience and training.

The objectives for which LMNS is established are:

- The advancement of the arts and culture through the promotion of music and other performing arts, in particular among those members of the public who would otherwise be deprived of the benefit of performances of live music and of other performing arts; and
- To advance the musical education of musicians at the outset of their careers as performing artists by providing them with support, specialist training and opportunities to complete their practical education by performing and working in public.

Live Music Now was founded in 1977 by legendary violinist Yehudi Menuhin and is the leading musicians' development and outreach organisation in the UK. Live Music Now Scotland has been a fully devolved branch since 1984 working with over 135 musicians across a range of musical genres in delivering over 750 participatory performances and workshops annually in care homes, day centres, hospitals, additional support needs schools and units, nurseries and other community settings across the length and breadth of the country.

The Purpose and scope of the Policy

This policy applies to all LMNS musicians, staff, musicians, volunteers, trustees of the charity and anyone delivering work on behalf of LMNS.

LMNS believes that it is unacceptable for adults at risk to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all adults at risk by a commitment to practice which protects them.

The purpose of this policy is to safeguard the adults who receive LMNS's services, including the families of adult users, while also providing LMNS musicians, staff, trustees, and volunteers with the overarching principles that define our approach to safeguarding adults.

About Adults at Risk

The introduction of the Adult Support and Protection (Scotland) Act 2007 provides a clear legal framework for how agencies work in partnership with other services to protect adults at risk. This places adult safeguarding on the same statutory footing as child safeguarding. The Act defines an individual as an adult at risk, and states that specific adult safeguarding duties apply to any adult who:

- Has care and support needs
- Is experiencing, or is at risk of, abuse or neglect
- Is unable to protect themselves because of their care and support needs.

An adult at risk is referred to by Disclosure Scotland as a protected adult. The term 'vulnerable adult' can be seen as stigmatizing and may not accurately reflect the complex factors that can put someone at risk of harm, emphasizing the individual's ability to safeguard themselves rather than focusing solely on a label of vulnerability.

While not an exhaustive list, an adult at risk may be:

- An older person
- A person with a physical disability, a learning difficulty or a sensory impairment
- Someone with mental health needs, including dementia or a personality disorder
- A person with a long-term health condition
- Someone who misuses substances or alcohol to the extent that it affects their ability to manage day-to-day living.

People with care and support needs may come to be at risk of harm at any point due to:

- Physical or mental ill-health
- Becoming disabled
- Getting older
- Not having support networks
- Inappropriate accommodation
- Financial circumstances or
- Being socially isolated

Legal framework

This policy and the accompanying procedures have been written using information provided in Adult Support and Protection (Scotland) Act 2007 code of practice and are underpinned by the following legislation:

The Human Rights Act	Adult Support and Protection (Scotland) Act 2007
Equality Act	Protection of Vulnerable Groups (Scotland) Act 2007
Adults with Incapacity (Scotland) Act 2000	Community Care & Health (Scotland) Act 2002
Regulation of Care (Scotland) Act 2001	The Care Act 2014
Mental Health (Care & Treatment) (Scotland) Act 2003	

Safeguarding adults

‘Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.’

- Care and Support Statutory Guidance, Department of Health, updated February 2017

Principles underpinning this policy

LMNS believes that:

- Everyone has the right to enjoy activities of any group in a happy, secure and safe environment free from harm from abuse, exploitation and neglect.
- The abuse of adults at risk is a reality that everybody should be aware of and can take different, and sometimes multiple form.
- Staff and volunteers must recognise their responsibilities to develop awareness of the issues that cause adults harm, and to establish and maintain a safe environment for them.

The Care Act 2014 Statutory Guidance provides six key principles that underpin adult safeguarding work which LMNS adheres to:

1. **Empowerment:** People are supported and encouraged to make their own decisions and provide informed consent.
2. **Prevention:** It is better to take action before harm occurs.
3. **Proportionality:** The least intrusive response appropriate to the risk presented.
4. **Protection:** Support and representation for those in greatest need.
5. **Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
6. **Accountability:** Accountability and transparency in delivering safeguarding.

Safeguarding adults

LMNS will endeavour to safeguard the adults we work with by:

- Always respecting, valuing, and listening to them
- Appointing a Designated Safeguarding Officer (DSO) and a Deputy DSO
- Adopting adult safeguarding best practice through our policies, procedures and code of conduct for musicians, staff, volunteers and trustees
- Carefully following the procedures laid down for the recruitment and selection of staff and volunteers
- Providing effective management for staff and volunteers through supervision, support and training
- Implementing clear procedures for raising awareness of and responding to abuse within the organisation and for reporting concerns to statutory agencies that need to know, while involving adults at risk and their carers appropriately
- Ensuring general safety and risk management procedures are adhered to
- Recording and storing information professionally and securely, in line with data protection legislation and guidance
- Sharing information about safeguarding and good practice with musicians, staff and volunteers
- Sharing concerns and relevant information with agencies and/or managing any allegations against staff and volunteers by following the procedures outlined in this policy
- Ensuring that we have effective complaints and whistleblowing measures in place
- Creating an open and honest culture where musicians, staff and volunteers feel comfortable sharing their safeguarding concerns

Live Music Now Scotland Safeguarding Team

LMNS Designated Safeguarding Officer (DSO), Lesley-Ann Smith, General Manager

Email: lesleyann.smith@livemusicnow.scot, Telephone: 07815 792054

LMNS Deputy DSO, Jude Anderson, CEO

Email: jude.anderson@livemusicnow.scot Telephone: 07976 531117

Staff Training Log

Name	Job Role	Training Undertaken
Lesley-Ann Smith	General Manager / Designated Safeguarding Officer	NSPCC Designated Safeguarding Lead training 2020
Jude Anderson	CEO / Deputy Safeguarding Officer	NSPCC Designated Safeguarding Lead training 2022

SECTION TWO: Safer Recruitment & Code of Conduct

Disclosure Scotland PVG (Protecting Vulnerable Groups) checks

Musicians

All musicians joining the LMNS scheme will work with both vulnerable groups: children and Protected Adults. To work for LMNS, all musicians are required to apply for a Disclosure Scotland PVG Scheme Record to work with children and protected adults.

Musicians who are members of the Disclosure Scotland PVG Scheme Record with approval to work with one group, are required to apply for an Existing Scheme Record to apply to work with a new group.

Musicians who are a member of the Disclosure Scotland PVG Scheme Record with approval to work with both groups, are required to apply for a Scheme Record Update to add Live Music Now Scotland to their membership.

Musicians are not able to carry out work for LMNS until they have their PVG membership is in place

Volunteers

LMNS volunteers and trustees are required to complete a Basic/Level 1 Disclosure Scotland check.

Staff

LMNS staff are required to complete a Basic/Level 1 Disclosure Scotland check.

Policies and training

All new musicians take part in safeguarding training as part of their induction which introduces them to our procedures.

Before undertaking any work, musicians, staff and volunteers must read the Children and Young People Safeguarding Policy, Adults at Risk Safeguarding Policy and Digital Safety Policy and submit a 'Statement of Understanding' form. By completing this form, musicians, staff and volunteers agree to adhere to the policies while undertaking all paid or unpaid work with Live Music Now Scotland.

Musicians who lead residencies with children and young people are required to complete safeguarding training.

All musicians, staff and volunteers are strongly encouraged to attend Live Music Now Scotland's annual safeguarding training at least once every three years.

Code of conduct when working with adults at risk of harm

This Code of Conduct outlines the conduct LMNS expects from all our staff and volunteers when working with adults at risk of harm. This includes trustees, musicians, trainers and anyone who is undertaking duties for the organisation, whether paid or unpaid.

During all LMNS activities involving adults at risk, staff and volunteers must:

- Promote and protect the human rights of all adults in every aspect of their work
- Treat all adults with dignity and respect
- Be patient and listen
- Communicate clearly, in whichever way best suits the individual and check their understanding

- Adopt a person-centred approach
- Treat all adults fairly and equally
- Promote independence, choice and decision-making
- Encourage participation during LMNS sessions
- Help all adults to fulfil their ability and potential
- Ensure that there is at least one adult who is not affiliated with LMNS present during activities with vulnerable adults
- Remember that someone else might misinterpret your actions, no matter how well intentioned
- Be aware that any physical contact with a vulnerable adult may be misinterpreted
- Operate within the organisation's principles and guidance on working with adults at risk
- Challenge unacceptable behaviour and report all allegations, suspicions or disclosures of abuse

Unacceptable behaviour

You must not:

- Have inappropriate physical or verbal contact with adults at risk
- Engage in sexually provocative or physical games, including horseplay
- Allow yourself to be drawn into inappropriate attention-seeking behaviour
- Make sexually suggestive comments
- Make suggestive or derogatory remarks or gestures in front of adults at risk
- Form inappropriate relationships
- Gossip about personal or sensitive information
- Make/accept loans or gifts of money
- Photograph/video an adult, even by mobile phone, without the adult's valid consent
- Jump to conclusions about others without checking facts
- Either exaggerate or trivialise abuse issues
- Show favouritism to any individual
- Rely on your good name or that of LMNS to protect you
- Believe 'it could never happen to me'
- Take a risk when common sense, policy or practice indicate a more prudent approach
- Meet with adults at risk outside organised LMNS activities
- Let adults at risk have your personal contact details or have contact with them via a personal social media account
- Support an adult at risk with their personal care
- Let allegations made by an adult at risk go without being addressed and recorded
- Deter adults at risk from making allegations through fear of not being believed

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 LMNS's disciplinary procedures. Depending on the seriousness of the situation, you may be asked to leave LMNS. Employers have a legal responsibility to refer to Disclosure Scotland where an individual has harmed a child or protected adult.

SECTION THREE: Recognising abuse and neglect in adults at risk

Types of abuse

Abuse is a violation of a person's human rights or dignity by someone else. Abuse and neglect can occur anywhere: at home or a public place, in hospital or attending a day centre, or in a college or care home.

The person causing the harm may be a stranger but, more often than not, the adult at risk will know and feel safe with them. They're usually in a position of trust and power, such as a health or care professional, relative or neighbour.

There are many kinds of abuse, some of which are listed below:

Physical abuse: including being hit, slapped, pushed or restrained; being denied food or water; being denied help to go to the bathroom; or misuse of medication.

Sexual abuse: including rape and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological abuse: including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyberbullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Domestic Abuse: an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is, or has been, an intimate partner or family member.

Discriminatory abuse: including discrimination on grounds of race, sex, gender and gender identity, age, disability, sexual orientation, religion, being married or in a civil partnership, being pregnant or on maternity leave and other forms of harassment, slurs or similar treatment.

Financial or material abuse: including theft, fraud, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. Internet scams and doorstep crime are also common forms of financial abuse.

Neglect: including ignoring medical 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, food and heating.

Self-Neglect: covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. It is important to consider capacity when self-neglect is suspected.

Organisational abuse: including neglect, poor care practice or ill-treatment within an institution or specific care setting such as a hospital or care home for example. This might be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

SECTION FOUR: Barriers to disclosure and reporting abuse

LMNS recognises that there are a number of significant barriers that can prevent adults at risk from reporting their concerns, and that LMNS musicians, staff and volunteers may have a disclosure made to them may face barriers in reporting or sharing their concerns with the Designated Safeguarding Officer (DSO).

Barriers to disclosure

Barriers which may prevent adults at risk disclosing harm include:

- 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

Barriers which may prevent adults with disabilities disclosing harm include:

- A dependency on others for their primary needs such as feeding, clothing and intimate care may make an adult feel powerless to report abusive treatment and might mask abusive behaviour
- Different communication methods or lack of appropriate vocabulary might provide a barrier for an adult wanting to communicate about their concerns
- Isolation within a residential setting
- A fear of retribution

Barriers to reporting abuse

Barriers to reporting concerns to the Designated Safeguarding Officer:

- 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
- Fear you may be wrong
- Doubts about the adult's truthfulness
- Your own anger and distress
- Adult's attempts to bind you to secrecy
- Uncertainty of procedures and consequences
- There may be other reasons for the adult's behaviour
- Not wanting to interfere in family life

REMEMBER: It is not your responsibility to decide whether abuse has occurred or not. You do not need any evidence of wrongdoing. Pass on your concerns and they will be taken seriously.

SECTION FIVE: Incapacity and consent

Adults at risk of harm should be central to decisions regarding any actions to prevent or protect them from harm; their wishes are of paramount importance in all cases of alleged or suspected abuse.

Adults with Incapacity (Scotland) Act 2000

The Adults with Incapacity (Scotland) Act 2000 introduced a system for safeguarding the welfare and managing the finances and property of adults who lack capacity to make some or all decisions for themselves.

The Adults with Incapacity (Scotland) Act provides a statutory framework to empower and protect people who may lack capacity to make decisions for themselves and establishes a framework for making decisions on their behalf. All decisions taken in the adult safeguarding process must comply with the act. The act outlines five statutory principles to be followed when working with adults who may lack capacity:

Principle 1: benefit

Any action or decisions taken must benefit the adult and only be taken when that benefit cannot reasonably be achieved without it.

Principle 2: least restrictive option

Any action or decision taken should be the minimum necessary to achieve the purpose. It should be the option that restricts the person's freedom as little as possible.

Principle 3: take account of the wishes of the adult

In deciding if an action or decision is to be made, and what that should be, account shall be taken of the present and past wishes and feelings of the adult as far as they can be ascertained. The adult should be offered appropriate assistance to communicate their views.

Principle 4: consultation with relevant others

In deciding if an action or decision is to be made, and what that should be, account shall be taken of the views of the nearest relative and the primary carer of the adult, the adult's named person, any guardian or attorney with powers relating to the proposed intervention, and any person whom the Sheriff has directed should be consulted, in so far as it is reasonable and practicable to do so.

Principle 5 – encourage the adult to exercise existing skills and to develop new skills

Any guardian, attorney, or manager of an establishment exercising functions under this Act shall in so far as it is reasonable and practicable to do so, encourage the adult to exercise whatever skills he or she has concerning property, financial affairs or personal welfare as the case may be and to develop new such skills.

Consent and Capacity

When an adult lacks capacity to make decisions, professionals must act in their best interests which may include reporting abuse even without consent.

Professionals will consider reporting without consent depending on the severity of the abuse, the risk of further harm and whether the adult is being coerced or manipulated. They will usually consult with other involved parties like family members, carers, or the person's legal representative before taking action without consent.

SECTION SIX: What to do if you have a safeguarding concern



RECOGNISE

You may suspect or witness harm or abuse or it may be disclosed to you. Someone else may tell you of their concerns or something that causes you concern, the adult may show signs of a physical injury with no credible explanation, or the behaviour of a staff member, family member or volunteer close to them may make you feel uncomfortable. There are a variety of ways that you could be alerted that an adult is suffering harm - it is important that all concerns about possible abuse are taken seriously and appropriate action is taken.

If you suspect that an adult is being abused or at risk of harm, always report your concerns.



RESPOND

When an adult at risk makes a disclosure of abuse or neglect:

DO...

- ✓ Stay calm
- ✓ Listen carefully to what is being said
- ✓ Take what the adult at risk has to say seriously
- ✓ Find an appropriate early opportunity to explain that the information will need to be passed on officially to keep them safe.
- ✓ Keep your body language open and encouraging (lean forward and uncross arms and/or legs)
- ✓ Be compassionate, understanding and reassure them that their feelings are important
- ✓ Allow them to speak at their own pace – respect any pauses
- ✓ Ask questions only for clarification
- ✓ Reflect back in summary what they have said to check your understanding and use their language as much as possible to show it's their experience
- ✓ Reassure them that they have done the right thing in telling you, that they have not done anything wrong and explain what happens next

DO NOT...

- ☒ Promise to keep secrets
- ☒ Ask 'leading' questions that suggest a particular answer
- ☒ Do not interrupt them
- ☒ Ask them to repeat their disclosure unless absolutely necessary
- ☒ Do not make notes while the adult at risk is talking

CONSENT

Seek consent from the adult to take action and to report the concern. If they refuse their consent for concerns to be raised but you are concerned others are at risk, reporting can be justified, and you should still contact the DSO.



REPORT

Report the concerns you have about an adult at risk immediately to:

1. 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:
LMNS Deputy DSO, Jude Anderson, CEO
Tel: 07976 531117
Email: jude.anderson@livemusicnow.scot

2. The venue's Designated Safeguarding Lead or Officer
3. Should the concerns involve **both** the DSO and the Deputy DSO, the report should be made directly to the local Adult Social Care / Safeguarding Adults Team where the alleged abuse took place. Contact your local council and ask for the adult safeguarding co-ordinator.



RECORD

When

Immediately after the conversation with the adult at risk, while it is fresh in your mind, you must write down an accurate record of the information you have been given on the *Adult at Risk Report of Concern Form* (See [APPENDIX](#)).

This written record will be updated throughout 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.)

What

You should note down:

- The adult's full name if known
- The timing and date
- The setting/venue
- What the adult at risk said or did that gave you cause for concern, or if the adult made a verbal disclosure, write down their exact words as close as possible to verbatim, using the adult's own words. Do not paraphrase.

How

- You should only record the facts. Recording any personal opinions can lead to bias.
- Use language that is clear and precise, ideally avoiding the use of terminology.

SECTION SEVEN: Whistleblowing policy and procedure

Whistleblowing occurs when a musician, 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 includes situations in which the DSO and/or Deputy DSO fail to address the concerns of a musician, staff member, or volunteer.

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.

SECTION EIGHT: Safeguarding Guidelines for online activities with adults

These guidelines exist for any online sessions delivered by LMNS.

Setting up a session

To set up a session via an online platform, musicians should:

- Use a work account to sign in to the online platform.
- Ensure privacy settings for the online platform are 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.

Contacting the venue or family

When liaising with the venue or participant's family, musicians should:

- Use their professional work email and copy the relevant LMNS team member for that project into all correspondence.
- Correspond with the parent or carer and not the young person directly.

On the day

Musicians and/or LMNS staff should:

- Use a neutral space (not a bedroom or bathroom) for online sessions.
- Ensure the background is professional and tidy.
- Present themselves as if delivering face-to-face sessions, in dress & manner.
- Ensure that if they are working with a child or protected adult that the parent/carer/venue staff is present throughout the entire session. The session should be stopped if there is no parent/carer/venue staff present. Alternatively, arrangements can be made for an LMNS staff member to be present in their place.
- If working with an adult who doesn't require carer support, then arrangements must be made for 2 adults to be present for the entire session. For example, LMNS musician and LMNS staff member; or LMNS musician and venue staff member.
- In conjunction with venues, sessions may be recorded and kept on file for 28 days for safeguarding purposes.
- 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.

After the session

If you have any safeguarding concerns regarding the adult at risk, contact LMNS's Designated Safeguarding Officer (Lesley-Ann Smith, lesleyann.smith@livemusicnow.scot).

SECTION NINE: Procedure for referrals – reporting concerns & disclosures

Procedure for referrals: Referring the concerns to the relevant agencies

The Designated Safeguarding Officer will:

- Collate and clarify the precise details of the allegation or suspicion
- Contact the local authority Social Care / Safeguarding Adult Team within the local authority, in Scotland or anywhere in the UK, where the suspected or alleged abuse took place and liaise with them throughout any ongoing investigations.

After a person working on behalf of LMNS reports a concern or disclosure to the LMNS Designated Safeguarding Officer (DSO), the venue's Designated Safeguarding Lead, and the completed Adult at Risk Report of Concern form is forwarded to the DSO, LMNS' DSO should identify if it is a serious concern and follow the procedures below.

Serious concern

- Contact the venue's (school, nursery etc) Safeguarding Lead to report the serious concern or disclosure.
- Sharing the accurate and detailed account recorded on the *Adult at Risk Record of Concern Form* (See [APPENDIX](#)) with the venue's safeguarding lead
- Liaising with the venue's safeguarding lead, the local authority Safeguarding Adult Team, police and other agencies as appropriate throughout any ongoing investigations.
- Maintaining the Record of Concern with information on the development of the investigation and ultimate outcome
- Provide a confidential update to the person who recorded the concern.

Possible serious concern

- Seek advice from the local authority Social Care / Safeguarding Adult Team
- Follow the procedure above if advised to report the concern
- Liaise with the Deputy DSO and the Trustee Lead for Safeguarding and record the actions taken and the reason for the decision – whether it is to share information or not.

Not a serious concern

- Notify the Deputy DSO and the Trustee Lead for Safeguarding and record the actions taken and the reasoning.
- Refer back to the person who reported the concern.

SECTION TEN: Procedure for managing allegations against people who work with adults at risk

LMNS is committed to ensuring that all adults at risk who participate in our activities can do so in a safe environment and will adopt the following approach when managing allegations against a LMNS musician, staff member, trustee, volunteer or any person working on behalf of LMNS.

Allegation made to Live Music Now Scotland

If a musician, employee, trustee, board member, volunteer, or external specialist (such as a speaker or trainer) acts in a way that raises a safeguarding concern, or if an adult discloses information about someone working on behalf of LMNS, this must be reported.

The allegation should be reported to the Designated Safeguarding Officer immediately and an *Adult at Risk Report of Concern form* completed detailing what has been seen, heard or disclosed. If the DSO is unavailable or is the subject of the allegation, it should be reported to the Deputy DSO.

Types of investigation

Where there is a complaint of abuse against an LMNS musician, staff, trustee or voluntary committee member, 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 local Adult Social Care / Safeguarding Adults Team about whether an adult 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.

Action if there are concerns of poor practice

- If, following consideration, the allegation is clearly about poor practice, the DSO and Deputy DSO will deal with it as a misconduct issue.
- If the allegation is about poor practice by the DSO or Deputy DSO, 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 to initiate disciplinary proceedings.

Action if there are concerns of suspected abuse

Any suspicion that an adult has been abused by an LMNS musician, staff or volunteer should be reported to the DSO at the earliest opportunity who will:

- Consult with the local authority safeguarding adult team and/or the police so that any subsequent action taken by the organisation does not prejudice the investigation.
- Following the above consultation, inform the staff member/volunteer that an allegation has been made against them and provide them with an opportunity to respond to the allegation. Their response should be recorded fully.
- Consult with the Social Services key worker (if known) or the local authority Adult Social Care Team / Safeguarding Adults Team (if Key Worker is not known) to agree the most appropriate way forward.
- Take protective measures which may involve transferring the staff member/volunteer to another post without contact with adults at risk, or suspension. It should be noted that suspension is a

neutral act to allow the investigation to proceed and to remove the staff member/volunteer from the possibility of any further allegation. If it is necessary to suspend a staff member or volunteer, the allegation should be dealt with as quickly and sensitively as possible.

All actions taken should be in accordance with LMNS's disciplinary procedure and have due regard to guidance from the local authority or police so as not to prejudice any investigation.

Confidentiality

The legal principle that the welfare of the adult 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 adults 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 or appointed person
- The Deputy DSO
- The family or carers of the person who is alleged to have been abused
- The person making the allegation
- Local Authority Adult Social Care / Safeguarding Adult Team and/or police
- The alleged abuser (and parents if the alleged abuser is under 18)

Information will be stored in a secure place with limited access to designated people in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

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 local authority inquiries.

Irrespective of these findings, LMNS will assess all individual cases under the appropriate misconduct/disciplinary procedure to decide whether a member of staff musician or volunteer can be reinstated and how this can be sensitively handled with other staff and voluntary committee 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 adults with whom LMNS works will always remain the paramount concern.

Support following the inquiry

Consideration should be given to what support may be appropriate to adults at risk, their families and members of staff. Use of help lines, support groups and open meetings will maintain an open culture and help the healing process. LMNS will support the adults, their families 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.

SECTION ELEVEN: Designated Safeguarding Officer Role & Responsibilities

Purpose of the Designated Safeguarding Officer Role

The Designated Safeguarding Officer (DSO) is responsible for:

- Dealing with any concerns about the protection of adults at risk.
- Taking the lead in ensuring that appropriate arrangements for keeping adults at risk safe are in place for LMNS.
- Promoting the safety and welfare of adults at risk involved in LMNS's activities at all times.

The role of the DSO is to:

- To provide information, support and advice for staff and volunteers on adult safeguarding within the organisation.
- To ensure that the organisation's adult safeguarding policy is disseminated and support implementation throughout the organisation.
- To advise within the organisation regarding adult safeguarding training needs.
- To provide advice to staff or volunteers who have concerns about the signs of harm and ensure a report is made to the local authority Social Care / Safeguarding Adult Team where there is a safeguarding concern.
- To support staff to ensure that any actions take account of what the adult wishes to achieve –this should not prevent information about any risk of serious harm being passed to the relevant Safeguarding Adult Team for assessment and decision-making.
- To consider whether concerns are a safeguarding issue or not. This may involve some 'checking out' of information provided whilst being careful not to stray into the realm of investigation.
- Where it has been deemed that it is not a safeguarding issue, to consider alternative responses such as monitoring, support or advice to staff and volunteers.
- To establish contact with the local authority Safeguarding Adult Team, police and other agencies as appropriate.
- To ensure accurate and timely records and any adult safeguarding forms required have been completed.
- To ensure accurate and up to date records are maintained detailing all decisions made, the reasons for those decisions and any actions taken.
- To compile and analyse records of reported concerns to determine whether a number of low-level concerns are accumulating to become more significant; and make records available for inspection.
- To work closely with and report regularly to the board of trustees on issues relating to safeguarding, to ensure they are fully informed of any concerns and that protection of adults at risk is seen as an ongoing priority issue and that safeguarding requirements are being followed at all levels of the organisation.

Duties and responsibilities

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.

APPENDIX: ADULT AT RISK REPORT OF CONCERN 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 Adult	
Age/Date of Birth	
Gender	
Names of carer(s) (if known)	
Home Address (if known)	

PLEASE COMPLETE THOSE SECTIONS BELOW THAT ARE RELEVANT

1 Disclosure by adult at risk
When was the disclosure made (dates and times)?
Who did the adult make the disclosure to?
What did the adult say (in their own words)?

2 Indicators
Describe any signs or indicators of abuse (with times and dates)
Has the adult alleged that any particular person is the abuser (if so, please record details and the relationship, if any, to the adult below)

3 Concerns expressed by another person about an adult at risk
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 adult 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>