

## NYJO Safeguarding Policy (incorporating Child Protection Policy)

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## Policy Statement

NYJO is a charitable organisation established for the benefit of jazz performance and education. We work with thousands of children and young people around the country, and with vulnerable adults. This Policy Statement sets out Good Practice Guidelines for all NYJO professionals.

NYJO will endeavour to safeguard children, young people and vulnerable adults by:

1. Adopting child protection procedures;
2. Reporting concerns to the relevant authorities;
3. Carefully following procedures for recruitment and selection of NYJO professionals and volunteers;
4. Delivering effective management for NYJO professionals and volunteers via relevant support and guidance.

## Scope

NYJO is an organisation that values everyone who contributes to and benefits from our work. We are a community of employees, freelance administrators and artists, guest artists, trustees, education partners, funders, audiences, young performers, students and project participants, and their families. For the purposes of this document, we will use the terms 'professionals', denoting employees, freelance administrators and artists, guest artists and trustees; and 'beneficiaries', denoting young performers, project participants and their families, education partners and communities.

Amongst its professionals, NYJO recognises the different legal obligations inherent in relationships based on contracts of employment (ie employees) and contracts for services (ie self-employed freelancers). Whilst acknowledging the different contractual arrangements, we are committed to treating all professionals with equal and appropriate respect, and of fully engaging with and appreciating all who contribute to the success of our work.

For the purpose of this Policy and guidelines the term "children and young people" means any child or young person under the age of 18. The term "vulnerable adult" means a person aged 18 or over who has a condition of the following type:

- a substantial learning or physical disability;
- a physical or mental illness or mental disorder, chronic or otherwise, including an addiction to alcohol or drugs;
- a significant reduction in physical or mental capacity.

It also includes those who, due to personal circumstances, could reasonably be perceived as vulnerable (for example asylum seekers).

## Principles

- On all NYJO projects, children, young people and vulnerable adults have the right to be safe from harm or abuse.
- We respect the rights and dignity of every child and adult with whom we work.
- All children and adults will be treated with equal respect, regardless of age, gender identity, ethnicity, cultural background, disability, sexual orientation, or religion.
- All NYJO professionals working with children and vulnerable adults have a responsibility to prevent the physical, sexual and emotional abuse of these people, and to take seriously and act upon any allegations or suspicions of abuse or neglect.
- We will establish precautions and practices which protect NYJO professionals working with children, young people and vulnerable adults from unfounded allegations.
- The feelings and concerns of any child or vulnerable adult, and/or their parent or carer, will be listened to and acted upon.

## Mental Health

All NYJO professionals are aware of their responsibility towards protecting the mental health of NYJO's beneficiaries. We are conscious of the need to be aware of mental health issues amongst our beneficiaries, acknowledging that this can be an indicator and or evidence that a child or vulnerable adult has suffered, or is at risk of suffering, abuse, neglect or exploitation. Such concerns constitute a safeguarding concern and must be reported to the Designated Safeguarding Officer who will take appropriate action.

## Roles and Responsibilities

The Designated Safeguarding Officer at NYJO is Vikki Moorhouse, Head of Learning & Participation: 07961 964964 / [vikki@nyjo.org.uk](mailto:vikki@nyjo.org.uk).

The Deputy Safeguarding Officer is Susie York Skinner, Chief Executive: 07801 189879 / [susie@nyjo.org.uk](mailto:susie@nyjo.org.uk).

The NYJO trustee with responsibility for Safeguarding is Linda J. Laszewski Hill (a solicitor): 07817 431 418 [linda@nyjo.org.uk](mailto:linda@nyjo.org.uk).

The Designated Safeguarding Officer will ensure that they are knowledgeable about the protection of children, young people and vulnerable adults and will undertake any training considered necessary to keep updated on new developments. They can advise on best practice with regard to this policy. The Designated Safeguarding Officer is the link between the members of the public, NYJO professionals and statutory agencies. They will take responsibility for monitoring and reviewing the policy annually and will also keep and maintain records of incidents and reports, together with any other relevant information. All Documentation will be kept securely in line with Data Protection Act 1998 and GDPR. The Safeguarding Advisor will report incidents to the Director and then, where appropriate, to the Statutory Authorities. The Designated Safeguarding Officer does not have the responsibility of investigating or validating safeguarding concerns within NYJO and has no counselling or therapeutic role.

The role of the designated person(s) is to:

- Provide information and advice on safeguarding and child protection within NYJO, including recommending training;
- Know which outside child protection agency to contact in the event of a child protection concern being reported or observed;
- Ensure that appropriate information is available at the time of a referral and that the referral is confirmed in writing and in strict confidence;
- Keep relevant people within NYJO informed of action taken and any future action required, such as disciplinary action against a NYJO professional;
- Ensure that an accurate record is kept of any referral or action taken, and that it is kept and stored confidentially, in accordance with GDPR;
- Advise NYJO of Safeguarding and Child Protection needs;
- Liaise with the NSPCC to review the operation of the Child Protection Policy regularly, ensuring that procedures are working and comply with best practice.

## Procedure for Reporting Concerns

### Definition and signs of abuse

When working with children and vulnerable adults, NYJO professionals may find themselves concerned about an individual. Abuse can be any form of physical, emotional or sexual mistreatment, or lack of care that leads to injury or harm. Indications that an individual is being abused may include one or more of the following (this list is not exhaustive):

- Direct description of abuse by the individual;
- Witnessing of abuse;
- Expression of concern by another connected individual;
- Unexplained or suspicious injuries such as bruising, cuts or burns;
- Unexplained changes in an individual's behaviour or performance;
- Difficulty in socializing or being prevented from socializing;
- Becoming dirty or unkempt.

**It is not the responsibility of any NYJO professional to decide whether or not abuse is occurring, or to investigate in any way, but simply to report concerns to the Designated Safeguarding Officer.**

### Peer on Peer Abuse

All NYJO professionals should be aware that children can abuse other children (often referred to as peer on peer abuse). The different forms peer on peer abuse can take include:

- Sexual violence and sexual harassment;
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm;
- Sexting (also known as youth produced sexual imagery);
- Upskirting;
- Bullying (including cyberbullying);
- Initiation/hazing type violence and rituals.

All NYJO professionals should recognise that abuse is abuse and should never be tolerated or passed off as ‘banter’, ‘just having a laugh’ or part of ‘growing up’. **When allegations of this nature are made, NYJO professionals must record the incident and inform the Designated Safeguarding Officer.**

## Responding appropriately to safeguarding issues: a guide for NYJO professionals

### If you are worried about any incident

We hope that you will never encounter any situation of abuse while you are with NYJO. However, if you are concerned about a situation, behaviour that you have encountered or something reported to you, you should record the details on an Incident Report form and inform the Designated Safeguarding Officer as soon as possible. If they are not available, concerns must be reported to the Deputy Safeguarding Officer. Contact details for both are on the last page of this policy.

**If you suspect a colleague**, you must report your suspicions to the Designated Safeguarding Officer / Deputy Safeguarding Officer. It is not your responsibility to investigate your suspicions or to look for evidence of abuse.

**If an allegation is made to you about a colleague**, it is not your responsibility to investigate any allegation or to look for evidence of abuse. You must respond appropriately (see the guidance below) and report what you have been told to the Designated Safeguarding Officer / Deputy Safeguarding Officer.

**If an allegation of abuse is made about a person who does not work for NYJO**, it is not your responsibility to investigate any disclosure or to look for evidence of abuse. Respond appropriately (see the guidance below) and report what you have been told to the Designated Safeguarding Officer / Deputy Safeguarding Officer. They will, in turn, report the disclosure to the appropriate statutory services.

**If an unwarranted allegation of misconduct is made against you**, any allegation will be scrupulously investigated, with due regard for confidentiality. This should not be interpreted as indicating culpability. As stated earlier - it is part of our policy to protect people working with us from any unfounded allegation.

**If your behaviour contravenes this policy and guidelines**, it will be addressed through NYJOs’ disciplinary procedure. A copy of this procedure is available in the Staff Handbook.

**If a young person or vulnerable adult reports allegations of abuse to you**, you should follow these steps:

- Listen carefully and sensitively, stay calm, and offer understanding and reassure them that it is good that they are talking to you.
- Check your understanding of the situation, without being investigative. Record what you have been told using the actual words spoken to you as far as you can recall.
- Allow the person making the disclosure to continue at their own pace;
- Ask questions for clarification only, and avoid leading questions;
- Reassure the person that they have done the right thing in telling you;
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others, so that you can try to protect them from further harm – do not promise to keep secrets;
- Ensure the reporter understands that the matter will only be disclosed to those who need to know about it;
- Tell the reporter what you will do next, and with whom the information will be shared;
- Complete a Record of Disclosure Form, using the person’s own words as far as possible, and alert the Designated Safeguarding Officer at the earliest opportunity. The Record of Disclosure Form is attached to this policy;

- Acknowledge your own feelings and response to the situation and consider getting support where necessary.

Do not:

- Probe in an investigative way or ask leading questions;
- Make the reporter repeat the story unnecessarily;
- Promise confidentiality.

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child protections agencies; it is our role to pass on information gained or report situations encountered honestly and fully, including any relevant considerations or mitigations, for the appropriate, qualified agencies to consider.

## Confidentiality

Any information about alleged or actual abuse will only be disclosed when it is in the best interests of the victim to do so. NYJO has a responsibility to protect the identity of anyone reporting suspected or actual abuse and no such disclosure will be made without careful consideration at senior management level.

## Reporting concerns

All suspicions and allegations must be reported to the Designated Safeguarding Officer – contact details on page 3.

The following action may then be taken:

- Discussion with Safeguarding Officer at venue/school or other formal setting in which the suspicion or allegation arose;
- Referral to Social Services;
- Referral to police.

## Allegations against NYJO professionals

Any concerns about NYJO professionals should be reported to the Designated Safeguarding Officer. If for any reason that reporting is inappropriate, concerns can be reported instead to the Deputy Safeguarding Officer or the Safeguarding Trustee. All contact details are on page 3.

The Designated Safeguarding Officer will then consider the matter and decide whether to report to the authorities as above or, after taking appropriate advice (which may include discussing the circumstances on a confidential basis with professional advisers) to deal with the matter internally or not to take any further actions. They have the right to suspend from duties without prejudice with immediate effect the NYJO professional against whom the allegation has been made.

Concerns will include a NYJO professional who has been involved in an incident outside the working environment which does not necessarily involve children or vulnerable adults who has or may have behaved in a way that indicated they may not be suitable to work with children or vulnerable adults.

## Processes

All NYJO Professionals are required to read and understand this Safeguarding Policy.

### Disclosure and Barring Service (DBS) Checks

**NYJO Professionals** who regularly work with young people, or who have access to sensitive information, are required to hold a current DBS check. All relevant NYJO professionals and board members will need to undergo an enhanced check prior to starting work for the organisation, or undertake a new role in the organisation that is an additional or alternative workforce role, in line with DBS regulatory checking requirements. They are advised to register for the update service, which is renewed on an annual basis.

**NYJO Workshop Leaders, professional musicians and educators:** All workshop leaders and musicians (whether employees or freelance contractors) need to have an enhanced DBS check, dated within three years or less, depending on the nature and regularity of the work, to be determined by the safeguarding officer. NYJO will accept DBS checks from other organisations provided that such check conforms to the same workforce, that it is obtained within the relevant timeframe of three years or less and that there has not been a break in relevant employment.

### Risk Assessments

NYJO will liaise with any external venues to ensure that proper risk assessments have been carried out for activities involving children and vulnerable adults, or undertake to carry out risk assessments itself where appropriate.

### Media Permissions

NYJO will seek consent from schools, parents or carers before taking and/or using any images of children or vulnerable adults in press or publicity material.

### Training

NYJO provides online training in Child Protection and Safeguarding via professional national providers such as NSPCC, High Speed Training or Educare, who take responsibility for ensuring that all training provided reflects current best practice. The Designated Safeguarding Officer will recommend appropriate training for NYJO professionals and monitor progress. Training is refreshed every two years, as a minimum.

### Recruitment and Selection Procedures

Recruitment and selection procedures for NYJO professionals in the context of child protection have been adopted by NYJO and include the following:

- Collection of personal details to confirm applicant's identity;
- Collection of documentary evidence of qualifications;
- Use of rigorous selection techniques at interview, including exploration of applicants' attitudes towards working with children, young people and vulnerable adults;
- Declarations of previous convictions and a surrender to a DBS check, in conjunction with the issue of the Safeguarding Policy to appropriate candidates, as identified by the Safeguarding Officer.

It is guaranteed that all disclosed information will be treated in confidence and will not be used against any applicant in an unfair manner, including adherence to the Disclosure and Barring Service Code of Practice.

## Further information/guidance

NSPCC Child Protection Helpline for adults: 0808 800 5000; [helpline@nspcc.org.uk](mailto:helpline@nspcc.org.uk).

Keeping Arts Safe: [www.artscouncil.org.uk](http://www.artscouncil.org.uk).

Disclosure & Barring Service: 0870 90 90 811.

Your local police station (for the area in which the alleged abuse took place); ask to be put through to the 'Child Protection Team' where officers will be on hand 24/7.

Children's Legal Centre: 01206 873 820; [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).

Childline: 0800 1111; [www.childline.org.uk](http://www.childline.org.uk).

## Policy Distribution & Review

This policy will be distributed to all new NYJO professionals, accompanied by an explanatory note or meeting, by the Designated Safeguarding Officer. Following every review, it will also be distributed to all current NYJO professionals.

This policy will be formally reviewed and updated annually.

Policy last reviewed: October 2021
Policy approved by board: October 2021
Next review due: September 2022
Responsible Trustee: Linda Hill <a href="mailto:linda@nyjo.org.uk">linda@nyjo.org.uk</a>



## Appendix I: Code of Conduct

It is important that all NYJO professionals are aware of safe and appropriate working practices. Even if you are not leading a workshop, your presence in a school or other setting over time will mean that children and/or vulnerable adults may grow to trust you. The purpose of this guidance is to advise you on appropriate behaviours with children or vulnerable adults, firstly so that you know what to do if an individual reports concerns to you, or you observe suspicious or worrying behaviours and secondly so that you can protect yourself against unfounded suspicions or allegations. Although it is unlikely that you will ever have to use the guidance given here, it is good practice to be aware of it and know where you can go for further information and advice.

1. No NYJO professional shall engage in physical contact or in any relationship with a child other than a properly conducted professional-to-young person relationship, unless it is part of a planned activity which has been endorsed by the Safeguarding Officer. This condition applies regardless of the age of the child and also when the child is over the age of consent.
2. It should be noted that a physical relationship between an adult teacher and any student is in breach of professional teaching guidelines. In certain circumstances it may also constitute a criminal offence.
3. No NYJO professional shall engage in conduct towards a child that is intended to be oppressive, threatening and manipulative or in any way improper or with a view to causing the child physical or emotional harm or sexual harm.
4. It is unrealistic and inappropriate for NYJO to prohibit physical contact between NYJO professionals and children. Touch is an essential part of the creative interpretation of roles as well as a means of directing movement, encouraging performance, and providing comfort and reassurance. Where physical contact is necessary the responsible adult should always ask permission before making physical contact, be able to explain the reason for the contact, and its necessity to demonstrating or supporting learning, ensure that touch is related to the needs of the child, rather than those of the professional. However, NYJO professionals must bear in mind that even innocent actions can be misconstrued. It is important for them to be sensitive to a child's reaction to physical contact and to act appropriately. NO child should ever be touched on a part of their body in a way that is indecent.
5. It is the primary duty of every NYJO professional to ensure the safety and well-being of every child in their care. Each NYJO professional must ensure that all reasonable steps are taken to minimize risk of harm or injury to any child and must abide by the policies, procedures and guidelines set out in this document.
6. Where there is any reason to believe that a child has been abused, is being abused or is at risk or being abused, in any way arising as a result of that child's association with NYJO, it shall be the duty of any NYJO professional to whom that information is made known to notify the Designated Safeguarding Officer immediately.
7. NYJO professionals should be aware of precursors that may signal that children are at risk from, or involved with, serious violent crime, sexual exploitation, trafficking or grooming. This includes but is not limited to unexplained new possessions/gifts, increased absence, changes in friendships and relationships, decline in performance, and signs of assault. It is their duty to notify the Designated Safeguarding Officer immediately.
8. NYJO professionals should work in an open environment as much as possible (e.g avoiding private or unobserved situations and encouraging open communication). A NYJO professional who finds themselves alone with a child must exercise particular care. There should be no apprehensiveness in the mind of either person if such as situation arises, by physical contact

- should be avoided and the presence of an additional person sought as soon as is reasonably practicable.
9. Children, must, at all times, be treated with respect in attitude, language and behaviours. Sexual innuendo whether by word or gesture is prohibited.
  10. No person under the age of 18 years shall have ultimate responsibility for supervising any other child.
  11. NYJO professionals should not accept children below 18 years of age who they have met through their work with NYJO as 'friends' on social networking sites. Neither should they divulge private email addresses or telephone numbers to these children. NYJO professionals should not be posting any photos where individual children can be identified on their personal social media except with the express permission of those young people/their guardian. They are able to share images that NYJO have already shared.
  12. NYJO professionals should never accept disclosures in confidence. You should listen, note and report back to the Safeguarding Officer (Record of Disclosure Form attached as appendix i.)
  13. NYJO professionals should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the learning environment and should consider risks of abuse or exploitation outside their families eg. Sexual exploitation, criminal exploitation, serious youth violence.
  14. The arrangements contained herein will apply to vulnerable adults as appropriate.

## Appendix II: Record of Disclosure Form

<b>About the Recorder:</b>			
Name:		Position:	
Address:			
Phone:		Email:	
<b>About the Child/Vulnerable Adult:</b>			
Name:		D.O.B	
Address:			
Phone:		Email:	
Any other relevant information (eg. gender, ethnicity, disability):			
<b>About the Disclosure</b>			
Date:		Time:	
Place of disclosure:			
<b>What the child said:</b> (continue on a separate sheet if necessary which must be signed and dated)			
<b>Your own observations:</b>			
<b>Any actions or advice given that you have decided to take:</b> (parent*/police/social services/local authority) *unless named as alleged abuser			
<b>Signature:</b>			