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CHILD PROTECTION AND SAFEGUARDING POLICY

Date of issue: September 2022

Review date: September 2023

Staff are required to contact one of the DSLs below if they have any concerns.

Key Contact list for Safeguarding in Berkshire Maestros

	Name	Telephone contact	Email
DSL (Designated Safeguarding Lead.)	Dawn Wren (CEO)	07921 808 889	dawnwren@berkshiremaestros.org.uk
	Anna Lang	07990 762 070	annalang@berkshiremaestros.org.uk
Deputy DSL (Designated Safeguarding Lead.)	Jacob Cook	0118 901 2356	jacobcook@berkshiremaestros.org.uk
Safeguarding Trustee	Alex Butler		
Chair of Trustees	Adam Pollard		

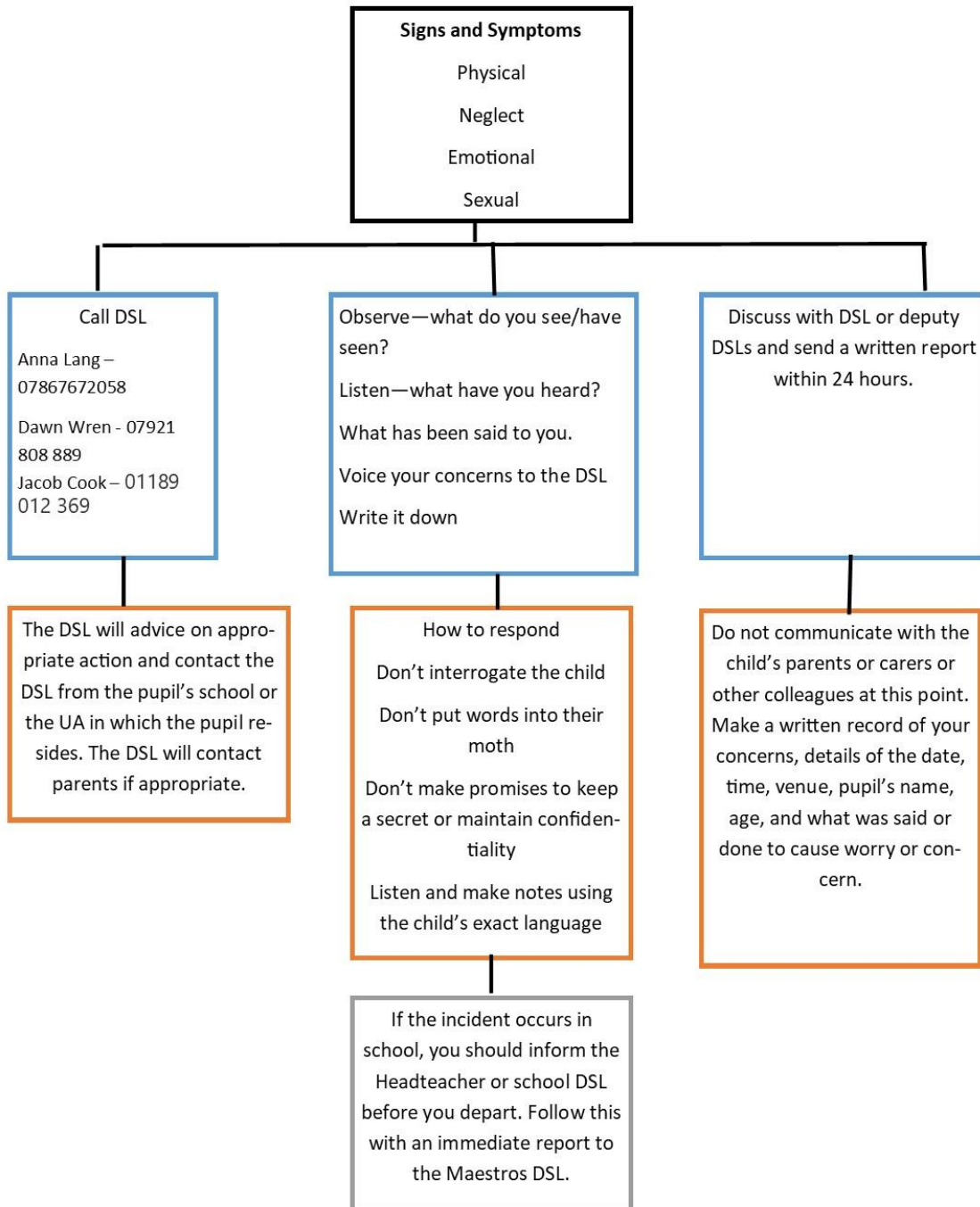
Wherever possible all concerns regarding a young person should be reported to the relevant school DSL as well as one of our DSLs.

If you are unable to get hold of a DSL out of hours then:

Emergency Number for all Berkshire Unitary Authorities 'Out of Hours' Duty Team - 01344786543

Police 101 for non-emergencies and 999 if there is an immediate danger to life

Safeguarding Flowchart



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“Because of their day to day contact with individual children during the school terms, teachers and other staff are particularly well placed to observe the outward signs of abuse, changes in behaviour or failure to develop.”

(Working Together under the Children Act 1989)

1. PURPOSE

- 1.1 This policy is intended to provide clear direction to staff and others about expected behaviour when dealing with child protection and safeguarding issues across both music centres and schools. It also makes explicit Berkshire Maestros commitment to the development of good practice and sound procedures. This ensures that child protection concerns, referrals and monitoring may be handled sensitively, professionally and in ways which support the needs of the child.
- 1.2 This policy links with the Safeguarding Partnership’s child protection procedures and is also in line with guidance from the West Berkshire Model Policy and national guidelines.

2 INTRODUCTION

- 2.1 Berkshire Maestros takes seriously its responsibility to protect and safeguard the welfare of children and young people in its care. “The welfare of the child is paramount”. (Children Act 1989) ‘Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children’s health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes’, **Keeping Children Safe in Education, Sept 2022.**
- 2.2 Safeguarding and promoting the welfare of children and vulnerable adults is everyone’s responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child. No single practitioner can have a full picture of a child’s needs and circumstances. If children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action.
- 2.3 Berkshire Maestros recognizes its responsibility to support schools in complying with Section 175 of the Education Act 2002. Section 175 of the Education Act 2002 places a statutory responsibility on governing boards to have policies and procedures in place that safeguard and promote the welfare of children who are pupils of the school - Working Together to Safeguard Children 2015 - Part 2 of “Keeping Children Safe in Education” Section 175 of the Education Act 2002 places a statutory responsibility on the governing body of a school and in the case of Maestros, the Trustees, to have policies and procedures in place that safeguard and promote the welfare of children who are pupils.

2.4 Berkshire Maestros recognizes its responsibility to support schools in complying with Section 11 of the Children’s Act 2004. Section 11 of the Children’s Act 2004 sets out the arrangements that education services and schools must make to promote the welfare and safeguarding of children and young people. Safeguarding is everyone’s responsibility and should be a child centred approach”. (Working Together, 2015).

2.5 There are five main elements to this child protection and safeguarding policy:

- a) Ensuring we practise Safer Recruitment processes in line with national legislation and our Safer Recruitment Policy.
- b) Establishing a safe environment in which children can learn and develop. This can be achieved by the creation of a positive learning atmosphere and teaching, and the pastoral support offered to pupils.
- c) Protection by following agreed procedures, ensuring staff are trained and supported to respond appropriately and sensitively to child protection concerns.
- d) Implementing procedures for:
 - Identifying and reporting cases, or suspected cases, of abuse
 - Offering support to students who may be at risk of, or vulnerable, to violent and non-violent extremist or terrorist narratives.
- e) Support to pupils who may have been abused.

3 POLICY

3.1 This policy applies to all pupils (which include vulnerable adults¹), staff (including self employed staff), trustees, volunteers, contractors and visitors to Berkshire Maestros.

3.2 This organisation recognises it is an agent of referral only and not of investigation and enquiry.

3.3 We recognise that for our students, high self-esteem, confidence, supportive friends and clear lines of communication with a trusted adult helps to prevent abuse. We will therefore:

- a) Aim to establish and maintain an environment where students feel safe and secure and are encouraged to talk, and are listened to.
- b) Aim to ensure that students know that there are adults within the organisation who they can approach if they are worried or are in difficulty.

¹ Where the policy refers to children or pupils, this also includes vulnerable adults.

- c) Aim to include in our curriculum, activities and/or opportunities which will help students develop realistic attitudes to the responsibilities of adult life.
- d) Ensure that wherever possible every effort will be made to establish effective working relationships with parents and colleagues from schools, UAs and partner agencies.

4. FRAMEWORK

- 4.1 Child protection is the responsibility of all adults and especially those working with children. The development of appropriate procedures and the monitoring of good practice are the responsibilities of the UA Safeguarding Partnerships.

5 ROLES AND RESPONSIBILITIES

- 5.1 All adults working with or on behalf of children have a responsibility to protect them. There are, however, key people within Maestros, schools and the Unitary Authorities who have specific responsibilities under child protection procedures. The names of those people within Berkshire Maestros carrying out these responsibilities are listed at the front of this document together with contact details for Children's Services Departments for all the local authorities served by Maestros.
- 5.2 It is the role of the Designated Safeguarding Lead (DSL) to ensure that all of the child protection procedures are followed within Maestros and make appropriate contact with school DSL officers and LADOs, in accordance with Maestros procedures. If for any reason, the DSL is unavailable, the Deputy DSL will act in their absence. Additionally, it is the role of the DSL to ensure all staff, including temporary staff, freelance self-employed contractors, trustees and volunteers within the organisation are aware of Maestros procedures, to advise staff and to offer support to those requiring this.
- 5.3 The Board of Trustees and Senior Leadership Team are responsible for ensuring that Maestros follows safer recruitment processes. (See Safer Recruitment Policy). As part of Maestros recruitment and vetting process, enhanced Disclosure and Barring Service (DBS) checks and other statutory lists and local intelligence checks will be sought on all staff that have substantial and unsupervised access to children. **This will include parents, volunteers, trustees, helpers, and gap year students that have regular contact with students.**
- 5.4 The role of the Safeguarding Trustee is to ensure that Maestros has an effective policy, that the Berkshire Safeguarding Partnership Guidelines are complied with and to support Maestros in this aspect. Trustees will not be given details relating to individual child protection cases or situations to ensure confidentiality is not breached.
- 5.5 The DSL and nominated safeguarding trustee will meet at least twice a year and provide a report to the Board of Trustees detailing any changes to the policy, procedures, undertaken by

all staff, trustees, a check of the central record and recording keeping and other relevant issues as appropriate.

- 5.6 A 'Lead Officer in Education for Safeguarding' is available within all UAs to offer advice and support. Specific training is available for the DSL and Deputy DSL and Safeguarding Trustee.
- 5.7 The DSL will deliver initial and/or refresher Child Protection training for staff as appropriate. Refresher training is required for Maestros staff every 3 years in line with DBS renewal procedures and guidelines. Opportunities for training will be provided at regular intervals throughout the year. There will be regular updates and refreshers every term.
- 5.8 Trustees will receive safeguarding training on induction, which will be updated every 3 years in line with Maestros employees. This training should equip them with the knowledge to provide strategic challenge, to test and assure themselves that the safeguarding policies and procedures of Maestros are effective and support the delivery of a robust whole organisation approach to safeguarding.
- 5.9 The DSL and HR manager (Human Resources) will ensure that the Single Central Record details of staff and other volunteers is current, complete and compliant with Maestros procedures.
- 5.10 The trustees should ensure that Maestros has appropriate filters and monitoring systems on their IT system in place and ensure that appropriate measures are in place to test their effectiveness if children are using Maestros devices on a Maestros network. They should ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively and know how to escalate concerns when identified. Trustees and the leadership team should consider the age range of their children, the number of children, how often they access the IT system and the proportionality of costs verses safeguarding risks.

6 PROCEDURES

- 6.1 Staff are kept informed about child protection and Prevent responsibilities and procedures through induction, briefings and ongoing awareness training. There may be other adults in Berkshire Maestros who rarely work unsupervised, more usually working alongside members of the Berkshire Maestros' staff e.g. contractors. The CEO will ensure they are aware of the Maestros policy and the identity of the DSL
- 6.2 Any member of staff, volunteer or visitor to Berkshire Maestros who receives a disclosure of abuse, an allegation or suspects that abuse or extremism and radicalisation, or female genital mutilation (FGM) may have occurred **must** report it immediately to the DSL or in their absence, the Deputy DSL. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff. There is a mandatory reporting requirement for teaching professionals to report cases of FGM to the police. The DSL will undertake this action on behalf of Maestros staff. Should an urgent report need to be made out of hours, where the DSL or other senior staff are unavailable, individual staff should themselves contact the police.

- 6.3 The DSL or their Deputy will **immediately** refer cases of suspected or actual abuse or allegations to the appropriate local authority where the child lives and inform the DSL of the child's school. In cases where a student may be vulnerable to or exhibiting, extremist views the Designated Safeguarding Lead or their Deputy will also refer cases to the Prevent Officer at Thames Valley Police, as well as making a 'contact' to relevant authority.
- 6.4 Berkshire Maestros will always undertake to share our intention to refer a child to the unitary authority with the relevant school first, then parents or carers unless to do so could place the child at greater risk of harm or impede a criminal investigation. On these occasions Berkshire Maestros will take advice from CAAS and/or the Police.
- 6.5 A statement on Berkshire Maestros website will inform parents and carers about our duties and responsibilities under child protection procedures. This policy will be made freely available to parents and carers on Berkshire Maestros website and in hardcopy, on request. A copy of our policy can be found on the Maestros website and on the Maestros Policies SharePoint on Office 365.

7 TRAINING AND SUPPORT

- 7.1 The CEO and all other staff who work with children will undertake appropriate child protection awareness training to equip them to carry out their responsibilities for child protection effectively. This training will be kept up to date by refresher training. Berkshire Maestros will ensure that all staff members undergo safeguarding and child protection training at induction. The training will be regularly updated. Induction and training will be in line with advice from the LSCB (Local Safeguarding Children's Board)/ government guidance. In addition, all staff members will receive regular safeguarding and child protection updates (e.g. via email, e-bulletins, staff meetings), as required but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. This will include updating staff with any changes to KCSiE and will include Prevent training, to ensure that staff have the necessary training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism. This includes agency and temporary staff. Safeguarding training in Berkshire Maestros is currently called Universal Safeguarding Training.
- 7.2 Staff training records will be kept up to date to monitor this. Initial Universal Safeguarding Training will be completed by attending a Universal Safeguarding Training session delivered either by the local authority or Berkshire Maestros DSL (if appropriate training has been completed).
- 7.3 The DSL and any nominated Deputies will complete local authority DSL Training and this will be refreshed every two years. This will be recorded on staff training records and monitored by the DSL and CEO. The Safeguarding Trustee will have oversight of all child protection training records to ensure that this is taking place in a timely manner.

- 7.4 All staff, students, contractors and regular visitors to Berkshire Maestros will be made aware of Maestros arrangements for child protection and their responsibilities. Currently, training is provided through in-house or West Berkshire or Bracknell UA (Unitary Authorities).
- 7.5 Where there are concerns and queries about child protection, support will be available for all Berkshire Maestros staff from the DSL, CEO and their Deputies. The DSL will seek support from the CEO, Safeguarding Trustee, Headteachers of schools, PREVENT Officer and appropriate local authority staff where needed.
- 7.6 All staff will have access to advice and guidance on the boundaries of appropriate behaviour and conduct. These matters form part of staff induction and are referred to in the staff handbook. See Code of Conduct.

8 PROFESSIONAL CONFIDENTIALITY

- 8.1 Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. It forms part of the Universal Safeguarding Training. The only purpose of confidentiality in this respect is to benefit the child. A member of staff must never guarantee confidentiality to a pupil nor should they agree with a pupil to keep a secret. Where there is a child protection concern, this must be reported to the DSL and may require further investigation by the appropriate authorities. Children can be reassured that only the people who “need to know” will be informed, that this will be the minimum necessary and that information will not become common knowledge.
- 8.2 Staff will be informed of relevant information in respect of individual cases regarding child protection on a ‘need to know basis’ only. Where information is shared with appropriate staff, they must maintain the confidentiality

9 RECORDS AND MONITORING

- 9.1 Well-kept records are essential to good child protection practice. Berkshire Maestros is clear about the need to confidentially record any concerns held about a child or children within our organisation, the status of such records and when these records should be passed over to other agencies.
- 9.2 Any member of staff receiving a disclosure of abuse, or noticing signs or indicators of abuse, must make an accurate record as soon as possible, noting what was said or seen, putting the event in context, giving the date, time and location. All records will be dated, signed and will include the action taken. Making the record should not delay referring the disclosure to the Designated Safeguarding Lead or appropriate authority.
- 9.3 These notes are kept confidentially and separate to other files, and stored in a secure place. In the same way, notes must be kept of any pupil who is being monitored for child protection reasons.

9.4 The Designated Safeguarding Lead will have oversight of the Berkshire Maestros record management policy to ensure that issues around safeguarding records are addressed appropriately.

10. ATTENDANCE AT CHILD PROTECTION CONFERENCES & CORE GROUPS

It is the responsibility of the DSL to ensure that Maestros is represented if necessary and a report is submitted to any child protection conference called for any pupil (if Maestros has an involvement in the case). Whoever attends should be fully briefed on any issues or concerns that Maestros has.

11. SUPPORTING PUPILS AT RISK

11.1 Maestros recognises that children who are abused or who witness violence may find it difficult to develop a sense of self-worth or view the world as a positive place. Maestros recognises the importance of identifying vulnerable pupils who may be at risk of abuse, or children that may have additional support needs. We recognise that a pupil may be classed as vulnerable for a variety of reasons and this may not be permanent.

11.2 Maestros recognises it may be the only stable, secure and predictable element in the lives of vulnerable children and that whilst at Maestros their behaviour may still be challenging and defiant.

11.3 All children are at risk. These children however are at a higher risk although not exclusively:

- Children with Special Educational Needs
- Children with emotional/behavioural/attachment disorders
- Children with caring responsibilities or classified as a young carer
- Looked after children and those subject to private fostering arrangements
- Children missing education/low attendance
- Children dealing with issues around domestic abuse
- Children from Gypsy, Roma, Traveller communities
- Children experiencing bereavement
- Children in receipt of FSM or PPG (Free School Meals or Pupil Premium Grant)
- Children at risk from neglect; physical; sexual and emotional abuse
- Disabled children
- Children at risk of exclusion
- Children at risk from bullying, including online bullying and prejudice-based Bullying
- Children at risk of child on child abuse
- Children at risk from the impact of new technologies on sexual behaviour, for example sexting
- Girls at risk of female genital mutilation
- Children at risk of being drawn into terrorism and radicalisation
- Children at risk of exploitation, sexual exploitation and trafficking

- Children at risk of honour based violence or forced marriage
- Children affected by substance misuse (drugs, alcohol)
- Children affected by mental health issues
- Children affected by faith abuse
- Children affected by gender based violence or violence against women and girls
- Children affected by fabricated or induced illness
- Children affected by issues around bullying
- Children affected by crime
- Children affected by gang activity
- Children affected by gender reassignment/lesbian, gay, bisexual and transgender (LGBT) abuse.
- Children affected by serious violence

11.4 Maestros will endeavour to support pupils through:

- a) Encouraging self-esteem and self-motivation.
- b) Our ethos which promotes a positive, supportive and secure environment and which gives all pupils and adults a sense of being respected and valued.
- c) A consistent approach agreed by all staff which will endeavour to ensure that pupils know that some behaviour is unacceptable but s/he is valued.
- d) Liaison, as appropriate, with other professionals and agencies that support the pupils and their families.
- e) A commitment to develop productive, supportive relationships with parents, whenever it is in the child's best interest to do so.
- f) The development and support of a responsive and knowledgeable staff group, trained to respond appropriately in child protection situations.
- g) recognition that statistically, children with behavioural difficulties and disabilities are most vulnerable to abuse so staff who work in any capacity with children with profound and multiple disabilities, sensory impairment and / or emotional and behavioural problems will need to be particularly sensitive to signs of abuse.
- h) Recognition that in a home environment where there is domestic violence, drug or alcohol abuse, children may also be vulnerable and in need of support and / or protection.

11.5 This policy should be considered alongside other related policies. These include our policies on physical intervention, bullying and health and safety.

11.6 LGBT: The fact that a child or a young person may be LGBT is not in itself an inherent risk factor for harm. However, children who are LGBT can be targeted by other children. In some cases, a child who is perceived by other children to be LGBT (whether they are or not) can be just as vulnerable as children who identify as LGBT.

All staff should be aware and look out for and tackle where necessary homophobic, biphobic and transphobic bullying and abuse.

11.7 Domestic abuse can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

12. E-SAFETY AND SOCIAL MEDIA

12.1 This organisation believes that the use of information and communication technologies brings great benefits. We recognise that there are e-safety issues that need to be planned for that will help to ensure appropriate, effective and safer use of electronic communications. Staff should refer to the social media policy and acceptable use of IT policy.

12.2 Children and young people may expose themselves to danger, whether knowingly or unknowingly, when using the internet and other technologies. Additionally, some young people may find themselves involved in activities which are inappropriate or possibly illegal. Technology is a significant component in safeguarding and wellbeing issues.

12.3 Photographs, video and electronic images of pupils and staff are classed as personal data under the Data Protection Act 2018.

12.4 If a child is using a Maestros device, then Maestros will take appropriate care to make sure that children cannot access any inappropriate material.

13 RADICALISATION AND EXTREMISM

13.1 Berkshire Maestros values freedom of speech and the expression of beliefs/ideology as fundamental rights underpinning our society's values. Both pupils and teachers have the right to speak freely and voice their opinions. However, free speech is not an unqualified privilege; it is subject to laws and policies governing equality, human rights, community safety and community cohesion.

13.2 Berkshire Maestros seeks to protect children and young people against the messages of all violent extremism and are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology.

13.3 Staff will be made aware at safeguarding training of the characteristics within children and families that may indicate radicalisation or warning indicators of those who may be vulnerable to radicalisation.

13.4 Staff will treat any radicalisation/extremism concerns in the same manner as safeguarding concerns and will follow the organisation's child protection and safeguarding procedures

14 CHILD SEXUAL EXPLOITATION (CSE) AND CHILD CRIMINAL EXPLOITATION (CCE)

14.1 CSE and CCE are forms of abuse where an individual or group takes an advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal act.

14.2 Staff will treat any CSE or CCE cases in the same manner as safeguarding concerns and follow the organisation's child protection and safeguarding procedures.

15 MENTAL HEALTH

15.1 Berkshire Maestros recognises the important role that music plays in supporting the mental health and wellbeing of their children. Mental health problems can in some cases be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

15.2 Berkshire Maestros has several trained Mental Health Youth First Aiders who provide advice to pupils if needed. If a member of staff is concerned about the mental health of one of their pupils then it should be reported as a concern.

16 CHILDREN WITH SPECIAL EDUCATION NEEDS AND DISABILITIES

16.1 Children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Berkshire Maestros recognises that additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

17 CHILD ON CHILD ABUSE

17.1 We recognise that children are capable of abusing other children. This can happen both inside and outside of school as well as online. A child may not find it easy to report child on child abuse and we recognise that they might show signs or act in ways that they hope an adult will notice, including a change in behaviour. We understand that the child who is perpetrating the abuse may also be at risk of harm and we will make every effort to ensure that the perpetrator is supported appropriately.

Maestros' ethos encourages pupils to raise concerns with staff, knowing that they will be listened to, believed and valued.

This is most likely to include, but may not be limited to:

- bullying (including cyberbullying);
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence, such as rape, assault by penetration and sexual assault;
- sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be stand-alone or part of a broader pattern of abuse;
- upskirting, (which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm
- sexting (also known as youth produced sexual imagery);
- initiation/hazing type violence and rituals

17.2 Staff should always challenge any child on child abuse and report to DSL. Children in music centres should know who to go to if they have any concerns.

17.3 It is essential that all victims are reassured that they are taken seriously and that they will be supported and kept safe. A victim should never be made to feel ashamed for making a report. It is important to explain that the law is in place to protect children and young people rather than criminalise them and this should be explained in a way that avoids alarming or distressing them.

18 USE OF MAESTROS PREMISES BY OTHER ORGANISATIONS

18.1 Where services or activities are provided separately by another body, using Maestros' premises, Maestros will seek assurance that the body concerned has appropriate policies and procedures in place in regard to safeguarding children and child protection.

19. POLICY REVIEW

The Board of Trustees is responsible for:

- a) ensuring the annual review of this policy
- b) Ensuring that the list of key contacts is kept up to date

Safeguarding Children & Young People Whistle-blowing Guidelines

Principles

- Adults working with young people are often the first to realise that someone's behaviour is, or is likely to cause harm to a child or young person.
- Research tells us also that adults who target children for abuse will often seek out jobs and positions that bring them into close contact with children.
- Maestros is committed to safeguarding and promoting the welfare of every child and expects the highest possible standards of openness.
- We recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible.
- We will not tolerate harassment or victimisation and will take all possible measures to protect anyone who raises concerns in good faith.
- All concerns will be treated in confidence and we will make every effort not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.
- If you voice suspicion in good faith but it is not confirmed by the investigation, no action will be taken against you.
- If the investigation concludes that you have maliciously fabricated the allegations, disciplinary action may be taken against you.

Reporting Procedure

- The earlier a concern is reported the easier it is to take action.
- As a first step, concerns should be raised with the CEO.
- If your concerns relate to the CEO, then you should raise your concerns with the Chair of Trustees or the safeguarding trustee
- If you feel that you cannot approach any of these, the Safeguarding Manager within one of UAs can offer advice and support - *see policy - Whistleblowing section*
- Concerns can be raised in writing, or in person.
- Your report, written or verbal, should set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are concerned about the situation.

PHYSICAL CONTACT/INTERVENTION GUIDANCE

Introduction

Maestros supports the position taken by the Human Rights Act 1998 and seeks to protect the rights of all children and young people. This policy aims to promote positive management strategies in all its establishments providing for children and young people. The safety and well-being of all staff, children and young people is of paramount importance.

Physical intervention is the use of force to control or restrain children. This raises two major issues:

1. What is reasonable force?
2. What sort of behaviour warrants physical intervention?

There is no legal definition of reasonable force. The use of force can only be regarded as reasonable if the circumstances of the particular incident warrant it and the degree of force employed is proportionate to the level of challenging behaviour presented or the consequences it is intended to prevent.

Acceptable physical intervention can take several forms:

- Physically interposing between children
- Blocking a child's path
- Holding
- Pushing/pulling
- Leading a child by the arm or hand
- Shepherding a child away by placing a hand in the centre of the back
- Using more restrictive holds (in extreme circumstances)

In exceptional circumstances where there is immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of reasonable force. For example, to prevent a young child running off a pavement onto a busy road.

Non-acceptable physical intervention:

- Any corporal punishment
- Holding a child around the neck, by the hair or by the ear
- Slapping, punching or kicking a child
- Twisting or forcing limbs against a joint
- Tripping up a child

- Holding a child face down on the ground

Points to remember:

- Staff should always avoid touching or holding a child in a way that might be considered indecent. (Staff should in any case avoid touching a child at all during any lesson or activity, for any reason, on any part of the body.)
- Range of approaches relating to age, gender, level of physical development and any special educational needs
- Children’s sensitivities and sensibilities, their likely perception of situations, their emotional state and their levels of understanding should always be carefully considered.
- Physical interventions should only be used when they are in the best interest of a child and of other children.
- Where children have special educational needs any use of physical intervention, except in a crisis, would be incorporated into the child’s Individual Education or Behaviour Plan.
- Physical contact should be avoided where possible in the normal course of teaching. It is recommended that even occasional and limited physical contact - which may be deemed necessary in order to guide the pupil in essential elements of technique; e.g. positioning the hand or correcting the posture of a student – be avoided unless there are other people in the room. Model, demonstrate or use another student to model where possible.
- In occasional circumstances, where it is necessary for physical contact, then verbal permission must first be sought from the pupil before invading any personal space and this should only occur in the presence of a third party.
- The teacher should be aware of proximity from the pupil and keep a suitable distance; i.e. one where the pupil does not feel that their personal space is being invaded.
- Teachers are advised to avoid standing behind or leaning over students.

Circumstances in which physical interventions may be required

There are three main circumstances in which physical interventions may be necessary:

1. Where action is necessary in self-defence or because there is an imminent risk of injury
 2. Where there is a developing risk of injury or significant damage to property
 3. Where a child is behaving in a way that is compromising good order and discipline.
- Staff should always consider carefully whether physical intervention is appropriate. They should try to deal with a situation through other strategies before using force.
 - All staff need developed strategies and techniques for dealing with difficult children which they should use to defuse and calm the situation, particularly where there is no direct risk to people and property. As the aim is establishing good order, any action which could exacerbate the situation needs to be avoided.
 - The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.
 - Physical intervention should never be used as a substitute for good behavioural management.

- If restraint or physical intervention is necessary, the member of staff should in the first instance ensure another adult is present (to prevent subsequent false allegations) or send another student for adult assistance immediately. Always try to ensure that there are objective witnesses present.

Protocols and Procedures

- Restraint should be used rarely and only when a child is in personal danger, is threatening the safety of other children or when there is wilful damage or the threat of significant damage to property. There needs to be a clear and agreed definition of what constitutes behaviour prejudicial to maintaining good order and discipline.
- All possible steps should be taken before using restraint in crisis intervention, through dialogue, diversion and clear instructions.
- Physical restraint involves holding, detaining and moving children against their will and the restriction of movement.
- Staff need to exercise professional judgement to ensure that only the minimal force necessary is used. Restraint should last for the shortest time possible to achieve its purpose.
- Children and parents or carers should be helped to understand the situations in which restraint may be used and its purpose. A written record should be made where restraint has been necessary and parents should be routinely informed.
- Restraint may be part of a planned strategy for a specific behaviour for a certain child. This should be recorded and agreed with staff, parents, external professionals and wherever possible with the child also.

Risk Assessment

Risk assessments:

- identify preventative and protective measures which need to be put in place
- should always be undertaken on children with known severe behavioural difficulties

Medical advice should be sought on children's specific conditions and implications for physical intervention.

A child assessed to be at risk of needing physical intervention should be the subject of a formally recorded risk assessment.

This should

- outline the strategies which will be used to defuse situations
- give techniques staff will normally aim to use and those which would be inappropriate
- be reviewed and revised as appropriate, with all relevant staff informed
- wherever practicable, be made known to parents/carers and relevant professionals
- be placed on child's personal file.

Good practice would involve parents/ carers and the children themselves in the proposed strategy

Recording and Monitoring of Incidents

Staff should keep detailed written reports of all incidents where physical interventions have been used. A copy should be handed to the DSL within 24 hours and will be kept securely.

Involvement of children, parents and carers

Incidents involving the use of force can cause the parents of the children involved great concern. It is always advisable to inform parents of an incident involving their child, and give them an opportunity to discuss it. The DSL or CEO, to whom the incident is reported, will need to consider whether that should be done straightaway and whether parents should be told orally or in writing. Staff should **not**, in the first instance, communicate concerns to parents. Discuss all matters with DSL first.

Complaints

In the event of a complaint, however, a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or under child protection procedures.

In the unlikely event that a complaint results in a disciplinary hearing or a criminal prosecution or in a civil action brought by the child or the parents the panel or court would have regard to the provisions of law and it would also be likely to take account of the policy on restraint, whether that had been followed, and the need to prevent injury, damage or disruption, in considering all the circumstances of the case.

Safeguarding Guidance for Staff & Volunteers

Berkshire Maestros fully recognises its responsibilities for child protection. Our policy applies to all staff and volunteers working within the organisation and is intended to support the policy of each Unitary Authority in Berkshire.

Below are practical guidelines and procedures which staff and volunteers should adopt in relation to Child Protection. Please also read the Maestros Social Media Policy, Staff Code of Behaviour and Conduct.

FAMILIARITY

- Staff should always model respectful behaviour.
- Avoid 'special' relationships.
- Avoid selecting young people for specific activities or privileges to avoid perceptions of favouritism or unfairness.
- Do not intimidate, bully, humiliate, coerce, threaten or undermine any child or young person.
- Do not use your professional status to form or promote relationships which are of a sexual nature or may become so.
 - Only make contact with children for professional reasons and in accordance with Maestros policy as laid out here.
 - Keep all communication professional. Do not use emojis or text speak.
- Never initiate social contact with children outside of the teaching situation; avoid Facebook etc. Have no secret contact with children.
 - Do not communicate with current students via text, what's app or social media. It is fine to use their school email.
 - With gap year students, it is fine to communicate via text or what's app. However be professional at all times, do not use emojis, text speak and keep copies of the messages. Do not get drawn into conversations about pupils' private lives or anything that has the potential to be misconstrued.
- Understand that communications may be called into question and need to be justified
 Be aware that social contact in certain situations can be misconstrued
- Avoid any actions which may be interpreted as 'over familiar'.
- Do not make familiar, personal comments to young people about their appearance, dress etc. which may be misconstrued. Do not ever call young people 'love', 'darling', 'sweetheart', etc. (Equally, avoid such language/comments when communicating with colleagues.)
- Social contact with pupils you teach should be limited to organised Maestros events only.
- Advise SLT of any social contact with a child that may give rise to a concern
- Avoid sending birthday cards or similar, gifts etc. to children, discuss with line manager/SLT if necessary. The giving of gifts can be misinterpreted.

- Exercise great care in situations where a parent comes to depend on you for support outside of your professional role. Always report these situations with the DSL.
- Report and record any incident which suggests that a child/young person may have developed an infatuation with an adult in the work/teaching environment. Discuss with SLT/line manager/parent at the earliest opportunity so that appropriate action can be taken to avoid distress, embarrassment or repercussions.
- There should be zero tolerance of any sexual violence and harassment and it is never acceptable and won't be tolerated. It is important not pass off any sexual violence or sexual harassment as "banter", "just having a laugh", "part of growing up" or "boys being boys". This can lead to a culture of unacceptable behaviours and an unsafe environment for children.

ACCOMMODATION

- Where tutors are required to teach in a 1:1 situation, then the teaching room should be viewable from the outside. Where this is not the case then the teacher should bring this issue to the attention of a senior member of Maestros staff and a responsible person in the School/Centre concerned. Doors should be left open in these instances.
- Avoid meetings with young people in remote, secluded areas.
- Inform colleagues/parents about lone situations and assess the need to have them present or close by.
- Avoid use of 'engaged' signs or other. This implies/creates an opportunity for secrecy.
- Avoid home tuition, visits by young people to your home. Under no circumstances should adults **engaged in Maestros work** visit a child/young person in their home or invite a child to their own home. (Self-employed teachers who offer private tuition should ensure appropriate insurance and risk assessments are in place for their own protection and that of the young person in such circumstances.) Maestros teaching will not take place in teachers' or students homes. On rare occasions where a visit to a child's home may be necessary (e.g. to deliver/collect a child), ideally a risk assessment should be in place prior to the visit, the visit should not be made alone, line manager should be consulted, a written record of the visit should be kept etc. unless in the case of an emergency when a record should be made, kept and be available for scrutiny. If one-off arrangements are required, the adult must ensure the visit is justified, have a discussion with a senior manager and the parents/carers and the arrangement is agreed and recorded. Adults must always have access to a mobile telephone and emergency contact person. Ensure that adult is never exposed to unnecessary risk.

CHILDREN AND YOUNG PEOPLE IN DISTRESS

- Offer reassurance and comfort in an age-appropriate way
- Record actions
- Maintain clear professional boundaries
- Never touch, hug or cuddle a child. Refrain from placing an arm around shoulders. Never touch a child in a way which could be misconstrued or considered indecent.
- Do not assume that children seek physical comfort if they are distressed.
- Report any situation where a child becomes distressed or angry

PERSONAL CARE (tours/trips/outings)

- Avoid visually intrusive behaviour
- Avoid contact if children are in a state of undress (tours)
- Announce intention of entering rooms by knocking loudly, waiting, announcing that you intend to enter if supervising young people on residential trips
- Do not shower or bathe in the same place as children or with them
- Do not assist in any personal task which young people can undertake for themselves.
- Never share beds with young people and avoid sharing bedrooms unless it is a dormitory situation and the arrangements have been discussed with SLT, parents and the young people and all parties agree in writing.
- If administering first aid, ensure another adult is present and aware of the intended action, explain to the child.
- Ensure parental consent is given in writing for all aspects of the proposed activity in accordance with Maestros offsite and educational visits policies.

TRANSPORTING CLIENTS

- Lifts should not be given to pupils in staff cars except in exceptional circumstances with parental written (or CEO) permission. Car EVF forms must be completed and submitted as part of the Risk Assessment. Insurance cover must be appropriate for business use. Cars must be taxed and roadworthy, owner/driver must have business insurance and maximum capacity must not be exceeded.
- Adults must ensure they are fit to drive, free from alcohol, drugs and medication which may impair judgement or ability to drive, free from health issues which may cause problems whilst driving.
- Adults must be aware that they are responsible for the health and safety of the child until they are passed to a parent/carer other responsible adult.
- Record all such journeys in accordance with Maestros policy and ensure impromptu lifts are recorded and can be justified on the grounds of the child's safety and well-being if questioned.
- Ensure that behaviour is appropriate at all times.
- Place all young people in the back of the car only with seat belts fastened.

CONTACTING CLIENTS BY TELEPHONE / EMAIL

- Calls, emails and texts to parents are acceptable providing there is good reason, however staff should always ask to speak to the parent / carer and never the child.
- Ensure all text messages and/or emails relate to professional information re lessons/music activities only and are formal. (No emojis or kisses at the end of messages.)
- Calls, emails and texts to all pupils should be avoided in all cases. You should not text or call older students on their own device. If a secondary pupil has lessons in school, then you may use their school email address only.
- Permission must always be obtained from parents to communicate via email, text etc.
- Do not use internet or web based communication channels to send personal messages to children. You should not have pupils or parents as friends on any form of social media unless you know them in a different capacity.

PHOTOGRAPHY AND IMAGES

- Maestros staff (including Self Employed colleagues and volunteers) are not permitted to make identifiable visual images of pupils/children during the course of their work. This includes Maestros students in lessons, ensembles, events, exams etc.
- The use of mobile phones or mobile devices (tablets) to take images of children/pupils, even if the image is to record teaching/learning issues relating to instrumental technique, posture etc. is prohibited
- Any photographic recording of images for public marketing or examination purposes must be undertaken in line with GDPR and Maestros privacy policy
- Report any concerns about inappropriate photography to DSL.
- Please refer to the acceptable use of IT policy for further guidance.

WHAT TO DO IF ABUSE IS SUSPECTED

- You have a legal duty to report any suspicion of abuse. In the first instance you should inform the Designated Child Protection Officer of the school (if the teaching is during the school day). You must then report that there has been a child protection issue to the DSL of Berkshire Maestros who is responsible to the CEO for Child Protection matters. If the suspicion of abuse is raised in an 'out of school' or 'after school' situation you must inform the DSL, or if unavailable, the Deputy DSL or CEO who will take the necessary action. See the flow chart of 'What to Do if You Are Worried...'

Report any Safeguarding concerns to one of the DSLs.

- All staff should be aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected and they may not recognise their experiences as harmful. They may feel embarrassed, humiliated or being threatened. This could be due to their vulnerability, disability and/or sexual orientation or language barriers. This should not prevent staff from having a professional curiosity and speaking to the DSL if they have concerns about a child.

WHAT TO DO IF A CHILD OR VULNERABLE ADULT SPEAKS TO YOU ABOUT ABUSE

- Reassure the child / adult that you will take what is said seriously.
- Keep calm.
- Listen. Do not prejudice anything by making judgements.
- Tell the child that you will need to talk to someone else – do not promise confidentiality.
- Be aware that the child may have been threatened, intimidated or made to promise secrecy
- Never push for more information than has been freely given or ask leading questions.
- Hear the allegations clearly. Write down exactly what was said/told to you in the exact language used by the child, not in your own paraphrased words.
- If there is an online element to the disclosure then this needs to be handled carefully. The key consideration is not to view or forward illegal images of a child. It is best to ask for the device and hand it to the police.
 - Refer the case to the correct person immediately. (See above)
 - Do not discuss the case with anyone else apart from the school's DSL and the DSL of Berkshire Maestros, the Deputy DSL or Chief Executive of Berkshire Maestros

Local Authority Contact Details

Authority	Name	Email	Phone
West Berkshire	CAAS	child@westberks.gov.uk	01635 503090
Reading	Child's single point of access	www.brighterfuturesforchildren.org/concerned-about-a-child	0118 937 3641
Wokingham		triage@wokingham.gov.uk	0118 908 8002
Bracknell Forest	MASH team	mash@bracknell-forest.gov.uk	01344 352005
RBWM	MASH Team	MASH@achievingforchildren.org.uk	01628 683150
Oxfordshire	MASH Team		0345 050 7666
Slough	Referral and assessment service	sloughchildren.referrals@sloughchildrenfirst.co.uk.	01753 875362
Buckinghamshire	First Response Team	secure-cypfirstresponse@buckinghamshire.gov.uk	01296383962