



MUSIKO MUSIKA

SAFEGUARDING POLICY WITH WHISTLEBLOWING POLICY

KEY INFORMATION	
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SECTION 1

POLICY STATEMENT

Staff, freelance artists and volunteers in MUSIKO MUSIKA are committed to practices, which promote the welfare of children and vulnerable adults and protect them from harm.

We wish to ensure that all children and vulnerable adults participate in an enjoyable and safe environment in which they can have fun and feel valued.

Staff, freelance artists and volunteers in this organisation accept and recognise our responsibilities to develop awareness of the issues, which cause children and vulnerable adults harm, and to establish and maintain a safe environment for them. We are committed to reviewing our policy, procedures and practice at regular intervals, at least every three years.

We will endeavour to safeguard children and vulnerable adults by:

- Following carefully the procedures laid down for recruitment and selection of staff and volunteers.
- Providing effective management for staff and volunteers through supervision, support and training.
- Reporting concerns to statutory agencies who need to know and involving parents and children/ vulnerable adults appropriately.
- Recognising that children are capable of abusing their peers and having procedures to minimise the risk of peer abuse within our activities and to record, investigate and deal with allegations.
- Adopting guidelines for the protection of children and vulnerable adults through a code of behaviour for staff and volunteers.
- Sharing information about the protection of children and vulnerable adults and good practice with children, adult participants, parents, staff and volunteers.
- Ensuring safety procedures are adhered to.

SECTION 2

PROCEDURES

2.1 Staff and volunteer ratios

- For work undertaken independently of the supervision of school staff we will use a minimum ratio of 1 adult to 8 children for children aged between 8 and 12 years and 1 adult to 10 young people for young people aged between 12 and 16 years. In such circumstances a minimum of two adults to be working with a group. In particular circumstances these minimum ratios will be renegotiated depending on the level of need and the complexity of the activities being undertaken.

2.2 Recruitment and Selection

- As an organisation we have a responsibility to ensure that all staff, freelance artists and volunteers working with children, young people and vulnerable adults have a DBS Disclosure Certificate, with a level of disclosure appropriate to their role.
- We will request and view DBS Disclosure Certificates from all staff, freelance artists, volunteers and trustees and obtain DBS Disclosure Certificates for any staff, freelance artists, volunteers or trustees who do not already have one, and maintain a list recording dates of issue, certificate numbers and dates viewed. We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. For the purposes of showing copies of DBS certificates to project partners we will securely store a copy of DBS certificates provided. We will use the DBS Update Service for staff members and encourage freelance team members working regularly with MM to use the Update Service. Once the initial check has been made of someone's DBS certificate and status the Update Service should be used annually to recheck and a record made of the date on which it was viewed. For people not using the Update Service the DBS Disclosure Certificates for freelance artists and volunteers should be no more than three years old. Likewise, the DBS certificate of any staff member not using the Update Service must be renewed every three years.
- Regarding safer recruitment, the guidance clarifies that a curriculum vitae (CV) should only be accepted alongside a full application form. CVs on their own will not contain all the information required to support safer recruitment. We will obtain two references for any member of staff, freelance artists or volunteers who have not previously worked with Musiko Musika.

2.3 Management of Staff, Freelance Artists and Volunteers

- We will inform new staff, freelance artists and volunteers of policies, procedures and guidelines through the provision of an induction pack and give appropriate training, support and supervision for the role and activity being undertaken.

- Safeguarding training of MM staff and those engaged in regular freelance work will be carried out annually and those working on a more ad-hoc basis should have their knowledge of MM's safeguarding policy and procedures refreshed when joining a project. Trustees will receive safeguarding training on induction.
- We will make staff, freelance artists and volunteers aware of what is expected and required of them and the boundaries or limits within which they must operate.
- We will ask staff, freelance artists and volunteers to acknowledge in written agreements that they have received a copy of the induction pack and have been introduced to the organisation's policies, procedures and guidelines, that they understand them and agree to abide by them.
- The appointment of staff / freelance artists / volunteers will be subject to a probationary / trial period appropriate to the nature of the post. The appointment will be reviewed before the end of the probationary/ trial period, before confirming the post in writing.

2.4 Working in school and other educational settings

Where Musiko Musika is working in a school or other educational setting a copy of the school's / setting's safeguarding policy will be obtained by the Project Manager prior to the project starting. MM staff and freelance team members will be expected to follow the school/ setting's safeguarding policy and where necessary adjustments to procedures will be made and included in any induction process for the team.

2.5 Procedures for children/ young people being absent from classes (outside school settings)

Where children under the age of 16 are allowed to travel to and/ or from a Musiko Musika activity on their own (e.g. the ECCO project at the Lyric) it is clear that Musiko Musika cannot be responsible for their safety and well being during the journey, and our policy and procedures, which is set out below, should be clearly communicated to parents. Parents are required to let us know about children that are travelling independently (often this is from the age of 12 upwards) and we include the following in the ECCO Agreement:

"If your child (aged 12 or over) will be travelling to or from the Lyric on their own please read this additional information and sign below.

"Children must inform a member of the Musiko Musika team when they leave the building and on their return, and will only be allowed to leave the building at the discretion of Musiko Musika.

Parents are responsible for ensuring that their child arrives safely at the Lyric, and can check attendance with Musiko Musika or ask to see the attendance register at any time. In the event of a child (aged 12 or over) who is known to be travelling to the Lyric on their own arriving more than 15 minutes late for a rehearsal whenever possible a phone call will be made by Musiko Musika to the designated emergency contact number."

2.6 Disciplinary procedures (outside school settings)

The following disciplinary procedure is in place for the ECCO projects and is included in the ECCO Agreement. Other activities at the Lyric and other settings follow the setting's own policy on such matters.

"Three-step disciplinary procedure

If a member of the Musiko Musika team determines that an ECCO Member has broken a rule, the following steps will be taken:

Step 1: Verbal warning

Step 2: Yellow card warning

The ECCO Member is given a yellow card and will have a short discussion with the adult who gave the warning about how they can improve their attitude and/ or behaviour. Parents will be informed in person or by phone when an ECCO Member receives a yellow card warning.

Step 3: Behaviour contract

A contract will be made by the ECCO Member and Musiko Musika's Joint Artistic Directors. The ECCO Member writes down the reason they got the warning and what they can do to improve their attitude and/ or behaviour. The ECCO Member and Joint Artistic Director will sign the contract and a copy will be given to the parents.

If, in the opinion of Musiko Musika's staff and Joint Artistic Directors, a member fails to make the necessary improvements following Step 3, then they will have their membership terminated. The decision of Musiko Musika's Joint Artistic Directors on membership is final."

2.7 Reporting Concerns

We recognise that it is a statutory responsibility to report any child protection concerns or concerns about a vulnerable adult. Should a member of staff / freelance artist / volunteer have a concern or become aware of a disclosure / allegation we require them to report these to a member of the school staff (where the work is taking place under the auspices of a school) or consult with the Artistic Directors before reporting allegations to the appropriate authorities.

2.8 Sharing of DBS Certificate Details

We are under an obligation to share DBS certificate details when requested by a school or project partner that has a legitimate reason to require this information. Personal information must only be shared in accordance with our Data Protection Policy.

SECTION 3

GUIDANCE

3.1 What might constitute a concern about a child/young person or vulnerable adult?

A concern relates to the possibility of a child or vulnerable adult suffering harm. Indicators of this might include:

- Sudden, unexplained or worrying changes in behaviour.
- Physical signs or symptoms that may be indicative of abuse (emotional, sexual, physical or neglect).
- Worrying remarks made by a child or vulnerable adult.
- A situation where a child or vulnerable adult is exposed to potential risk of harm.

Staff should be aware of the particular risks for LGBTQ+ children and/or those that are perceived to be.

3.2 What is a disclosure?

A disclosure is when a child or vulnerable adult tells a staff member/volunteer that they have been or are being harmed or abused in some way. This may be physical, sexual emotional abuse, neglect or bullying.

It is important to reassure the person who has made the disclosure and offer sources of appropriate support. Staff are reminded that children are not always ready or able to talk about their experiences of abuse and/or may not always recognise that they are being abused.

3.3 What is a concern or allegation about the behaviour of staff/ freelance artists / volunteer?

Inappropriate or unacceptable behaviour or communication, favouritism or negligence are examples of what may constitute a concern about the conduct of a member of staff/ freelance artist / volunteer.

An allegation about a staff member/ freelance artist / volunteer occurs when a child, parent or other staff member/ freelance artist / volunteer reports specific unacceptable behaviour where a child or vulnerable adult has been harmed or abused in some way.

Allegations against staff/volunteers must be referred to the Artistic Directors.

In the case of allegations against one of the Artistic Directors this should be reported to the Chair of Trustees.

Any staff member or freelance artist who does not adhere to the Safeguarding Policy will first be given a verbal warning, and if steps are not taken to adequately remedy the problem further steps will be taken which could lead to dismissal from their role on a permanent basis.

Under no circumstances should any staff/volunteer attempt to deal with the problem of abuse alone.

3.4 Child-on-Child Abuse

We are committed to ensuring the prevention, early identification and appropriate management of child-on-child abuse within our activities.

In cases where child-on-child abuse is identified we will follow our child protection procedures as outlined above, taking a contextual approach to support all children and young people who have been affected by the situation.

We recognise that child-on-child abuse can manifest itself in many ways such as:

- Child Sexual Exploitation
- Sexting or youth produced digital imagery

- Upskirting
- Bullying
- Radicalisation
- Abuse in intimate relationships
- Children who display sexually harmful behaviour
- Gang association and serious violence (County Lines)
- Technology can be used for bullying and other abusive behaviour

3.5 Child Safety Online: the use of the websites and social media for Musiko Musika purposes

Musiko Musika recognises the important role that social networking websites play in the ways in which young people, organisations and families communicate and the potential effectiveness of these groups within our work, however Musiko Musika also recognises the potential safeguarding issues social networking brings, and works to the following guidelines:

Incorporate safeguards when setting up social networking page

- Personal email addresses should not be used in order to reduce risk of fake profiles.
- Separate, social media networking accounts should always be used for the purposes of Musiko Musika. These accounts may be examined by any of the trustees and should be used for MM purposes only and not as a staff or team member's personal account.
- Ensure that passwords are kept secure to prevent hacking and set appropriate security levels across all aspects of the service, especially for photos, blogs etc.
- Any communication using social networking account should be kept public or kept logged. Messages should be saved and kept (both incoming and outgoing) and instant chat must not be used at any time to communicate with young people.

Promoting child safety online

- Target the right age groups and not accept any requests from those under the age of 16, if need be report it.
- Do not divulge any personal details that may enable anyone to locate a child (e.g email addresses, schools etc)
- Use care in any imagery including children (particularly avoiding naming them)
- Remind all MM users and staff to protect their own privacy and ensure they understand the risks in posting and sharing content which might subsequently damage their reputation.
- Ask all MM staff to "think before they post", ensuring that content is appropriate to safeguarding policies and appropriate for site readership.
- Promote a culture of safety and responsible social networking and provide information to safety and support organisations. Do be aware of data protection considerations for all users.
- Be vigilant of fake profiles which seek to gain the trust of children and the vulnerable.

Reporting concerns

- Report concerns promptly about possible online abuse to Musiko Musika's Designated Safeguarding Officer.
- Report other concerns regarding inappropriate content or behaviour which potentially breach the terms of the service to the service provider.

Promoting safety online and social media: Rules and guidance for Musiko Musika staff and freelance team members

These rules and guidance are also included in the musician agreements

Musiko Musika staff and freelance team members should not accept 'friend' requests from children under the age of 16. You may wish to check a user profile before accepting them. Don't accept 'friend' requests from children under 16 years.

Do not provide your own personal details (phone number, email address etc) to any child under 16, and do not take personal details of children and young people. Any contact details provided should be those of the parent/ carer, and Musiko Musika staff.

Be careful how you use images of children on official Musiko Musika social media. Any images must not be used on personal social media by Musiko Musika staff or freelance team members.

Photographs and videos of children on websites can be used to identify children and make them vulnerable to people who wish to groom them for abuse. In brief:

- If a child is named, avoid using their image
- If an image is used, avoid naming the child

- Obtain the permission from schools, and/ or parents and carers for the use of images online and in printed media.

Musiko Musika cannot control parents etc posting photos, however any publication of photos and video outside of personal use is not allowed without the permission of Musiko Musika's Directors, and must follow the same restrictions and controls as materials used within Musiko Musika's website and social media.

Think before you post

Ensure that any messages, photos, videos or information comply with existing policies within Musiko Musika. Always seek the permission of young people and their parents before adding photos of or information about children or young people to social media networks.

3.6 Safety online and providing tuition, coaching and other activities online: Rules and guidance for Musiko Musika staff and freelance team members

- **Staff and freelance team members must use a work account and profile for online teaching activities. Personal accounts must not be used.** Musiko Musika will provide staff and freelance team members with email accounts and access to the MM Zoom account for this purpose. Online teaching accounts must be kept separate from personal online profiles, with an appropriate image for the profile picture. Personal information eg personal telephone number, email accounts, Facebook and other social media links must not be shared.
- **Musiko Musika will discuss the online tuition offer with the parents/ carers** of participants under the age of 18 and provide a clear written policy outlining the safeguarding measures that are required and other procedures that will be in place. Parents/ carers must confirm their agreement to adhere to the policy before online tuition can commence.
- **All arrangements regarding the scheduling of sessions must be made via email with the parent/ carer** of participants under the age of 18. Arrangements must not be made directly with the child.
- **The connection to Zoom or other platform used must be made using the parents' or carers' own account** and under their control rather than a child's account, to deliver lessons.
- **Staff and freelance team members must maintain the same professional approach and standards as would be expected in delivering face-to-face activities.** The background and setting used for the sessions should be appropriate as well as the manner of delivery and attire worn. Carry out a camera check before the session commences to ensure what is visible is appropriate. It should be remembered that while social media applications can encourage informality, usual high professional standards should be observed at all times. Messaging and chat features that can be used by participants should be switched off during sessions.
- **The participant must take sessions in a room with an open door** and parents/carers must provide that one of them or a trusted adult shall be in the same premises as the participant while the session takes place.
- **Appropriate standards for participants and their parents/ carers must be communicated and observed.** Participants are expected to dress and behave appropriately. If there is inappropriate attire, you should explain that you are going to terminate the session and give the reason for doing so. The session can resume when the participant is suitably attired. Participation in online sessions will be suspended if any of the provisions of the policy are not complied with.
- **Staff and freelance team members providing online tuition and/ or coaching must provide the Joint Artistic Directors with a short weekly report** of activity carried out including a note of any incidents or issues that have arisen. Any incident that requires disciplinary measures or that raises concerns about the safety or wellbeing of a child must be reported to one of the Joint Artistic Directors at the earliest opportunity.
- **The Joint Artistic Directors will join sessions regularly** to support the team and the ECCO players, and monitor behaviour.
- **The Joint Artistic Directors will review arrangements with parents/ carers after a month** to maintain communication and ensure any necessary adjustments to procedures are made.

- **Communications and sending materials etc.** Participants under the age of 18 must not send material or communications directly to Musiko Musika staff or members of the freelance team from their own account. All communications must be made through the account of a parent/ carer.
- **Lessons must not be recorded**
- **Reporting concerns.** The policy and procedures for reporting concerns apply to online provision as they do for any other type of activity.

3.7 Looking after data

Data Protection considerations

Take care when holding personal information about Musiko Musika participants, including children and young people. In these circumstances, you should follow the requirements concerning the collection of personal information, as set out in the Data Protection Act 2018. On some occasions you will be responsible for the safekeeping of personal data and it is imperative that this information is not lost or misplaced, for the safety of young people that we work with and to ensure that we comply with the Data Protection Act 2018.

SECTION 4

CODE OF GOOD PRACTICE

Musiko Musika seeks to provide a safe environment in which children and young people can learn and enjoy musical and other creative activities. In the context of child protection and safeguarding of vulnerable adults, we ask staff, freelance artists and volunteers to adhere to the following guidance:

- Be well informed about Musiko Musika's policies and procedures for protection of children, young people and vulnerable adults.
- Be well informed about Musiko Musika's policies and procedures such as health and safety.
- It is recommended that you work alongside another adult or ensure that other adults are on the premises while you are leading a workshop and that you are therefore meeting your responsibility for ensuring the safety of those in your charge.
- Avoid being left alone with a single child. Ensure at least that you are within sight or hearing of others.
- You should ensure that you know where the appropriate staff toilet is located in case you should need to use this.
- It may be necessary to make use of a mobile phone for the purposes of delivering the project activities (i.e. referring to notes or making notes, checking the time, using a tuner application etc), however you should not be using a device for checking messages etc during sessions unless it is as part of your role in leading or managing activities. The use of a mobile phone for other purposes should be restricted to break times, and you should be mindful that where and when you do so should be appropriate to a school setting. Personal phones should not be used by freelance team members for taking photos/ videos in schools.
- Be aware that physical contact with a child or young person may be misinterpreted. Staff, freelance artists and volunteers are advised not to make unnecessary physical contact with a child. In circumstances where this is unavoidable physical contact should only take place with the consent of the child.
- Remember that you are not working in a 'disciplinary' capacity. However for the well-being of all participants 'maintaining order' is a necessary part of the role of workshop leader.
- If a child informs you of a problem tell another member of staff or your colleagues and follow Musiko Musika's procedures for issues involving concerns, disclosures or allegations.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Challenge unacceptable behaviour. When workshops are within school time sanctions should be carried out in relation to individual school policies. For out of school hours activities written and verbal information will be given to participants regarding sanctions such as time out from participating in a specific activity or permanent removal from attending the activity.

- If you become involved in any situation with a child that concerns you inform your project manager as soon as possible and follow Musiko Musika's procedures for issues involving concerns, disclosures or allegations.

SECTION 5

WHISTLEBLOWING POLICY

5.1. Introduction

Musiko Musika (MM) is committed to the highest standards of openness, probity and accountability. We want to foster a culture of openness and honesty, where people can speak openly about any concerns, and then MM can act quickly to solve problems.

An important aspect of accountability and transparency is a mechanism to enable staff and others to disclose things about MM that they reasonably consider to be dangerous, illegal, corrupt or simply in need of investigation or improvement. The term 'whistleblowing' covers a disclosure made to a senior employee, a Board member, or an outside person or body by any person who works for or comes into contact with MM.

Whistleblowing can act as an early warning system that can alert MM when something is going wrong.

We strongly encourage every person who works for or comes into contact with MM to disclose any concerns as soon as possible; if they do, we are committed to ensuring they will be supported throughout the process and that their employment rights and conditions will be protected.

5.2. Scope of the policy

5.2.1 MM staff

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 provides protection for workers who raise legitimate concerns about specified matters in the public interest (called 'qualifying disclosures'). The Act protects workers from being dismissed or penalised for disclosing information that they honestly and reasonably suspect exposes malpractice; it covers any person who works for or comes into contact with MM.

A qualifying disclosure is one made by an employee who has a reasonable belief that any of the following is being, has been or is likely to be committed:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- An action which creates a risk to health or safety
- Action causing damage to the environment
- An action intended to deliberately conceal any of the above

For a worker to be protected under the Act, they must make the disclosure to the employer (MM) first, or if they feel unable to do this the disclosure should be made to a prescribed person so that employment rights are protected. Further advice is available from the MM's Joint Artistic Directors, Chair of Trustees, Public Concern at Work (Protect), or the Government's website (details at the end of this document).

5.2.2 The difference between whistleblowing and a complaint or grievance

In practical terms, whistleblowing occurs when a worker raises a concern about danger or illegality that affects others. The person blowing the whistle is usually not directly, personally affected by the danger or illegality. Consequently, the whistleblower rarely has an immediate personal interest in the outcome of any investigation into their concerns. The whistleblower is a witness not a complainant. She/he is not expected to prove their case; rather they raise an issue so that others can address it.

This is different from a complaint or grievance. When someone complains or takes out a grievance, they are saying they have personally been poorly treated. For example, this might involve a breach of individual employment rights, or harassment, and the complainant is seeking justice and redress for themselves.

They will have a personal vested interest in the outcome of the complaint; in these cases, they should use the MM's Complaints Procedure.

5.3. Whistleblowing Procedure

5.3.1 In almost all cases, raising the concern internally will be the most appropriate course of action.

Concerns may be raised orally or in writing (digital or hard copy) with one or more of the following:

- Project managers
- The Joint Artistic Directors
- The Chair of the Board of Trustees, or another Trustee

5.3.2 MM aims to respect the confidentiality of a whistleblower. However, there may be some circumstances where this is not possible, for example where formal or legal action is needed and they are required as a witness. Should this be the case appropriate support will be offered. Where concerns are raised orally, in some circumstances the whistleblower may later be asked to put the details in writing.

5.3.3 Investigations will then be carried out by a senior manager, Joint Artistic Director and/or Trustee(s) as soon as possible but within a maximum of one working week.

The investigator's responsibilities are to:

- Treat the matter in confidence within the parameters of the case
- Acknowledge receipt of the complaint in writing/email as soon as practically possible; then as far as possible, keep the whistleblower advised of the investigation's progress and likely timescales, and of the final outcome and any action to be taken as a result
- Ensure that any concerns raised under this policy are reported to the Chair of the Board (or other appropriate trustees if the complaint is about the Chair), and if necessary, to the police, relevant government department or regulatory agency
- Take appropriate steps to ensure that the whistleblower's employment, working environment and working relationships are not prejudiced by the disclosure, and they are not unfavourably treated or penalised in any way as a result of making the disclosure
- Investigate effectively and make an objective judgement concerning the disclosure, and produce a written report detailing the findings of the investigation and the reasons for the judgement.

The Joint Artistic Directors or the Chair of Trustees will then decide what action to take, if any.

5.3.4 The whistleblower's responsibilities are to:

- Raise the issue internally and follow these procedures where possible, giving MM the opportunity to handle the matter before raising it externally
- Exercise due care to ensure the accuracy of the information provided
- Attend a hearing as a witness or comment on any additional evidence obtained if this proves necessary. In such circumstances, an employee has the right to be accompanied by a paid work colleague or recognised trade union official
- Maintain confidentiality as set out in MM's Data Protection Policy

5.3.5 This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Chief Executive. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

5.3.6 If the whistleblower is not satisfied that their concern is being properly dealt with by the Investigating officer, they have the right to raise it in confidence with the Joint Artistic Directors or the Chair of the Board of Trustees. If the investigation finds the allegations unsubstantiated and all internal procedures have been

exhausted, but the complainant is not satisfied with the outcome of the investigation, MM recognises the lawful rights of employees and ex-employees to make disclosures to public bodies, such as the Health and Safety Executive, the Audit Commission, the Fundraising Regulator, or the Charity Commission. Contact details are given below.

5.3.7 It is a disciplinary matter to victimise a bona fide whistleblower or to maliciously make false allegations.

5.4 Further Information

Any staff member who is unsure how to raise a concern, or who would like confidential outside advice, can contact the independent organisation Protect (previously Public Concern at Work) Tel: 020 3117 2520 or online at www.pcaw.org.uk/

Information and advice is also available at <https://www.gov.uk/whistleblowing>, including information on prescribed persons.

Charity Commission: <https://www.gov.uk/whistleblowing>

Musiko Musika is a Charity registered in England and Wales No. 1099508