

SOLIHULL MUSIC SERVICE
CHILD PROTECTION POLICY

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SOLIHULL MUSIC SERVICE CHILD PROTECTION POLICY

Solihull Music Service recognizes its statutory responsibility to ensure that appropriate arrangements are in place to safeguard and promote the welfare of children: Section 175 of the Education Act 2002

This policy relates to child protection and sits within a suite of other safeguarding policies. The policy applies to all staff and volunteers working for the Music Service, and will be reviewed annually

Aims:

- To ensure that all necessary internal and inter-agency child protection procedures are in place as required
- To give guidance to staff to ensure best practice
- To demonstrate the links with other relevant policies to safeguard the general welfare of children
- To provide a clear statement of the school's responsibilities in the event of a concern about the conduct of a member of staff
- To identify key individuals and their specific role.

Principles:

Solihull Music Service recognizes its responsibility to protect and safeguard the welfare of the children and young people entrusted to our care by establishing a safe environment in which children can learn and develop.

Solihull Music Service is committed to establishing and maintaining an environment where children feel secure, are encouraged to talk, and are listened to. We will try and ensure that children know that there are adults in the service whom they can approach if they are worried. We are committed to the Healthy Schools Confidentiality Guidance issued in spring 2008 to ensure that all information is treated appropriately and confidentially.

Notification of suspected Child abuse is the responsibility of the individual professional who identifies concerns relating to the safety or welfare of a child. Because music service staff are in regular contact with children, they are particularly well placed to observe outward signs of abuse, or unexplained changes in behaviour or performance that may indicate abuse.

Solihull Music Service recognizes its responsibility to discuss with Education and Children's Services' Duty, Assessment and Referral Team:

DART (0121.788.4333)

Any significant concerns about a child which may indicate physical abuse, emotional abuse, sexual abuse or neglect in accordance with the Local Safeguarding Children Board child protection procedures and to attend any child protection conferences, initial and review, and core group meetings and child in need conferences that may be called.

Solihull Music Service recognizes its duty to work with other agencies such as: Children's Services, Police Child Abuse Investigation Unit, Child and Adolescent Mental Health Services, Education Welfare Service, Educational Psychology Service in protecting children from harm and in responding to concerns about possible abuse

The governing Body

The governing body recognises its accountability for ensuring that the school has effective safeguarding policies and procedures in place for staff and children and will:

- Ensure that it reviews and adopts a Child Protection Policy annually, that it is implemented and that it monitors its use.
- Ensure that the school operates safe recruitment procedures in line with national and local guidance and that it monitors the process
- Ensure that the school has a – managing of allegations against adults who work with children policy- and that it is implemented and monitored
- That the designated member(s) of staff (DMS) for child protection and whole school are trained in line with Solihull LSCB requirements.
- That the agenda of Governing Body meetings reflect safeguarding issues as and when appropriate.

1. THE DESIGNATED MEMBER OF STAFF FOR CHILD PROTECTION

The Designated Member of Staff for Child Protection is:
Claire Batty (Assistant Head of Service)

- The DMS will co-ordinate action on child protection within the Music Service. She will ensure that all staff (including volunteers) knows who the designated member of staff is, that they are aware of their responsibilities in being alert to the signs of abuse, and of their responsibility to discuss any concerns with the DMS.
- The DMS will attend appropriate training on a two-yearly basis in accordance with guidance.
- The DMS will keep a written record of any actions taken as a result of concerns raised.
- Ensure parents and adult helpers are made aware of child protection policy in order to alert them to the fact that the Music Service may need to make referrals. Raising awareness may avoid later conflict if the Music Service does have to take appropriate action to safeguard a child. The CP policy will be available to parents if they so wish.

2. DEFINITIONS OF ABUSE AND POSSIBLE INDICATORS

The Child Protection Procedures define child abuse as **neglect, physical abuse, sexual abuse** and **emotional abuse**. There are a number of signs and symptoms that may be helpful indicators in certain combinations of the possibility of abuse, though they are not in themselves evidence of abuse. There may be other explanations for a child showing certain signs or behaving in certain ways, though they may suggest abuse if a child exhibits several symptoms, or if a pattern emerges. However, sexual abuse can be very difficult to spot, and the response of a member of staff to what may appear to be unusual behaviour requires very careful thought and consultation.

Possible indicators of neglect

- poor personal hygiene
- inadequate clothing
- constant hunger
- untreated medical problems
- low self esteem
- poor social relationships

Possible indicators of physical abuse

- unexplained injuries or burns, particularly if they are recurrent
- refusal to discuss injuries
- improbable explanations of injuries
- fear of returning home or of parents being contacted
- untreated injuries not attended to
- shrinking from physical contact

Possible indicators of emotional abuse

- continual self deprecation
- self harm or mutilation
- behaviour which may indicate abuse of drink/drugs/solvents
- "neurotic" behaviour e.g. obsessive rocking, thumb sucking etc.
- attention seeking behaviour
- depression, withdrawal

Possible indicators of indicators sexual abuse

- bruises, scratches, burns or bite marks on the body
- sexual awareness inappropriate to the child's age
- frequent public masturbation
- attempts to teach other children about sexual activity
- aggressiveness, anger, anxiety, tearfulness
- withdrawal from friends

Sources of stress increasing the vulnerability of children

- Domestic Violence
- Poverty and discrimination
- Parental illness – physical disability and mental illness
- Drugs and alcohol misuse
- Children involved in prostitution

3. ACTION TO BE TAKEN WHEN CHILD ABUSE IS SUSPECTED

In the light of legislation it is important that when a child discloses information that may lead to a child protection investigation the following principles are adhered to

The following principles should be adhered to:

- Listen to the child rather than directly question him or her.
- Never stop a child who is freely recalling significant events. However, make it clear that you may not be able to maintain confidentiality.
- Do NOT ask the child to repeat their story to a colleague, or ask them to write it down, or to sign and records, or pressurize them to offer more information.
- Make a note of the discussion, taking care to record the timing, setting and personnel present as well as what was said.
- Record all subsequent events up to the time of the substantive interview.
- Within the context of the following advice, ensure that your concerns reach Children's Services on the same working day.

4. ACTION TO BE TAKEN BY MUSIC SERVICE STAFF WORKING IN SCHOOLS

- Before leaving the school, speak to the Designated Member of Staff (DMS) in the school about your concerns.
- If necessary, contact the next school on your timetable explaining that you have a child protection concern that must be reported before you are able to leave the premises.
- If the DMS is unavailable, speak to the Head of Service or teacher in charge about your concerns and leave a message for the DMS outlining your actions.
- The school's DMS or Head of Service may wish you to make the referral to Children's Services, or may wish to make the referral him/herself. In either case you should document the action taken- as a result of your expressing your concerns – on a Music Service Child Protection Report Form (**see page 11**).
- If the school says that it will take the necessary action, they may nevertheless ask you to be available to speak directly to Children's Services so that the information offered by the child is as unadulterated as possible.

- If the school decides to take the necessary action, remind them that you will inform the Music Service DMS and the Head or Assistant Head of Service, who will take the following action:
 1. Contact the school to document the action taken.
 2. If it is not possible to contact the school, or if no action has been taken, contact Children's Services to record the concern.

The school will have a copy of the letter (**see page 12**), which can be referred to.

- If the school wishes you to take action, you should take the following steps:
 1. Speak to the Music Service DMS and decide what action should be taken and by whom;
 2. If the DMS is not available, speak to the Head of Service or Assistant Head of Service and decide what action should be taken and by whom;
 3. If none of the above is available, contact Children's Services directly.
- If the suspicions in any way involve another member of staff, the matter needs to be brought to the attention of the Head of Service who will act in accordance with procedures *Managing allegations against employees* (**This can be found in the supporting documents in the shared area of the music service network**)

5. ACTION TO BE TAKEN BY MUSIC SERVICE STAFF WORKING AT MUSIC CENTRES OR ON RESIDENTIAL COURSES/TRIPS

- Make a record of the reasons for your concern, using the Music Service Child Protection Report Form (**see page 11**).
- Speak to the Music Service DMS as soon as possible and decide what action should be taken and by whom.
- If the DMS is not available, speak either to the Head or Assistant Head of Service as soon as possible and decide what action should be taken and by whom.
- **The Social Services telephone numbers are –**

Children's Services Duty Team: 0121 788 4333
Out of hours: 0121 605 6060

- Say “*I wish to discuss a child who may be at risk*”. This will ensure that staff who are familiar with child abuse deal with your call.

Do not hesitate to contact Children’s Services because you are unsure. It is the responsibility of Children’s Services to decide whether to investigate further on the basis of the information given.

- In all cases a referral must be confirmed to Children’s Services in writing within 48 hours using the appropriate inter agency referral form (this can be found in the supporting documents folder titled PDF “inter-agency referral form” in the shared area) Standard letters that indicate that a child protection referral has been made are kept in the Music Service office (**see page 13**).
- If a member of Music Service staff has taken action independently, the DMS and Head or Assistant Head of Service should be informed as soon as possible.
- Any action taken and concerns expressed should be recorded on the appropriate Music Service record sheet (**see page 11**). The record will be held on file. This file may remain confidential. The rights of parents and students to obtain copies of the educational records are set out in separate education regulations - The Education (Pupil Information) Regulations 2000. The Regulations do **not**, however, authorise or require the disclosure of any information from a pupil’s record relating to actual, alleged or suspected child abuse.
- Children’s Services is the investigating agency. **It is vital that in all cases where a concern is noted that staff check with the Children’s Services before making contact with the parents. At the time of making the referral to Children’s Services it should be clarified as to who will inform the parents of the referral.** In most cases the expectation would be that the school/agency making the referral would notify the parents of the referral, unless the circumstances of the case lead Social Services to advise otherwise.

6. PROCEDURE WHEN A MEMBER OF THE MUSIC SERVICE STAFF IS SUSPECTED OR ACCUSED OF CHILD ABUSE

- If an allegation of child abuse is brought to the attention of a member of the Music Service, they should immediately inform the Head or Assistant Head of Service.
- If the Head or Assistant Head of Service is made aware of an allegation, initial investigations will be made.
- The LADO will need to be involved in all matters where an allegation has been made against an employee. Simon Stubbs is the LADO for Solihull.
- The contact number for LADO referrals is 0121 788 4310. It is important that you advise when telephoning that you have a LADO issue.

- **If an allegation is considered to be false or a suspicion unfounded** the judgement will be checked with the LADO and/or with the Children's Services Department. If they agree, the member of staff will be informed in the presence of a third person of what has happened, that no blame accrues and that action will be taken in collaboration with the Service to inform parents of the incident and invite them to discuss the matter further. The investigation will be conducted in accordance with the disciplinary procedures. **A full record of the allegation, investigation and outcomes will be kept as a safeguard for everyone involved.**
- If a referral of suspected child abuse is made to Children's Services, the member of staff will be informed in the presence of a third person that there is an allegation or suspicion and that the Child Protection Procedures are being followed. The member of staff will be advised to seek advice from his or her professional association.
- Within the context of the disciplinary procedures it is possible that the member of staff will be suspended from duty with no prejudice, or that some changes may be made to the working day.
- If the Children's Services Department do not intend to take action, but there is continuing concern about the allegations, the matter will be dealt with through the Local Education Authority Disciplinary Procedures.
- If the allegations are such that Children's Services are not involved, but still give cause for concern, the matter will be dealt with through disciplinary procedures.
- Every effort will be made to deal with such allegations as swiftly and effectively as possible.

7. FOLLOWING A REFERRAL

- The Children's Services Client Index System and the list of children who are subject to a child protection plan will be checked. Within one working day of the receipt by Social Services of the referral the refer should be advised of the action to be taken by Children's Services,
- Working with the child and/or parent(s) following a Child Protection investigation may require support from the Head of Service or Assistant Heads of Service who may, in turn, take advice from Social Services and/or staff in the Education Welfare Service.

8. Useful contacts:

- Joanne Sierzega (Interim Chief Education Welfare Officer) 0121 779 1737
Simon Stubbs LADO 0121 788 4310
- Children's Services Duty, Assessment and Referral Team (DART)
: 0121 788 4300
- Child Protection and Review Unit: 0121 788 4310
- NSPCC : 0121 770 3000
- NSPCC Helpline 0808 800 5000

9. Supporting Documents:

(Smsadminchildrenprotection 12-13/supportingdocuments)

Local Safeguarding Children Board Procedures

- DFES- Safeguarding
- Guidance for safe working practice for the protection of children and staff in education settings
- Guidance for allegations (DFE)
- Solihull e-safety policy
- The use of force to control or restrain pupils (April 2010)
Safeguarding Children and Safer Recruitment in Education
- Working Together to Safeguard Children (2010).
- What to do if you are worried a child is being abused.

SOLIHULL MUSIC SERVICE

CHILD PROTECTION REPORT FORM CP1

Name of person completing record Today's date

Name of child Date of birth

School Year group

Home address if not of school age.....

.....

Details of concern: Set out clearly any relevant background information. Give a clear account of anything you have observed or been told, being as accurate as possible about the questions you have posed and the responses or unsolicited information that the child has offered. As far as possible use the child's own words and present your conclusions as professional concern rather than a verdict.

Number of continuation sheets attached

SOLIHULL MUSIC SERVICE

CHILD PROTECTION REPORT FORM

Action taken in school

Concern reported to Position

Date Time

Action agreed:

Action Taken Within Solihull Music Service

Concern reported to Position

Date Time

Action agreed:

Direct referral to Social Services

Concern reported to Position

Date Time

Action agreed:

|

Childrens Social Work Service D.A.R.T.
Chelmsley Wood Library
Stephenson Drive
B37 5TA

EDUCATION & CHILDREN'S SERVICES
DIRECTORATE
Director of Childrens Services
SOLIHULL MUSIC SERVICE

Daylesford Road Solihull
West Midlands B92 8EJ
Telephone: 0121 743 2483
Fax: 0121 743 5682
Website: www.solihull.gov.uk/musicservice
e-mail: stsmith@solmus.solgrid.org.uk
Date:

Our ref: SMS-CP2
Your ref:

Dear

A Child Protection referral was made to your office. The details are as follows –

Date of referral

Name of child
.....

Name of person making referral
.....

Contact address and telephone number:
Solihull Music Service
Lyndon Music Centre
Daylesford Road
Solihull B92 8EJ
Tel: 0121 743 2483

A copy of the Music Service Child Protection Report Form, detailing the concerns, is attached.

Yours sincerely,

Toby Smith
Head of Solihull Music
Service

The Headteacher and the Designated Member of Staff (DMS) for Child Protection

**EDUCATION & CHILDREN'S SERVICES
DIRECTORATE**

Sally Hodges
Director of Children's Services
SOLIHULL MUSIC SERVICE

Lyndon Music Centre
Daylesford Road Solihull
West Midlands B92 8EJ

Our ref: SMS-CP3
Your ref:

Telephone: 0121 743 2483
Fax: 0121 743 5682
Website: www.solihull.gov.uk/musicservice
e-mail: cnoakes1@solmus.solgrid.org.uk
Date:

Dear Colleague

Solihull Music Service Child Protection Policy.

The Music Service Child Protection Policy has recently been updated. As a result, I am informing you of actions that members of the Solihull Music Service have been advised to take in the event of a child protection concern being raised. The guidelines have been developed in consultation with the Education Welfare Service and are based on the Solihull LSCB information.

Actions to be taken

- To listen to the child, making a careful record of the allegations and/or concerns. Advise the child that teachers will not be able to maintain confidentiality.
- Wherever possible immediately Inform the school's Designated Member of Staff (DMS) and/or the Head teacher in school and the DMS or Head of Service at SMS.
- Decide on a course of action, which should include an agreement on who will contact Children's Services.
- Ensure that the school and music service have a copy of the record made.
- If there is likely to be a delay, inform the next school to be visited that the Music Service teacher is involved in reporting a Child Protection concern.
- Always discuss the matter with the Music Service DMS and/or the Head or Assistant Head of Service.

- If it is not possible to discuss the matter with a DMS or senior member of staff, the Music Service teacher should make direct contact with Children's Services.
- In any event, the Music Service teacher will complete a Music Service Child Protection Report Form (CP1), which will be passed to the Head or Assistant Head of Service. A copy of this will be sent to the school.
- The Head or DMS will contact the Head teacher of the school concerned to follow up the investigation.

It is the intention of the Music Service that no action will be taken without the full knowledge of the school concerned. However, there is an overriding responsibility to the child. Staff are, therefore, advised that their concerns must be passed on to Children's Services within a working day. If you wish to discuss this further, please contact me. I welcome any comments that you may wish to make.

Yours sincerely,

Claire Batty
Assistant Head of Solihull Music Service

GUIDELINES FOR STAFF WORKING WITH PUPILS

Information and Communication

- Try to ensure that you have up to date information concerning the pupil and his or her circumstances.
- Where possible, establish regular liaison with the schools music co-ordinator, head teacher or pupil's class teacher(s) for exchange of relevant information.

Physical Contact

- It is unrealistic to suggest that teachers, especially instrumental teachers should only touch pupils in emergencies. Instrumental teachers may need to touch a child in order to adjust an aspect of technique or posture. In these circumstances, the teacher should explain their intention and actions clearly to the pupil.
- Particularly with younger pupils, touch may be inevitable and can give welcome reassurance to the child. However, staff must bear in mind that even perfectly innocent actions can sometimes be misconstrued. Children may find being touched uncomfortable or distressing for a variety of reasons. It is important that staff are sensitive to a child's reaction to physical contact and act appropriately.
- Staff should never touch pupils, however casually, in ways or on parts of the body that might be considered indecent.
- In extreme cases, which, while very rare, do occur, staff may need to physically restrain a pupil to prevent him or her causing injury to him or herself, to others, or to property. In such instances, no more than the minimum necessary force should be used and staff should seek to avoid causing injury to the pupil. Further information is available on www.teachernet.gov.uk/childprotection/guidance.htm: Circular 10/98 The Use of Force to Control or Restrain Pupils.

The working environment

- Although Music Service staff may have little control over where they work within a school, it is recommended that, where possible, teaching rooms should not be isolated, should have windows, and a door with a window. If the door has no window, it should be left ajar.
- If staff are required to work in a room other than their normal teaching venue they should ensure that a member of the school staff or a colleague is aware of their new location.

E-safety

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.

As a service have a major responsibility to educate our pupils; teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies, particularly social networking sites. It is also important to include parents as much as possible in this process given that children often have access to computers at home.

It is appropriate to take photographs of children to capture a curriculum activity or a celebration of school life using school equipment providing we have permission to do so from the parents. Staff must not however use their personal mobile phone, camera (still or moving images) or other devices to take, edit or store images of children from this school. An exception to this practice will be that **named staff may be authorised by the Head Teacher** to bring their own camera into school without a memory card, any images taken for school business will be recorded onto a school memory card. All images will only be stored, edited or archived onto school equipment.

Staff will not communicate with pupils through private email accounts; social networking sites, on educational matters, but will use official email and networking sites sanctioned by the school. Staff will be circumspect in their use of social networking sites and will not discuss school business or school issues on their personal social networking site. The school believes it is far safer for staff not to accept either school children or ex-pupils as 'friends'. Great care will be taken if staff make an exception to this guidance and will account to the Head teacher for their decision. E.g. young person is also a family member.

Maintaining professional distance

- Due to the nature of our work with children, especially over extended periods, staff often develop a strong rapport with their pupils. However, teachers should avoid bringing personal issues into conversations with pupils, such as where they live, their home life and relationships etc, which could be misconstrued by pupils and may create difficult situations between staff and pupils. Staff should not give out their home or mobile telephone number, or email address. Pupils may contact staff through the Music Service office.

Transporting children in private vehicles

There is no legislation regarding the transportation of pupils in private vehicles. Staff should insure their vehicle for business use, and their insurer should be aware that they are a teacher and that they use their vehicle as an integral part of their work.

- If staff feel uncomfortable about transporting pupils in their vehicle then they should not do so.
- Those staff willing to transport pupils in their vehicles should obtain prior consent from the child's parent/guardian, ideally in writing. In certain circumstances where this proves unfeasible, staff should inform a member of the senior management team of their actions either before, or as soon after the event as possible.
- When transporting pupils in their vehicles staff may wish to consider seating the pupil in a rear passenger seat.

Pupils not collected on time

- Occasionally parents fail to collect their children on time from lessons or other Music Service events. If this occurs, staff should contact the parent or guardian to clarify the situation.
- Under normal circumstances staff should not leave a pupil unattended while waiting for an adult to collect them.
- If a parent/guardian or family member cannot be contacted and the pupil has a house key then, bearing in mind the guidance on transporting pupils in private vehicles, staff may consider taking older pupils (age 14+) home. In this case, staff should inform a member of the senior management team of their action either before or as soon after the event as possible.
- If a parent/guardian or other family member cannot be contacted, staff should contact the Children's Services Duty, Assessment and Referral team (D.A.R.T) on 0121 788 4333, or out of hours 0121 605 6060 and explain the situation to them and seek advice. The teacher should also inform a member of the senior management team of their actions either before or as soon after the event as possible.
- In very extreme situations circumstances may necessitate the teacher leaving the pupil unattended awaiting collection. In this case the teacher should contact Social Services or the Police to clarify the situation, and they should also inform a member of the senior management team as soon as possible.
- If late collection of a particular pupil becomes a regular occurrence then the designated Member of staff (DMS) or a member of the senior management team (SMT) should be informed and appropriate action taken.

Pupil supervision ratios

When organising a music service event staff should always consider the supervision ratio of staff to pupils. This will vary depending upon the type and location of event.

Category A visits

These are day visits (*i.e. visits that take place within the normal school day or extend the school day by no more than one hour before or after the normal school day*), where the element of risk is similar to that normally encountered in daily life.

Nursery	Under 5's	1 adult : 3 pupils	
Infant	Years 1-3	1 adult : 6 pupils	
Junior	Years 4-6	1 adult : 15 pupils (max)	
Secondary	Years 7 and over	1 adult : 20 pupils (max)	
Special Needs:	SLD	1 adult : 3 pupils	Unless a risk assessment shows otherwise
	PMLD/Epileptic	1 adult : 1 pupil	

Category B visits

Visits involving any nights away from home (residence in a hotel, hostel, activity centre, holiday complex and camping).

Nursery	Under 5's	1 adult : 3 pupils
Infant	Years 1-3	1 adult : 6 pupils
Junior	Years 4-6	1 adult : 10 pupils
Secondary	Years 7 and over	1 adult : 10 pupils

All visits and residential visits abroad;

Junior	Years 3-6	1 adult : 6 pupils, plus 1 extra adult
Secondary	Years 7-13	1 adult : 10 pupils, plus 1 extra adult
Special Needs:	SLD	1 adult : 3 pupils, plus 1 extra adult
	PMLD/Epileptic	1 adult : 1 pupil, plus 1 extra adult

Residential courses/tours

When organising or taking part in residential trips or tours organised by the Music Service staff should ensure that:

- All appropriate forms along with appropriate consent forms including diet and medical information forms have been completed by the child's parent/guardian.
- The appropriate staff/pupil supervision ratio is in place.

- If pupils are allowed unsupervised free time during the visit consent has been obtained from parent/guardians. At all times children should remain in groups of no less than five and know where to contact a staff member.
- Children should be accommodated only in single sex rooms. Under no circumstances should children under supervision of Music Service staff be accommodated in mixed sex accommodation. A room list should always be completed and copies distributed to all staff and managers of the establishment.
- A clear emergency evacuation procedure and assembly point should be put in place at any overnight accommodation and during transport on ferries etc where unsupervised free time is to be allowed.
- Under normal circumstances female staff should only supervise/enter female pupil rooms and male staff should only supervise/enter male pupil rooms. Staff should always knock and if possible make their presence at the door known before entering children's rooms. If possible it is advisable for staff to only enter rooms in pairs. This must always be the case if a male or female member of staff is to enter a room occupied by children of the opposite sex.
- Children should not be allowed to enter staff rooms at any time. However, in case of an emergency situation at night, children should always be aware which rooms are occupied by staff
- All adult helpers and assistants should undergo relevant CRB disclosure checks.
- Staff need to be aware that by being away from home, children may feel more disposed to revealing personal issues which may be of a child protection nature. Staff should always respond according to CP procedures.

Cause for concern – what action to take?

If you have any cause for concern about any child that you are in contact with it is your professional duty to act upon your concerns. If you are in any doubt please talk to a colleague, a member of the SMT or DMS. If it is then felt necessary appropriate action should be taken in line with the Music Service child protection policy.

Allegations of abuse made against members of staff

Following the guidance in both this document and the Music Service child protection Policy should alleviate the possibility of a pupil accusing a member of staff of either physical or sexual abuse. If such an accusation occurs then staff should follow procedures for allegation against staff outlined in the CP Policy.

POLICY ON RESTRAINT

Background

The guidance (The use of force to control or restrain pupils) for schools in England replaces and supersedes DfES *Circular 10/98, The Use of Force to Control or Restrain Pupils*. Like the relevant registration, it applies to all schools

Solihull provides the following guidelines for all its employees whose work brings them into contact with children and young people.

Use of physical intervention:

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- a. committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil) ;
- b. causing personal injury to , or damage to the property of, any person (including the pupil himself) ; or
- c. prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during the teaching session or otherwise.

Additional guidance on the use of restrictive physical interventions with children who display extreme behaviour is contained in DfES document LEA/0242/2002

It is important to allow children to do what they can for themselves, but depending on age and circumstances (i.e. a child who is hurt, child who needs instruction in the use of a particular instrument/piece of equipment, safety issues such as the need to prevent a child hurting themselves, running into the road) it may be necessary for some physical contact to take place.

Solihull Music Service Policy

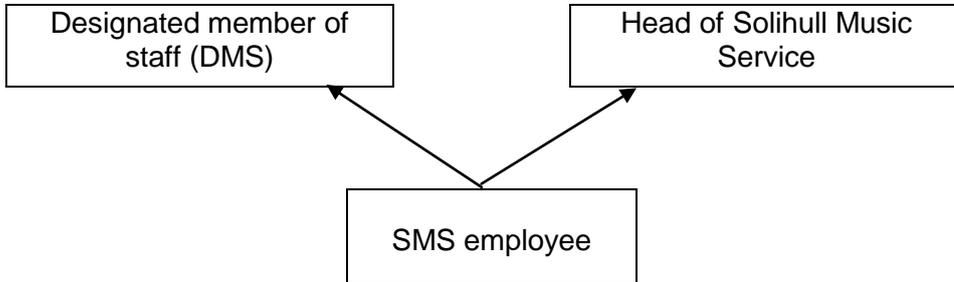
1. The Head of Service authorises all staff to use reasonable force to control or restrain pupils in their charge, where absolutely necessary, and where all other strategies for controlling pupils are inappropriate or have failed.
2. Force should not be used except in emergencies, to stop a child
 - harming him/herself;
 - harming others;
 - harming a member of staff;
 - causing damage to school property;
 - committing a crime;
 - causing disruption compromising good order and discipline.
3. Only minimum force for the shortest possible period of time should be used to stop the above happening. Teachers must not over-react, and should be seen to use “reasonableness” in their actions. Verbal threats that excessive force will be used may themselves be construed as assault.
4. Staff have a duty to act when there is a need, but only in such circumstances as described above.
5. If obliged to act, staff should submit a written report to the Head of Service as soon as possible (within 24 hours), using the Solihull Music Service Restraint Log Form. This may be followed by a more detailed report, as requested.
6. The student’s parents will be notified, either at once or later, in writing or orally, depending on the circumstances.
7. If there is a formal complaint, a disciplinary panel from the LEA may investigate and consider the legislation, the Service’s policy and whether these have been followed.
8. There are occasions when other physical contact with students may be appropriate, such as in certain specialised areas of teaching, first aid etc. Staff are reminded of the need for caution in this area.

USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD

Details of pupil or pupils on whom force was used by a member of staff (name, class)	
Date, time and location of incident	
Names of staff involved(directly or as witness)	
Details of other pupils involved(directly or as witness),including whether any of the pupils involved were vulnerable for S.E.N,disability,medical or social reasons	
Description of incident by the staff involved, including any attempts to deescalate and warnings given that force might be used.	
Reason for using force and description of force used.	
Any injury suffered by staff or pupils and any first aid and/or medical attention required	
Reasons for making a record of the incident	
Follow up, including post-incident support and any disciplinary action against pupils	
Any information about the incident shared with staff not involved in it and external agencies	
When and how those with parental responsibility were informed about the incident and any views they have expressed	
Has any complaint been lodged (details should not be recorded here)?	
Report compiled by:	Report countersigned by:
Name and role:	Name and role:
Signature:	Signature:
Date:	Date:

Line of accountability within SMS

At Solihull Music Service



In schools

