

## **Contents:**

### Statement of intent

1. Definitions
2. Legislation
3. Roles and responsibilities
4. Abuse and neglect
5. Types of abuse and neglect
6. Honour Based Violence
7. Child sexual exploitation (CSE)
8. County lines criminal activity
9. Individuals with Special Educational Needs and Disabilities
10. Concerns about an individual
11. Concerns about members
12. Dealing with allegations of abuse
13. Communication and confidentiality
14. Mobile phone and camera safety
15. Safer recruitment
16. Training
17. Monitoring and review

### **Appendices**

- a) Safeguarding Reporting Process
- b) Safeguarding Reporting Form
- c) Contacts and Advice

## **Statement of intent**

Burry Port Town Band is committed to safeguarding every child and vulnerable adult who are part of the band. We implement a preventative approach to managing safeguarding concerns, ensuring that the wellbeing of children and vulnerable adults is at the forefront of all action taken. This will be achieved by:

- Creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children or vulnerable adults;
- Ensuring that all members understand their responsibilities regarding safeguarding, are alert to the signs of abuse and know to refer concerns;
- Ensuring that any new volunteers are only appointed when all the appropriate checks have been satisfactorily completed.

**The Welfare Officer for the Band is Bethan Rolland**

**In the absence of the Welfare Officer, safeguarding matters will be dealt with by:  
Graham Howe, Band Chairman**

## 1. Definitions

- 1.1 The terms “**children**” and “**child**” refer to anyone under the age of 18.
- 1.2 For the purposes of this policy, the term “**harmful sexual behaviour**” includes, but is not limited to, the following actions:
  - Using sexually explicit words and phrases
  - Inappropriate touching
  - Sexual violence or threats
  - Full penetrative sex with other children or adults

## 2. Legislation

- 2.1 This policy has been created with due regard to all relevant legislation including, but not limited to, the following:
  - Children Act 1989
  - Children Act 2004
  - Safeguarding Vulnerable Groups Act 2006
  - Sexual Offences Act 2003
  - The General Data Protection Regulation (GDPR)
  - Data Protection Act 2018
  - Voyeurism (Offences) Act 2019
  - Social Services and Well-being (Wales) Act 2014
  - Working Together to Safeguard People’ (2017)
  - Home Office (2018) ‘Criminal Exploitation of Children and Vulnerable Adults: County Lines guidance’

## 3. Roles and responsibilities

The Band Chairman has a duty to:

- Safeguard children and vulnerable adults wellbeing;
- Ensure that the policies and procedures adopted by Burry Port Town Band, are followed by all members.

3.1 The Welfare Officer has a duty to:

- Understand and keep up-to-date with local safeguarding arrangements;
- Act as the main point of contact for safeguarding concerns for all members of the band;
- Make the necessary referrals to appropriate agencies when necessary;
- Act as a source of support, advice and expertise to members on matters of safeguarding;
- Keep detailed, accurate and secure records of concerns and referrals;
- Secure access to resources and attend any relevant training courses;
- Encourage a culture of listening to children and taking account of their wishes and feelings;

3.2 Other members have a responsibility to:

- Safeguard childrens' and vulnerable adults wellbeing;
- Provide a safe environment for all members;
- Be aware of the signs of abuse and neglect;
- Be aware of and understand the procedure to follow in the event that a child confides they are being abused or neglected;

## 4. Abuse and neglect

4.1 All members will be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be given a specific label and multiple issues often overlap one another.

4.2 All members will be aware of the indicators of abuse and the appropriate action to take following an individual being identified as at potential risk of abuse or neglect.

4.3 When identifying individuals at risk of potential harm, members will look out for a number of indicators including, but not limited to, the following:

- Injuries in unusual places, such as bite marks on the neck, that are also inconsistent with their age
- Lack of concentration and acting withdrawn
- Knowledge ahead of their age, e.g. sexual knowledge.
- Use of explicit language
- Fear of abandonment
- Depression and low self-esteem

4.4 All members will be aware of the indicators of peer-on-peer abuse, such as those in relation to bullying, gender-based violence, sexual assaults and sexting/youth produced sexual imagery.

## 5. Types of abuse and neglect

5.1 **Abuse:** A form of maltreatment of a child which involves inflicting harm or failing to act to prevent harm. Children may be abused in a family, institutional or community setting by those known to them or, more rarely, by others, e.g. via the internet.

5.2 **Physical abuse:** A form of abuse which may involve actions such as hitting, throwing, burning, drowning and poisoning, or otherwise causing physical harm to a child. Physical abuse can also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.

5.3 **Emotional abuse:** A form of abuse which involves the emotional maltreatment of a child to cause severe and adverse effects on the child's emotional development. This may involve telling a child they are worthless, unloved, inadequate, not giving them the opportunities to express their views, deliberately silencing them, or often making them feel as though they are in danger.

5.4 **Sexual abuse:** A form of abuse which involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, and whether or not the child is aware of what is happening. This may involve physical assault, such

as penetrative assault and touching, or non-penetrative actions, such as looking at sexual images or encouraging children to behave in inappropriate ways.

- 5.5 **Neglect:** A form of abuse which involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or development. This may involve providing inadequate food, clothing or shelter, or the inability to protect a child from physical or emotional harm or ensure access to appropriate medical treatment.

## 6. Honour- based violence

- 6.1 For the purpose of this policy, Female Genital Mutilation (FGM) is defined as the partial or total removal of the external female genitalia, or any other injury to the female genital organs.
- 6.2 FGM is considered a form of abuse in the UK and is illegal.
- 6.3 All members will be alert to the possibility of a girl being at risk of FGM, or already having suffered FGM. If members are worried about someone who is at risk of FGM or who has been a victim of FGM, they should share this with the Welfare Officer.
- 6.4 FGM is also included in the definition of 'honour-based' violence (HBV), which involves crimes that have been committed to defend the honour of the family and/or community, alongside forced marriage and breast ironing.
- 6.5 All forms of HBV are forms of abuse and will be treated and escalated as such.
- 6.6 Members will be alert to the signs of HBV, including concerns that a child is at risk of HBV, or has already suffered from HBV, and will consult with the Welfare officer who will follow local safeguarding procedures if concerns arise.
- 6.7 For the purpose of this policy, a "forced marriage" is defined as a marriage that is entered into without the full and free consent of one or both parties, and where violence, threats or any other form of coercion is used to cause a person to enter into the marriage. Forced marriage is classed as a crime in the UK.

## 7. Child sexual exploitation (CSE)

- 7.1 For the purpose of this policy, "child sexual exploitation" is defined as: a form of sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person into sexual activity, for either, or both, of the following reasons:
- In exchange for something the victim needs or wants
  - For the financial advantage or increased status of the perpetrator or facilitator
- 7.2 CSE does not always involve physical contact, as it can also occur online. It is also important to note that a child can be sexually exploited even if the sexual activity appears consensual.

- 7.3 Members will be alert to the signs of CSE, and will consult with the Welfare officer who will follow local safeguarding procedures if concerns arise.

## **8. County lines criminal activity**

- 8.1 For the purpose of this policy, “County lines criminal activity” refers to drug networks or gangs grooming and exploiting children to carry drugs and money from urban areas to suburban areas, rural areas and market and seaside towns.
- 8.2 Members who suspect an individual may be vulnerable to, or involved in, this activity will immediately report all concerns to the Welfare Officer.

## **9. Individuals with Special Educational Needs and Disabilities (SEND)**

- 9.1 The band recognises that individuals with SEND can face additional safeguarding challenges and understands that further barriers may exist when determining abuse and neglect in this group of individuals.
- 9.2 Members will be aware of the following:
- Certain indicators of abuse, such as behaviour, mood and injury, may relate to the individual’s SEND without further exploration; however, it should never be assumed that a child’s indicators relate only to their SEND;
  - Individuals with SEND can be disproportionately impacted by things like bullying, without outwardly showing any signs;
  - Communication barriers may exist, as well as difficulties in overcoming these barriers.

## **10. Concerns about an individual**

- 10.1 If a member has any concern about an individual’s welfare, they will act on them immediately by speaking to the Welfare Officer or Chair of the band.
- 10.2 All members should be aware of the procedure for reporting concerns and understand their responsibilities in relation to confidentiality and information sharing.
- 10.3 All concerns, discussions and decisions made, will be recorded. Handwritten information will be kept securely in the Bandroom Office.
- 10.4 When responding to safeguarding concerns, members will act calmly and supportively, ensuring that the individual feels like they are being listened to and believed.
- 10.5 The reporting and referral process outlined in [Appendix A](#) will be followed accordingly.
- 10.6 Discussions of concerns with parents/carers will only take place where this would not put the individual or others at potential risk of harm.

## **11. Concerns about members**

- 11.1 If a member has concerns about another member, it will be raised with the Band Chairman or the Welfare Officer.
- 11.2 All allegations will be dealt with in line with the band's 'Allegations Against Players' document.
- 11.3 The band will preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry in question.

## 12. Allegations of abuse against others

### Sexual harassment

- 12.1 Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment violates an individual's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence.
- 12.2 Sexual harassment includes:
- Sexual comments.
  - Sexual "jokes" and taunting.
  - Physical behaviour, such as deliberately brushing against another person.
  - Online sexual harassment, including non-consensual sharing of images and videos and consensual sharing of sexual images and videos (often known as sexting), inappropriate comments on social media, exploitation, coercion and threats – online sexual harassment may be isolated or part of a wider pattern.

### Sexual violence

- 12.3 Sexual violence refers to the three following offences:
- **Rape:** A person (A) commits an offence of rape if he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Assault by Penetration:** A person (A) commits an offence if s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Sexual Assault:** A person (A) commits an offence of sexual assault if s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.
  - Harmful sexual behaviours

12.4 The term “harmful sexual behaviour” is used to describe behaviour that is problematic, abusive and violent, and that may cause developmental damage. Harmful sexual behaviour may include:

- Using sexually explicit words and phrases;
- Inappropriate touching;
- Sexual violence or threats;
- Full penetrative sex with other children or adults;
- Sexual interest in adults or children of very different ages to their own;
- Forceful or aggressive sexual behaviour;
- Compulsive habits;
- Sexual behaviour affecting progress and achievement;

### **Awareness**

12.5 All members will be made aware of the heightened vulnerability of individuals with SEND, who are three times more likely to be abused than their peers.

12.6 Rape, assault by penetration and sexual assaults are crimes. Where a report includes such an act, the police will be notified.

12.7 Whilst the age of criminal responsibility is 10 years of age, if the alleged perpetrator is under 10, the principle of referring to the police remains.

12.8 If the incident involves sexual images or videos held online, the police will be contacted and parents informed if they are not already aware.

### **Managing disclosures**

12.9 Victims will always be taken seriously, reassured, supported and kept safe. Victims will never be made to feel like they are causing a problem or made to feel ashamed.

12.10 . Effective safeguarding practice includes:

- Never promising confidentiality at the initial stage;
- Only sharing the report with those necessary for its progression;
- Explaining to the victim what the next steps will be and who the report will be passed to;
- Recognising that the person the individual chose to disclose the information to is in a position of trust;
- Being clear about boundaries and how the report will be progressed;
- Not asking leading questions and only prompting the individual with open questions;
- Waiting until the end of the disclosure to immediately write a thorough summary. If notes must be taken during the disclosure, it is important to still remain engaged and not appear distracted;
- Only recording the facts as the individual presents them – not the opinions of the note taker;



- Inform the Welfare Officer or Band Chairman as soon as possible after the disclosure if they could not be involved in the disclosure.

### **Confidentiality**

- 12.11 The band will only engage staff and agencies required to support the victim and/or be involved in any investigation. If a victim asks the band not to tell anyone about the disclosure, the band cannot make this promise. Even without the victim's consent, the information may still be lawfully shared if it is in the public interest and protects children from harm.
- 12.12 The Welfare Officer will consider the following when making confidentiality decisions:
- Parents will be informed unless it will place the victim at greater risk.
  - If a child is at risk of harm, is in immediate danger or has been harmed, a referral will be made.
  - Rape, assault by penetration and sexual assaults are crimes – reports containing any such crimes will be passed to the police.

### **Risk assessment**

- 12.13 The Welfare Officer and Band Chairman will make an immediate risk and needs assessment any time there is a report of sexual violence. For reports of sexual harassment, a risk assessment will be considered on a case-by-case basis.
- 12.14 Risk assessments will consider:
- The victim.
  - The alleged perpetrator.
  - Other individuals within the band, especially any actions that are appropriate to protect them.
- 12.15 Risk assessments will be recorded (either on paper or electronically) and kept under review.
- 12.16 The following situations are clear and do not allow for contrary decisions:
- A child under the age of 13 can never consent to sexual activity.
  - The age of consent is 16.
  - Sexual intercourse without consent is rape.
  - Rape, assault by penetration and sexual assault are defined in law.
  - Creating and sharing sexual photos and videos of children under 18 is illegal – including children making and sending images and videos of themselves.

### **Managing internally**

In some cases, e.g. one-off incidents, the band may decide to handle the incident internally.

### **Referral to Children and Family Services**

If a child has been harmed, is at risk of harm or is in immediate danger, the band will make a referral to Carmarthenshire's Children and Family Services. Parents/carers will be informed unless there is a compelling reason not to do so (if referral will place the victim at risk). This decision will be made in consultation with Carmarthenshire's Children and Family Services.

### **Reporting to the police**

- 12.17 Reports of rape, assault by penetration or sexual assault will be passed on to the police – even if the alleged perpetrator is under 10 years of age. The Welfare Officer and Band Chairman will follow the local process for referral.

### **The end of the criminal process**

- 12.18 Risk assessments will be updated if the alleged perpetrator receives a caution or is convicted. If the perpetrator remains in the same band as the victim, the band will set out clear expectations regarding the perpetrator, including their behaviour and any restrictions deemed reasonable and proportionate.

### **Disciplining the alleged perpetrator**

- 12.19 Action can be taken whilst investigations are ongoing and the fact that investigations are ongoing does not prevent the band reaching its own conclusion and imposing an appropriate penalty.
- 12.20 The band will make such decisions on a case-by-case basis, with the Welfare Officer and Band Chairman taking a leading role. The band will take into consideration whether any action would prejudice an investigation and/or subsequent prosecution. The police will be consulted where necessary.

### **Safeguarding other children**

- 12.21 It is likely that children will “take sides” following a report, and the band will do everything in its power to protect the victim, alleged perpetrator and witnesses from bullying and harassment.
- 12.22 The band will keep in mind that contact may be made between the victim and alleged perpetrator and that harassment from friends of both parties could take place via social media and do everything in its power to prevent such activity.

## **13. Communication and confidentiality**

- 13.1 All child protection and safeguarding concerns will be treated in the strictest of confidence.
- 13.2 Where there is an allegation or incident of sexual abuse or violence, the victim is entitled to anonymity by law; therefore, the band will consult its policy and agree what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents/carers.

- 13.3 Concerns will only be reported to those necessary for its progression and reports will only be shared amongst members and with external agencies on a need-to-know basis.

## **14. Mobile phone and camera safety**

- 14.1 The sending of inappropriate messages or images from mobile devices is strictly prohibited.
- 14.2 Members who do not adhere to this policy will face disciplinary action.
- 14.3 Photographs and videos of members will be carefully planned before any activity with particular regard to consent.
- 14.4 The person in charge of an event will oversee the planning of the event where photographs and videos will be taken.

### **Upskirting**

- 14.5 Under the Voyeurism (Offences) Act 2019, it is an offence to operate equipment and to record an image beneath a person's clothing without consent and with the intention of observing, or enabling another person to observe, the victim's genitals or buttocks (whether exposed or covered with underwear), in circumstances where their genitals, buttocks or underwear would not otherwise be visible, for a specified purpose.
- 14.6 A "specified purpose" is namely:
- Obtaining sexual gratification (either for themselves or for the person they are enabling to view the victim's genitals, buttocks or underwear).
  - To humiliate, distress or alarm the victim.
- 14.7 "Operating equipment" includes enabling, or securing, activation by another person without that person's knowledge, e.g. a motion activated camera.
- 14.8 Upskirting will not be tolerated by the band.
- 14.9 Any incidents of upskirting will be reported to the Welfare Officer who will then decide on the next steps to take, which may include police involvement.

## **15. Safer recruitment**

- 15.1 An enhanced DBS check with barred list information will be undertaken for all band members engaged in regulated activity. A person will be considered to be in 'regulated activity' if, as a result of their work, they:
- Are responsible on a regular basis for the care or supervision of children.
  - Regularly in the bandroom at times when children are on the premises.
  - Regularly come into contact with children under 18 years of age.

### **Pre-engagement checks**

- 15.2 The Band will assess the suitability of prospective employees by:

- Verifying the candidate's identity, preferably from the most current photographic ID and proof of address except where, for exceptional reasons, none is available;

## **Volunteers**

- 15.3 No volunteer will be left unsupervised with a child or vulnerable person or allowed to work in regulated activity until the necessary checks have been obtained.
- 15.4 An enhanced DBS certificate with barred list check will be obtained for all new volunteers in regulated activity that will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis.
- 15.5 Personal care includes helping a child with eating and drinking for reasons of illness, or care in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability.
- 15.6 The school will obtain an enhanced DBS certificate with barred list check for existing volunteers that provide pastoral care.
- 15.7 Unless there is cause for concern, the Band will not request any new DBS certificates with barred list check for existing volunteers that have already been checked.
- 15.8 A risk assessment will be undertaken for volunteers not engaged in regulated activity when deciding whether to seek an enhanced DBS check.

## **16. Training**

- 16.1 Members will undergo safeguarding and child protection training, which will be regularly updated or whenever there is a change in legislation.
- 16.2 The induction training will cover:
- The Child Protection and Safeguarding Policy including the reporting procedures
- 16.3 The Welfare Officer will undergo safeguarding training to allow them to keep up-to-date with any developments relevant to their role.

## **17. Monitoring and review**

- 17.1 This policy is reviewed annually by the Welfare Officer, the Band Chairman and the Band Committee members.
- 17.2 Any changes made to this policy will be communicated to all members.
- 17.3 All members are required to familiarise themselves with all processes and procedures outlined in this policy.

## **Appendix A: Safeguarding Reporting Process**



## Appendix B: Safeguarding Reporting Form

Name of individual:	Date and time:
Location of discussion:	
Name of individual completing form:	
Names of any other members present:	
Key information (information should be accurate and use the words that the person disclosing uses)	
Signed and dated by individual:	
Signed and dated by individual completing the form:	
Action taken by Welfare Officer:	

## Appendix C: Contacts and Advice

### Expert organisations

- [Barnardo's](#)
- [Lucy Faithfull Foundation](#)
- [NSPCC](#)
- [Rape Crisis](#)
- [University of Bedfordshire: Contextual Safeguarding](#)
- [UK Safer Internet Centre](#)

### Support for victims

- [Anti-Bullying Alliance](#)
- [MoJ Victim Support](#)
- [Rape Crisis](#)
- [The Survivor's Trust](#)
- [Victim Support](#)

### Toolkits

- [Brook](#)
- [NSPCC](#)
- [Safeguarding Unit, Farrer and Co, and Carlene Firmin, MBE, University of Bedfordshire](#)

### Further information on confidentiality and information sharing

- [Gillick Competency Fraser Guidelines](#)
- [Government Information Sharing Advice](#)
- [Information Commissioner's Office: Education](#)
- [NSPCC: Things to Know and Consider](#)

### Further information on sexting

- [UK Council for Child Internet Safety: Sexting Advice](#)
- [London Grid for Learning – Collection of Advice](#)

### Support for parents

- [Parentzone](#)
- [Parentsafe – London Grid for Learning](#)
- [CEOP Thinkuknow – Challenging Harmful Sexual Attitudes and their Impact](#)
- [CEOP Thinkuknow – Supporting Positive Sexual Behaviour](#)