

*Agreed by trustees 26/01/21. To be reviewed April 2025*

## **Introduction**

The Berkeley Ensemble was established to achieve its charitable objects including the organisation of concerts, which regularly include twentieth and twenty-first century British repertoire, and delivery of regular education workshops to inspire and educate students at primary and secondary schools across the United Kingdom.

As a registered charity working with vulnerable people, the Berkeley Ensemble is committed to practices that aim to protect them from harm, in particular:

- to establish and maintain an environment in which the welfare of the vulnerable person is paramount;
- to ensure that its policies and procedures protect vulnerable people from harm regardless of their gender, ethnicity, disability, sexuality or beliefs; and
- to ensure that all concerns and allegations of abuse will be taken seriously and responded to appropriately.

## **Policy Statement**

This policy applies to; all ensemble members, staff (whether employees or freelances), volunteers and anyone working on behalf of the Berkeley Ensemble or taking part in Berkeley Ensemble activities.

The purpose of this policy is to provide members, staff and volunteers with the overarching principles that guide our approach to the protection of all vulnerable people.

This policy recognises vulnerable people as:

- children up to the age of 16 or young people aged 16-18 (for the purposes of this policy, both children and young people will be referred to as 'young people') and
- adults aged over 18 at risk as defined by the Safeguarding Vulnerable Groups Act 2006. This might include adults with a learning or physical disability, a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs, or reduced physical or mental capacity. This policy also recognises risk is determined by the activity an adult is taking part in and not solely on the personal characteristics or circumstances of the adult, as such any adult can be at risk, and the risk can be temporary. (For the purposes of this policy, both young people and adults at risk may be referred to as 'vulnerable people'.)

This policy aims to:

- provide protection for vulnerable people who receive services from, or volunteer for, the Berkeley Ensemble;
- allow staff and volunteers to make informed and confident responses to specific child protection issues and to provide guidance on procedures they should adopt in the event that they suspect a vulnerable person may be experiencing, or be at risk of, harm;
- ensure members, staff and volunteers working with vulnerable people are carefully recruited and understand and accept responsibility for the safeguarding of those vulnerable individuals they are interacting with; and
- ensure that safeguarding of vulnerable people is a primary consideration when the Berkeley Ensemble undertakes any activity, event or project.

The Berkeley Ensemble recognises:

- the welfare of vulnerable people is paramount;
- all vulnerable people, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity have the right to equal protection from all types of harm and abuse and should be able to participate in cultural activities in a fun and safe environment; and
- working in partnership with vulnerable people, their parents, carers, schools and other agencies is essential in promoting a vulnerable person's welfare.

The Berkeley Ensemble is committed to ensuring that:

- all reasonable steps will be taken to protect vulnerable people from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings;
- all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately;
- all individuals who work on behalf of the Berkeley Ensemble with vulnerable people will be recruited with regard to their suitability for that responsibility. They will be provided with guidance as to the Berkeley Ensemble's safeguarding policy and child protection procedures. Members, freelancers, staff members or volunteers should regularly report progress, challenges, difficulties, achievement gaps and areas where changes are required to the named safeguarding person; and
- when working in partnership with schools and other agencies, the Berkeley Ensemble will consult with the relevant safeguarding personnel to ensure that their procedures and policies are adhered to.

The Berkeley Ensemble engages in regular education work within face-to-face and online education settings, working with young people of all ages. We also perform regular concerts to audiences. As such our involvement with vulnerable people might include, but is not limited to:

- young people taking part in education projects
- teachers, parents, volunteers involved in projects
- audience members at public concerts.

**Named safeguarding officer:** Gemma Wareham (cellist) has responsibility for safeguarding issues. All queries and concerns relating to safeguarding should be referred to Gemma Wareham in the first instance.

Any projects, events or other activities that will involve vulnerable people must be planned with the involvement of Gemma Wareham, and in line with established procedures and ground rules (see below).

**Procedures and ground rules:** A further document – 'Ground rules, ways of working and procedures' is available and forms part of this policy.

**Policy review:** This policy will be reviewed and amended (if necessary) on an annual basis by the Board of Trustees. It will also be reviewed in response to changes in relevant legislation, good practice, or in response to an identified failing in its effectiveness.

## **Safeguarding policy – Berkeley Ensemble - Ground rules, ways of working and procedures**

This document forms part of the Berkeley Ensemble Safeguarding policy

- The policy applies to; all members, staff (whether employees or freelancers), volunteers and anyone working on behalf of the Berkeley Ensemble or taking part in Berkeley Ensemble activities.
- The purpose of this policy is to provide members, staff and volunteers with the overarching principles that guide our approach to the protection of vulnerable people.

This policy recognises vulnerable people as:

- children up to the age of 16 or young people aged 16-18 and
- adults aged over 18 at risk including those defined as vulnerable by the Safeguarding Vulnerable Groups Act 2006; this might include adults with a learning or physical disability, a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs, or reduced physical or mental capacity.

This document includes:

- recruitment practices around safeguarding
- ground rules and ways for working regarding safeguarding of vulnerable people
- procedures for raising safeguarding concerns and incidents of abuse
- procedures for dealing with concerns and incident of abuse.

### **Recruitment practices around safeguarding**

The Berkeley Ensemble will ensure that all members, freelancers, staff members or volunteers undergo an appropriate DBS check as to their suitability to work with vulnerable people, and that these are satisfactory. No person shall be engaged if they are deemed to be a risk to vulnerable people.

The level of DBS check required will be decided by the board of trustees and in line with DBS rules regarding regulated activity. The results of any check to inform a decision will be used confidentially and in line with the Berkeley Ensemble equal opportunities policy.

The Berkeley Ensemble will maintain records to ensure that DBS check results for all members, freelancers, staff members or volunteers working with vulnerable people are up to date and not more than three years old.

### **Ground rules and ways for working regarding safeguarding of vulnerable people**

When the Berkeley Ensemble organises an activity or event where they will be responsible for vulnerable people they will ensure the following.

- Planning is carried out in line with this policy and procedures.
- The event is attended by an appropriate number of DBS-checked adults – this will be a minimum of one but more when practically possible.
- Where practically possible, the total number of adults in attendance (not necessarily DBS checked) compared with the total number of young people will be in line with the ratio table below, as per Ofsted recommendations.
- There is a main contact for safeguarding on the day – this will be an individual who has been DBS checked.
- The main contact has access to emergency contact details and other relevant details (e.g. information about picking-up arrangements for vulnerable people).
- That if vulnerable people of different gender will be taking part in activities, adults of different gender will be in attendance too.
- A vulnerable person is not to be left alone with an adult, unless that adult is DBS checked and carrying out regulated activity.

- Two adults (one DBS checked) should be the last to leave a venue once the activity has finished and will be responsible for ensuring vulnerable people get home safely.
- Any vulnerable person's data collected is processed in accordance with the Berkeley Ensemble's data protection policy and is accessible only to necessary authorised personnel.

#### Child to adult ratio table

Child's age	Number of adults	Number of children
0-2	1	3
2-3	1	4
4-8	1	6
9-12	1	8
12-18	1	10

When the Berkeley Ensemble organises an online activity or event where they will be responsible for vulnerable people, they will additionally ensure that these are planned and carried out with reference to the Incorporated Society of Musicians guidance on Safeguarding for music teachers giving lessons remotely, and most particularly that:

- activities are carried out via the Berkeley Ensemble's dedicated video communications account(s) and that personal accounts are not used.
- wherever possible, vulnerable people access Berkeley Ensemble activities via a video communications account controlled by their school or parent/guardian/carer.

#### **Working with parents/guardians**

If a vulnerable person wishes to take part in a Berkeley Ensemble activity either face-to-face or online, written permission (email is fine) should be obtained from parents/guardians or school where appropriate, and before the activity takes place. Written permission should include: emergency contact details and any relevant pick-up arrangements – including permission for another adult to pick up the vulnerable person after the activity has finished.

#### **Procedures for raising safeguarding concerns and incidents of abuse**

- If any member, staff or volunteer in the Berkeley Ensemble witnesses, suspects or is informed of a witnessed or suspected case of abuse, they should immediately report it to the named safeguarding officer; Gemma Wareham.
- If the named officer is not available, or is involved in or connected to the abuse, it should be reported to the named trustee, Jane Ainger or the group chair, Dan Shilladay.
- If an individual wishes to report an incident of abuse against themselves they should report it to the named safeguarding officer or an individual they trust.

#### **Procedures for dealing with concerns and incidents of abuse**

The named safeguarding officer (or person reported in their absence) will first make a decision based on the immediacy of the concern and the following two factors:

1. If the vulnerable person is in immediate danger or needs emergency medical attention – call the police and/or ambulance service.

2. If the person at the centre of the allegation is working with vulnerable persons at the current time – remove them, in a sensitive manner, from direct contact with vulnerable people and follow the procedures below.

If a vulnerable person indicates that they are being abused and none of the above applies:

- Listen to what the vulnerable person says, without making any suggestions themselves. Do not interrupt them or ask any questions, unless they genuinely need to clarify what they have said. If this is the case, only question them once. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or words and ideas have been suggested during questioning.
- Write everything down as soon as possible, including body language and anything that wasn't quite understood. Notes will be as clear as possible as they may need to be read by a third or fourth party outside of the Berkeley Ensemble. Do not promise total confidentiality, but explain whom they must tell and why. Reassure them that they have done the right thing by telling you.
- If the vulnerable person is part of a group with a teacher/carer, the teacher/carer should be told immediately if appropriate. If an allegation has been made against anyone in the group, or against a teacher/carer, this needs to be referred to the named safeguarding officer immediately, even if they are in the middle of a workshop or rehearsal. The matter should then be referred by the named safeguarding officer to the Designated Safeguarding Lead (DSL) in the school or host institution. However, if you are at an out-of-school event where no school staff are present, inform the Berkeley Ensemble named safeguarding officer first.
- Any concerns about abuse must be recorded and reported by the named safeguarding officer to the DSL at the relevant school first, followed by the Berkeley Ensemble named trustee as soon as practicable. The named trustee will arrange to meet you at the earliest convenience and take appropriate advice. If you have had the opportunity to write your account of events by then, you should bring a copy of this with you. In the safeguarding officer's absence, you should instead immediately inform the named trustee or chair, who will then take advice on how to proceed and how to follow up on the incident if appropriate.

*In all cases if you are unsure what to do you can call the NSPCC 24-hour helpline on 0808 800 5000*

In the event of a complaint being made against the safeguarding officer:

- If the allegation is against the safeguarding officer, you should instead immediately inform the named trustee or chair who will then take advice on how to proceed and how to follow up on the incident if appropriate.
- Escalate the report by either:
  - Raising concerns with the police – for serious or possible criminal offences.
  - Requesting an assessment by the local authority social care department about whether a vulnerable person is in need of protection.
  - An internal investigation – for less serious incidents where they feel internal mediation will be successful.
- Where cases are escalated the board will cooperate with the police or local authority in dealing with the reported incident.
- If you feel that a young person is in immediate danger, contact the police immediately.

Where an internal investigation takes place the board will:

- Inform all parties involved of the reported abuse as soon as possible.
- Inform the family/guardians of the person reported as being abused of the incident.
- Arrange separate meetings with both parties within 10 days of the reported incident. A joint meeting may be arranged if appropriate.
  - Both parties should be given the chance to bring a friend or representative to the meeting.

- Meetings will be attended by the named safeguarding officer and at least one other board member.
- All parties will also be invited to submit a written statement in advance of the meeting.
- Once meetings have taken place the board will decide on next steps and communicate them to all parties in writing within 5 days. They will be either:
  - Escalate the incident to the relevant authority.
  - Further investigation – with established procedures and timelines to work towards a resolution.
  - A decision or resolution.

#### **Resolution and disciplinary action**

- If abuse is found to have taken place, any final resolution or decision will be taken in the best interest of the person who has suffered the abuse and the best interests the Berkeley Ensemble.
- Any disciplinary action will be taken in line with the Berkeley Ensemble constitution.