



Policy on the Protection of Children, Young People and Vulnerable Adults

The Traditional Music & Song Association of Scotland provides services to a wide range of individuals and organisations throughout Scotland and we recognise that some of our clients will be children, young people and vulnerable adults.

The TMSA is fully committed to safeguarding the welfare of all children, young people and vulnerable adults and recognises its responsibility to take all reasonable steps to promote safe practices and to prevent harm, exploitation or abuse.

Definition of Terms

Child: A child is defined as anyone under 16 years of age.

16 to 18 year olds:

Young people aged 16 to 18 years are sometimes classified as children in Scotland. In terms of the Children (Scotland) Act 1995, a 16 to 18 year old will be regarded as a child if they are subject to a supervision requirement through a Children's Hearing.

For the purposes of Part V of the Police Act 1997 a child is defined as anyone under the age of 18 years.

Vulnerable Adult:

In the context of this policy a vulnerable adult is defined as follows. A person, being aged 18 or over, may be considered to be vulnerable if that person:

- receives personal care, or nursing, or support to live independently in their own home or a care home
- receives any health or social services
- has a substantial learning or physical disability, or a physical or mental illness, chronic or otherwise, including addiction to alcohol or drugs, or a substantial reduction in physical or mental capacity due to advanced age or to illness.

(Source: Central Registered Body for Scotland)

All staff members and volunteers of the TMSA can play an important part in promoting the safety and protection of the children, young people and vulnerable adults with whom the organisation works. The aim of this policy is to ensure that young people and vulnerable adults are protected and kept safe from harm while they are in receipt of services from the organisation. In addition to this policy, the TMSA has a framework of policies which are designed to ensure the emotional and physical safety of service users, staff and volunteers which includes:

- Equal Opportunities Policy and Procedures
- Data Protection Policy
- Grievance and Disciplinary Procedures
- Complaints Procedure

Recruitment, Selection & Training of Staff & Volunteers

The TMSA will comply with The Protection of Children (Scotland) Act 2003 and will ensure that its recruitment and selection procedures will take account of the need to protect children, vulnerable adults and young people.

Two references will be taken up for all successful candidates prior to a formal offer of engagement, and, where appropriate, referees will be asked to comment on the applicant's suitability to work with children, young people and/or vulnerable adults.

Where relevant to the post, after a successful interview the applicant will be asked to agree to an appropriate Disclosure Scotland check. Disclosures will be requested prior to the applicant taking up post. After receipt of a satisfactory Disclosure Scotland Check the applicant will be appointed.

Induction for all new staff and volunteers will include information on all relevant policies and procedure, including the protection of children, young people and vulnerable adults and on-going training will be provided if necessary.

All staff and volunteers will have a designated named supervisor who will provide appropriate ongoing support and supervision.

Reporting Procedure

Abuse of young people and vulnerable adults can take many forms including physical, emotional, sexual and financial. It is not the responsibility of anyone working within the TMSA, in a paid or unpaid capacity to decide whether or not abuse has taken place. It is therefore vital that staff and volunteers raise all cases of suspected or alleged abuse in line with the procedures identified in this policy. It is important to do this as there may already have been concerns expressed by other members of staff and failure to report concerns may put a child, young person or vulnerable adult at risk.

Any disclosure or suspicion of abuse should be reported to the National Director as soon as possible.

The National Director, in consultation with the National Convener, will gather further information and details by interviewing the person making the report or the service user directly.

The Director and Convener will then devise an appropriate plan of action. The exact nature of the action taken will be determined by the individual circumstances, but it may include the involvement of external authorities, such as Social Work, referral organisations and the Police.

In the case of a disclosure or suspicion of abuse concerning a young person aged under 18, the TMSA will always refer the matter to the appropriate external authorities, which in the first instance is likely to be Social Work.

All staff and volunteers (where appropriate) of the TMSA will be familiar with good practice guidelines on the immediate action to be taken following a report of abuse (see Appendix 1).

Any allegation made against a member of staff or volunteer should be reported to the National Director who will investigate and take action as per the Disciplinary Policy. In the event of an allegation being made against the national Director, this should be reported to the National Convener, the Board of Management or their nominated representative.

If a service user makes a disclosure of abuse, care should be taken to explain to them the procedure that will be followed and they should be told that it might not be possible for the TMSA to maintain confidentiality.

If a service user of the TMSA makes an allegation about another organisation this should be reported to the National Director who will investigate and take appropriate action.

The TMSA will have a duty to make a referral to Scottish Ministers when any person (paid or unpaid) harms a child, or puts a child at risk of harm, and is dismissed or is moved away from children as a consequence.

Any individual making a report, unless it is malicious or vexatious, is protected from legal action by those individuals who have been implicated in the harm, abuse and or neglect of a child, young person or vulnerable adult.

Good Practice

All staff and volunteers should be familiar with and adhere to the TMSA Guidelines for Good Practice for working with Service Users :-

- Service users should never be given access to the home address or telephone number of any volunteer or staff member of the TMSA without their explicit consent.
- Service users' contact details should never be disclosed to anyone outside of the TMSA without their explicit consent.
- No member of staff or volunteer should be alone in the office with a vulnerable service user. If a staff member or volunteer is meeting a service user outside of normal office hours they must ensure that another staff member will remain in the office until the meeting is finished.
- Meetings between service users/volunteers/staff members should be arranged by prior appointment.

Appendix 1

The following are guidelines on immediate action to be taken following a reporting of abuse by a young person or vulnerable adult.

- React calmly so not to frighten or deter him/her.
- Re-assure him/her that you are glad he/she has told you, and it is not his/her fault.
- Don't promise to keep it to yourself, at the earliest opportunity remind him/her of our confidentiality policy and explain what this means.
- Explain that you need to make sure that he/she will be safe and may have to pass on the information to somebody trusted to deal with it appropriately.
- Listen carefully to what he/she says and take him/her seriously.
- Allow him/her to tell you what happened in his/her own words.
- It is important to clarify what you have heard, and to establish the basic facts. However avoid leading questions and do not ask specific questions about explicit details.
- If possible make brief notes during the initial disclosure, explaining to him/her why you are doing this. If not possible to do at the time, make notes as soon as possible afterwards. All notes should be dated and signed by the staff member or volunteer taking them. The information recorded should include:
 - The nature of the suspicion or allegation.
 - A description of any visible injury.
 - Dates and times and any other factual information.
 - The distinction between fact, opinion or hearsay.
- Allegations made by individuals should be presented in writing.