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**NSPCC**



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**ARTS COUNCIL  
ENGLAND**



# BandSafe TRAINING

## Safeguarding in brass bands

Delivered by **Brass Bands England** and developed in partnership with the **National Society for the Prevention of Cruelty to Children (NSPCC)**. Registered charity England and Wales 216401. Scotland SC037717. Jersey 384.



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# Aims and objectives

## Aims

To understand the safeguarding responsibilities that bands have towards children, young people and adults, and to increase levels of competence and confidence in fulfilling these.

To enable safeguarding leaders to know where to go to for further guidance and support in the event of concerns or disclosures.

## Objectives

**By the end of the course, participants should be able to:**

1. Summarise some of the legislative context of safeguarding and outline some key issues when safeguarding children and adults.
2. Demonstrate key responsibilities regarding recruitment, safeguarding members of your organisation and delivering safe events, and identify how to implement them in your band.
3. Demonstrate how to access and use the BandSafe Online Toolkit.
4. Develop an action plan for your organisation to further develop their safeguarding work.
5. Demonstrate an awareness of the emotional context of safeguarding and develop an awareness of how to continue learning on this topic.
6. Understand the process and procedures for carrying out DBS checks.
7. Describe the purpose and requirements of Child Performance Licensing legislation, outlining the process of application for use of the BBE BOPA.



# Introduction

Thank you for registering for our **BandSafe** online training course. Since 2019, we have seen **BandSafe** grow from an online safeguarding resource into face-to-face training sessions, but these online sessions take the programme to a new level in terms of accessibility and we are delighted to be able to present them to you in the comfort of your own premises. Our aim with **BandSafe** is to support brass bands in developing their policies and procedures, but also to feel confident in safeguarding in a wider context. Having children involved in brass banding is vital for its future, and we aim to provide a safe and welcoming environment for them, alongside adult counterparts, as they begin their journeys in the world of music.

Although being awarded a national Child Performance Licensing BOPA is a considerable achievement for **Brass Bands England**, and very welcome for bands in general, it's important to remember that taking part in this training and engaging in safeguarding is much more than a 'tick box' exercise. In promoting a culture of safety, **BandSafe** is about encouraging everyone in banding organisations to work together to ensure that those in their care have the opportunity to learn in the safest possible environment.

Once you've completed the course and the safeguarding resource, remember that you're not alone. At the end of this pack are further resources to signpost you to organisations that are there to help if you find yourself dealing with a safeguarding concern. One of those is **Brass Bands England** – we're here to offer advice and support to all our members so please contact us whenever you need our assistance.

**BandSafe** and safeguarding is a crucial part of our goal of better banding for all and we welcome your efforts in contributing to a safer environment for everyone.

**Kenneth Crookston** Chief Executive Officer, Brass Bands England



# Principles, legislation and definitions

## Definition of a child

In England, Northern Ireland and Wales, a child is someone who has not yet reached their 18th birthday. Once they turn 18, they are legally an adult. In most situations in Scotland, a child is defined as someone who is under 18. But in some contexts, for example in some parts of the child protection system, a child is defined as a person under 16 years of age.

There are also different laws across the UK that specify age limits for young people in different circumstances. These include leaving school, leaving care, the age of consent and the age of criminal responsibility.

## Child Performance Licensing

Child Performance Licensing legislation was introduced to regulate performances by children under the age of 16 (this is defined as children still of compulsory school age, which is the last Friday in June of Year 11).



# Principles, legislation and definitions

## Children Act 1989

1. **Paramount:** The child's welfare is paramount – the most important consideration
2. **Parental Responsibility:** Parents have a duty to care for their child and meet their needs
3. **Partnership:** Professionals and families are to work together for the welfare of the children
4. **Participation:** Children's wishes and feelings should be ascertained so that they can contribute appropriately
5. **Prevention and provision of services:** Services may be necessary to safeguard and promote the welfare of a 'child in need'
6. **Protection:** A child must be protected from serious harm. The Local Authority has a duty of care to investigate any report that a child is suffering, or likely to suffer 'significant harm'

## Section 17 – Child in need under the Children Act (1989)

A child is considered to be in need if: He/She is unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the Local Authority; His/Her health or development is likely to be significantly impaired, or further impaired without the provision of such services; or He/She is a disabled child.

## Section 47 – Child at risk of significant harm/in need of protection

Places a statutory duty on the local authority; where they have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

## Section 31 – Significant harm

Harm means ill-treatment (physical, sexual abuse, and other forms of non-physical harm) or the impairment of health (mental or physical) or development (physical, intellectual, emotional, social or behavioural), including for example impairment suffered from seeing or hearing the ill-treatment of another.



# Principles, legislation and definitions

## Sexual Offences Act (2003)

Introduced the offences of:

- Causing or inciting a child to engage in sexual activity
- Engaging in sexual activity in the presence of a child
- Causing a child to watch a sexual act
- Meeting a child following sexual grooming
- Arranging or facilitating a child sexual offence

## Abuse of position of trust

This act extends the abuse of position of trust to include:

An offence for any person aged 18 or over, who is in a 'position of trust', to have a sexual relationship with a young person under 18 if their role is one identified within the Act. These include staff working in:

- Institutions looking after children detained under a court order
- Accommodation provided by local authorities/voluntary organisations under statutory provision
- Hospitals, clinics, children's homes and residential family centres
- Educational institutions



# Principles, legislation and definitions

## Children Act (2004)

Introduced the offences of causing or inciting a child to engage in sexual activity.

## Protection of Freedoms Act (2012)

- Formed the Disclosure and Barring Service in 2012 through merging CRB and Independent Safeguarding Authority
- Procedures for CRB tightened up following the murders of Holly Wells and Jessica Chapman 'Soham Murders'
- Safer recruitment for public, private and voluntary sectors by identifying candidates unsuitable for working with children and vulnerable adults
- Covers England and Wales. Disclosure Scotland and Access Northern Ireland
- 'Regulated Activity' employers legally required to refer safeguarding concerns
- It is illegal for a person barred by DBS to apply for work with a group (children or adults) from which they are barred, and for employers to knowingly employ a barred person in regulated activity with the group from which they are barred





# Principles, legislation and definitions

## Working Together to Safeguard Children (2018)

Safeguarding is linked to 'promoting the welfare of children', defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes
- An update to Working Together to Safeguard Children in 2020 included reference to children being vulnerable from domestic abuse, including controlling or coercive behaviour and the impact this has on children

## Referring to S11 of the Children Act (2004)

'S11 places a duty on a range of organisations, agencies and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.'

'Every VCSE, faith-based organisation and private sector organisation or agency should have policies in place to safeguard and protect children from harm. These should be followed and systems should be in place to ensure compliance in this. Individual practitioners, whether paid or volunteer, should be aware of their responsibilities for safeguarding and protecting children from harm, how they should respond to child protection concerns and how to make a referral to local authority children's social care or the police if necessary.'

Demonstrate an awareness of the emotional dimension of safeguarding work and identify a network for personal support.



# Principles, legislation and definitions

## Categories of abuse – children

### Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. May occur during pregnancy (via substance abuse) May involve failure to provide:

- adequate food, clothing and shelter
- protection from physical and emotional harm
- adequate supervision
- access to medical care
- means to satisfy a child's basic emotional needs

Definitions of the different categories of abuse can be found in the **BandSafe Toolkit**, Brass Bands England's online safeguarding resource.

### Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

### Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. Conveying to a child that they are worthless or unloved, overprotection and limitation of exploration and learning, seeing or hearing the ill-treatment of another. Serious bullying (including cyber bullying).

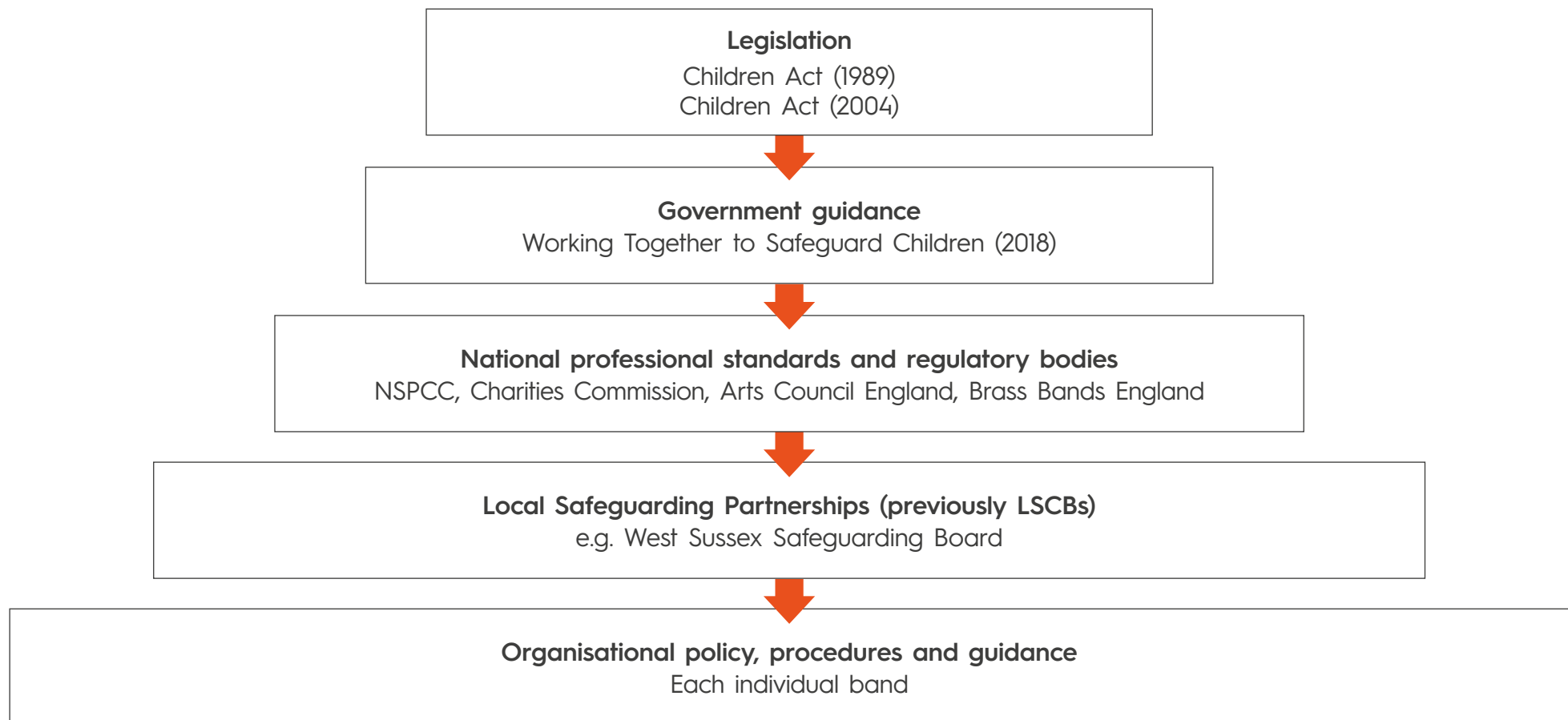
### Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. May involve physical contact activities or non-contact activities e.g., involving looking at or producing sexual images or grooming a child in preparation for abuse. Sexual abuse can be perpetrated by other children as well as adult males or females.



# Principles, legislation and definitions

## National framework for child protection





# Principles, legislation and definitions

## Categories of abuse – adults

1. Physical
2. Sexual
3. Emotional/Psychological
4. Neglect/Acts of Omission
5. Organisational/Institutional
6. Financial/Material
7. Discrimination
8. Self Neglect/Self Harm
9. Domestic/Violent
10. Modern Slavery

Definitions of the different categories of abuse can be found in the **BandSafe Toolkit**, Brass Bands England's online safeguarding resource.

### Adults may be vulnerable to abuse due to:

- Disability
- Abusive relationships
- Mental or physical health issues or frailty
- Bereavement or history of bad experiences
- Homelessness or poverty
- Issues with drugs or alcohol
- Being an asylum seeker or refugee
- Overwhelming responsibilities as carers
- Cultural beliefs and practices

### An adult at risk is someone:

Aged 18 years or over; who may be in need of community care services by reason of mental or other disability, age or illness; and who is, or may be, unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.



# Safer organisations

The vast majority of paid staff and volunteers who work with children are committed to their wellbeing and care. However, some individuals will actively seek employment or voluntary work with children in order to harm them. Your organisation should be committed to devising and implementing policies so that everyone accepts their responsibilities to safeguard children from harm and abuse. This means following procedures to protect children and to report any concerns about their welfare to appropriate authorities. The recruitment of members is a crucial part of this safeguarding policy.

## **Some potential signs for concern:**

- Staff or Volunteers giving a child special attention or preferential treatment
- Excessive time spent alone with a child outside of rehearsals
- Frequently spending time with a child in private/isolated areas
- Transporting a child to or from rehearsals
- Making friends with a child's parents and visiting their home
- Acting as a particular child's 'listening ear'
- Giving small gifts, money, toys, cards, letters to a child
- Using texts, telephone calls, e-mails, or social networking sites to inappropriately communicate with a child
- Flirtatious behaviour, suggestive remarks or comments of a sexual nature around a child



## Safer recruitment

Whilst the Disclosure and Barring Service (DBS) plays an important part in supporting safe recruitment, on their own, official checks and vetting procedures will not be enough to protect children and they need to be carried out in the context of a wider set of practices such as those outlined in the **BandSafe Toolkit**, our online safeguarding resource.

When recruiting new members of the band, it is important (for both the band and the individual) to clarify what their role and responsibilities will be, as this will dictate the kind of recruitment checks you will need to undertake.

If the role involves work with children, it is beneficial to have children involved in the recruitment process, i.e. a new conductor running a rehearsal with the band. If you are going to involve children it is important that you are prepared to listen and take on board their thoughts.

**A clear public statement of your band's commitment to safeguarding can discourage potential abusers.**

### DBS checks

If the role requires a DBS check, this should be stated in the role description. Eligibility of roles and level of DBS check required is dependant on the role and the frequency of the activity that's carried out. Prior to the check being carried out, the new member should be invited to complete a confidential self-disclosure form, which gives them the opportunity to list any criminal activity that may emerge from the DBS check. Having criminal activity on a DBS certificate does not automatically discount the member from working with children. It's important to carry out a risk assessment in this scenario, and seek advice from your Local Authority Designated Officer (LADO), sometimes known as Designated Officer for the Local Authority (DOLA).

**BBE recommends:** For recruitment of new players in all bands where children are involved you should undertake an internet search on the individual to identify any publicly reported issues.



## Safer recruitment

A DBS check and certificate is designed to help to prevent unsuitable individuals from working with vulnerable groups of people. Employers can ask to see DBS certificates to ensure that they are recruiting suitable individuals into their organisation. The criteria on the following page will help you define whether the role will require an Enhanced DBS check or an Enhanced DBS Check with the Children's Barred List.



# Safer recruitment

## Regulated activity with children

### Eligibility for Enhanced DBS check with a Children's Barred List Check

Role or activity	More than three days in a 30 day period	Once overnight with opportunity for contact between 2am and 6am	Anyone carrying out any of these activities would be eligible for an <b>Enhanced DBS check with a Children's Barred List Check.</b>
<b>Unsupervised</b> teaching, training, and instruction e.g. conductor, MD, leader, tutor, teacher	Yes	Yes	
<b>Unsupervised</b> caring for or supervising e.g. chaperone, supervising adult, safeguarding/welfare officer	Yes	Yes	
Providing advice or guidance on physical, emotional or educational well being e.g. youth worker, mentor	Yes	Yes	
Driving children under arrangement	Yes	No	
Day-to-day managers of staff in regulated activity e.g. committee members who are directly responsible for managing those who are carrying out regulated activity			

## Work with children which is not regulated activity

### Eligibility for Enhanced DBS check

Role or activity	Anyone carrying out any of these activities would be eligible for an <b>Enhanced DBS check.</b>
Anyone carrying out regulated activity but less than three times in 30 days	
<b>Supervised</b> teaching, training, instruction, caring for or supervising of children	
Trustee of a children's charity	





# The legal duty to refer to DBS

The Disclosure and Barring Service (DBS) is responsible for managing the lists of people who are barred from regulated activity in England, Wales and Northern Ireland. Organisations who employ individuals or have volunteers who carry out regulated activity with children or adults have a legal duty to refer to DBS if certain conditions are met.

**If you have a concern about an employee or volunteer in your organisation and they meet the two main conditions you must refer them to the DBS.**

## Condition 1

You withdraw permission for them to engage in regulated activity through dismissal, redeployment, retirement, or resignation.

## Condition 2

You think the person has either:

- engaged in relevant conduct;
- satisfied the harm test;
- or received a caution for, or a conviction for, or been convicted for a relevant offence

## Relevant conduct is conduct which:

- endangers or is likely to endanger a child or adult
- involves sexual material relating to children (including possession)
- involves sexually explicit images depicting violence against human beings (including possession)
- is of a sexual nature involving a child or adult

## The 'harm test' is satisfied when it appears a person may:

- harm a child or adult who is in receipt of regulated activity
- cause a child or adult who is in receipt of regulated activity to be harmed
- put a child or adult who is in receipt of regulated activity at risk of harm
- attempt to harm a child or adult who is in receipt of regulated activity
- incite another to harm a child or adult who is in receipt of regulated activity

A duty to refer applies even when a referral has also been made to a local authority safeguarding team or professional regulator, or you have reported the allegation to the police. If you do not carry out your legal duty to refer you can face a fine of £3000.

Please contact [safeguarding@bbe.org.uk](mailto:safeguarding@bbe.org.uk) for further support and advice.



# Case scenarios

## 1. Recruiting new players and allocating roles to volunteers

- A. Your group wishes to start giving 1:1 tuition to its members. A member who's a classroom music teacher is keen to take up this position – what should you consider?
- B. You are short of trombonists in the band and you have lots of engagements book in. One of your members has a friend who plays the trombone and has recently left her band. You know she plays to a really high standard and she might be interested in joining you. What do you need to do to ensure a safe recruitment process? The band includes children, do you need a DBS check to be carried out?



# Case scenarios

## 2. Safeguarding members of the band

- A. Your band has a Facebook group which members are encouraged to join. You have discovered that an adult member of the band has been privately messaging young people. What should you do?
  
- B. A child in your group has arrived at rehearsal looking a bit tearful which is really unusual. One of your adult members has asked them if they are ok and they say no. What should you do?



## Case scenarios

### 3. Supporting young people and vulnerable adults within your band

- A. Sam, who's 14, has recently joined your group. They seem to be very anxious and you notice they get agitated if there are changes to the normal rehearsal plan. They also seem to find it difficult to connect with other members of the group and don't seem very keen to go to the concerts you have booked in. What should you do?
- B. Your band arrives at an event to find that there is no access to the stage for wheelchair users. One of your members uses a wheelchair. Added to this, the room with the accessible toilet looks like it is doubling as a dumping ground and is not accessible at all. What issues are raised by the scenario and how could it be managed? Have accessibility issues for a member of your group or audience even been a problem for your group? Do you make a habit of thinking about accessibility when you book a venue?



## Case scenarios

### 4. Avoiding accidents and delivering safe activities and events

- A. You are giving a concert in a very small village hall. There is no room to store the instrument cases and so they have been left in front of a door at the back of the hall which is not being used for access. Whilst you are rehearsing before the concert, the fire alarm goes off and you realise the cases are blocking the fire exit. As people are leaving the venue an older member of your group trips over a case and is lying awkwardly on the floor in a lot of pain. What should you do now? What do you need to do in future?
- B. Your band is taking part in the area contest and due to the distance from the venue, you've decided to have an overnight stay. You have one 17 year old attending without her parents – what should you do to safely manage this?



# Action plan

Add your number one priority to discuss with your band under each heading in the boxes below.

## Recruiting members of the band and allocating roles

## Safeguarding members of the band

## Avoiding accidents and delivering safe events and activities

## Supporting children within the band



# Checklists

## Recruiting members of the band and allocating roles

### Information to new members

- Information about the band
- Membership form
- Code of conduct (including social media policy)

### Process for recruiting new members

- Advertising the post
- Background information
- Following an agreed process
- Check a form of government ID  
e.g. passport or driving licence

### Process for recruiting to specific roles

- Current vacancies
- Job descriptions and person specification
- Advertising
- Recruitment process
- Background checks, where necessary
- Access to band policies and procedures

#### **BandSafe resources:**

- Welcome information
- Membership information
- Code of conduct
- Recruitment guidelines



# Checklists

## Safeguarding members of the band

Section in constitution that states a commitment to safeguarding

Up-to-date safeguarding policy

Guidelines on best practice when using social media

Whistleblowing procedure that is open and well publicised to members

Agreed method of checking systems are being used correctly and work effectively

Access to safeguarding training for those in a position of responsibility

### **BandSafe resources:**

- [Safeguarding](#)
- [Basics of Safeguarding Webinar](#)





# Checklists

## Supporting children and adults at risk within the band

Safe procedure and allocated responsibility for transporting children and adults at risk to and from band rehearsals and events

Clarity about what is a personal agreement about transport between a parent and another band member, and about whether the band itself arranges lifts

Risk assessment linked to any transport arrangements made by the band

Clear guidance on who, if anyone, has allocated responsibility for transporting children and adults at risk...  
...including an agreement and understanding between parents and carers and the band

Adequate insurance cover that takes account of any formal transport arrangements made by the band

Allocation of a person to be responsible for children and adults at risk during band activities outside the normal environment such as concerts and contests

Compliance with Child Performance and Activities Licensing legislation

### **BandSafe resources:**

- Best practice for supporting children and adults at risk
- Department of Education Child Performance and Activities Licensing Regulations



# Checklists

## Avoiding accidents and delivering safe activities and events

The band has responsibility for the safety of all its members, and members of the public attending its events

Risk assessment for the rehearsal venue that is reviewed annually

Risk assessment for activity outside the rehearsal venue such as concerts, contests, fundraising events etc.

Log sheet and information about checking and servicing equipment

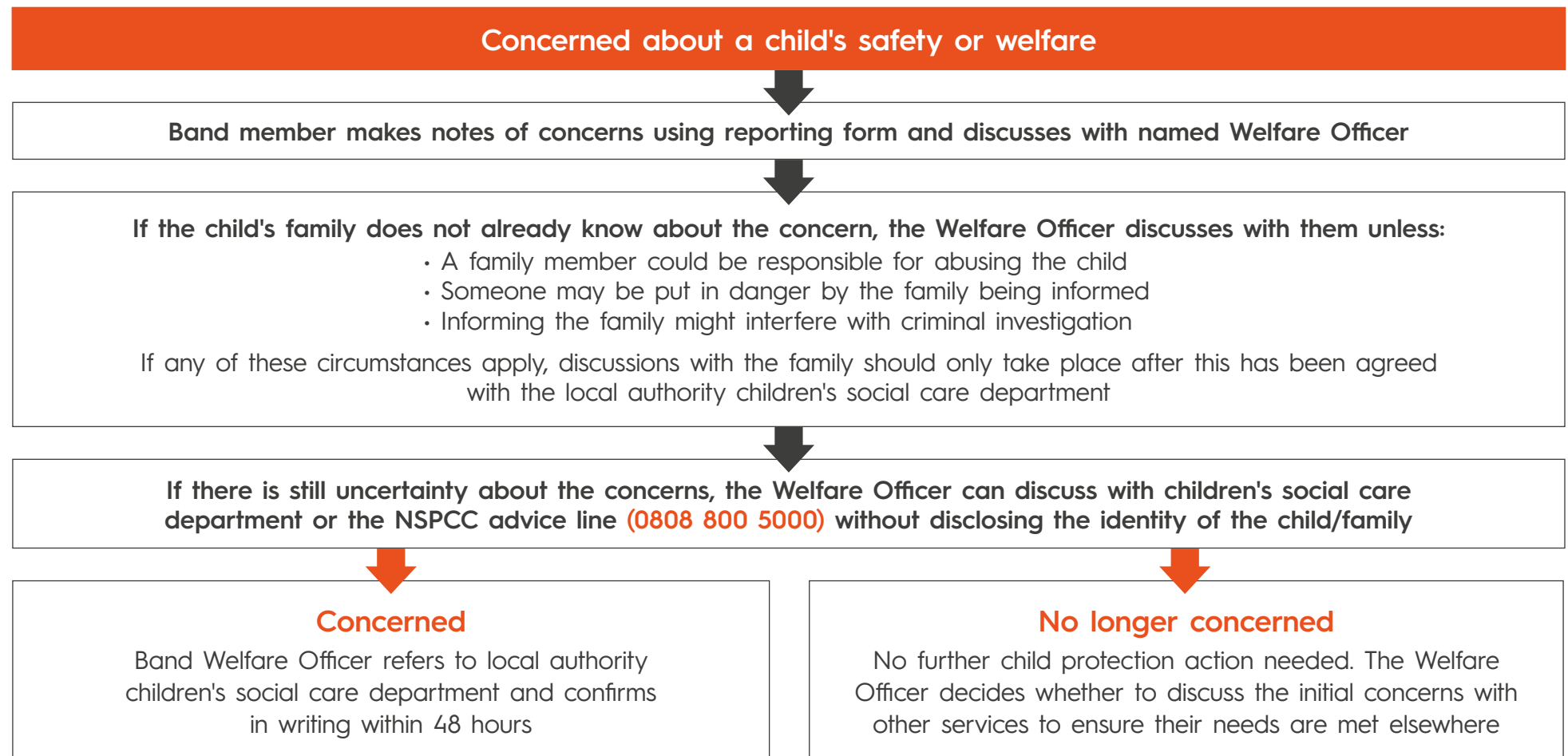
First aid provision that includes access to first aid equipment and a working telephone

### **BandSafe resources:**

- Risk Assessments
- Health and Safety Plan

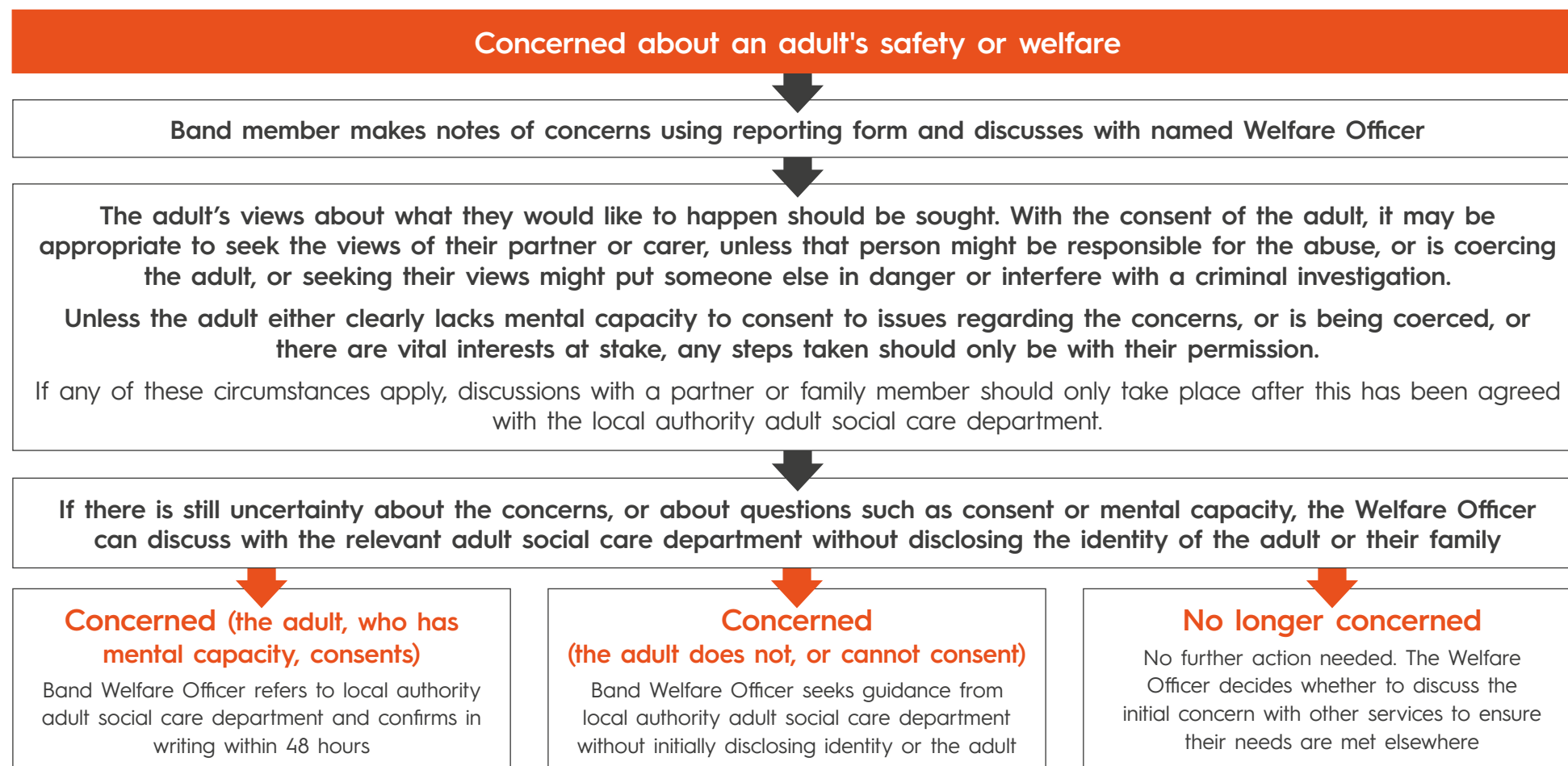


# What to do if you have a concern a child is at risk





# What to do if you have a concern an adult is at risk





## BBE BOPA

# Child Performance Licensing Legislation

Child Performance Licensing was introduced to regulate performers, still of compulsory school age – to protect them from commercial exploitation and inappropriate working hours.

Legislation was passed in 1963, new regulations introduced in 2014 and has been enforced since then.

Responsibility for holding a licence falls to event organisers, but to perform knowing a licence isn't in place passes responsibility onto performing organisations.

Child Performance Licences need to be issued by the local authority in which the child each lives, so more than one application may be required for an event.

An exception to this is a 'Body of Persons Approval' (BOPA) which can be issued by the local authority where the performance takes place. This can cover multiple events and multiple young people within the band.

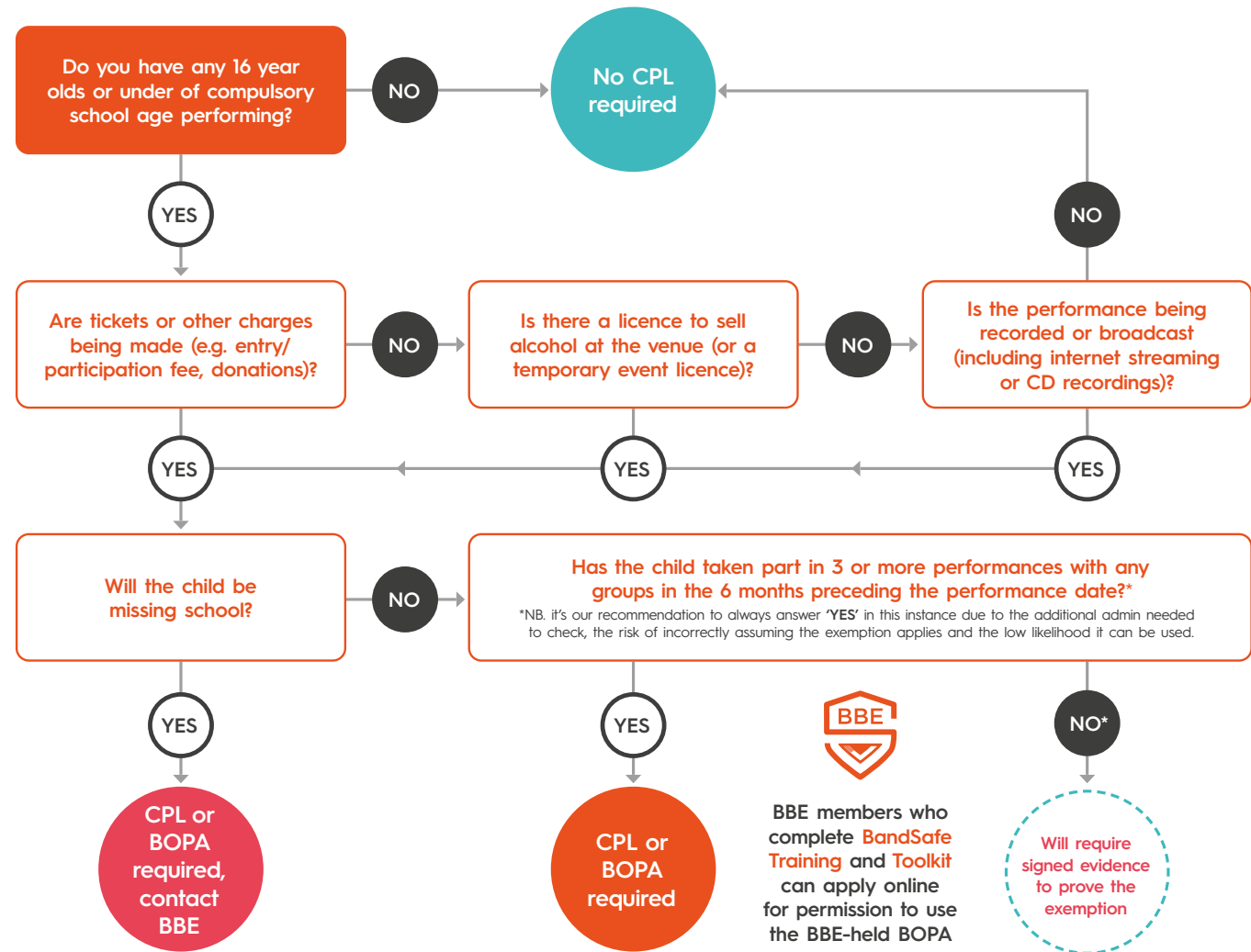
**BBE** holds a national (England and Wales) BOPA from the Secretary of State for Education that members can use to cover their events if the requirements are met.



# How to use the BBE national BOPA

The **BBE national BOPA** is held by **BBE**, issued by the Secretary of State at the Department for Education. Bands that are **BBE** members can gain permission to use the BOPA to cover their own events where they are the event organiser. This includes any children in other organisations performing as part of a collaboration.

Before you start you can use this decision tree to work out which events you will need to apply for cover for, although we think for many bands it will now be simpler to apply for cover than worry whether or not it is required using the **BBE** system.



**CPL = Child Performance Licence** Apply to council where child resides (allowing 21 days per application).

**BOPA = Body of Persons Approval** Apply to council where event is held (allowing 21 days per application) or apply to use the BBE-held BOPA (allowing 24 hours per application) at [www.bbe.org.uk/BandSafe](http://www.bbe.org.uk/BandSafe)



# How to use the BBE national BOPA

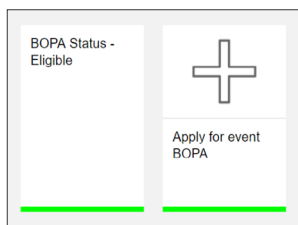
## Stage 1:

### Get organised

To receive permission to use the BBE-held BOPA for an event, the following conditions must be met:

- Membership of **BBE**
- The band has completed the **BandSafe Toolkit** and adopted the policy within the last 18 months
- TWO members of the organisation registered on **www.bbe.org.uk** have completed **BandSafe Training** (make sure they are linked to the band on the site)
- Comply with the Child Performance and Activities Licensing regulations which are summarised in part 3 and in full in the terms and conditions.

Once the first three points are completed, your ability to apply for permission to use the BOPA will be unlocked in your members dashboard, as shown in this image (right).



## Stage 2:

### Applying for events

This is the stage where the **BBE** BOPA will save your band administration time. Applying for events is very simple.

Apply for each event via the members dashboard on **bbe.org.uk** and a permission certificate will be emailed to you. At this point you will only need to know the number of children taking part. For large events a close estimate is acceptable.

Forward the permission certificate to the performances Local Authority Licensing Officer by email.

## Stage 3:

### At events

At your events there are certain standards you will need to follow to fulfil the requirements of the BOPA. Those applying to bands are summarised here but you must ensure you meet the full requirements included in the T&Cs.



# Requirements in summary

The BOPA will only cover the activities of BBE and its member organisations if they have met all of the following criteria:

- Allow **BBE** or local authority inspectors to inspect activities and documentation.
- Enough adults with DBS checks to supervise children in your band (a parent can supervise only their child without a DBS check) with a 1:12 ratio minimum. You must ensure that children are supervised the whole time they are with you. Please see the section on supervising adults below for requirements for these adults.
- You must hold permission, photographic consent, emergency medical information and contact details available for all child performers. This can be a paper or electronic record but we recommend electronic and an example form can be found on **bbe.org.uk**, although you may use your own. This is retained by the band unless an inspection takes place.
- The performance must take place in England or Wales.
- You must have a copy of your Child Protection Policy from the **BandSafe Toolkit** available. We recommend you share this publicly on your website so it is accessible by all.
- You must have a risk assessment of the performance and a first aider (who might be a player) present.
- Display the Event Permission Certificate obtained from **bbe.org.uk**, previously sent to the locations local authority.
- One **BandSafe** trained member must be present.
- Ensure you don't exceed maximum performance times or times in the venue (see table in T&Cs). The DfE has confirmed the following in relation to contests; "In the event a child has performed and left the venue but re-enters as a member of the public to watch later performances, this will not count as time spent in the venue as long as there has been some element of finishing their performance and coming back in as a guest" e.g. after playing in a contest the band leaves the building and places instruments in vehicles and the child returns with their family to watch other performances, the performance time in the venue would only include up until the point the band have left the venue as performers.
- No payment is made to children, or to anyone else, apart from defrayment expenses.
- A child may not be absent from school.
- Suitable arrangements must be in place for meals, changing/washing facilities, breakout room, etc. You might consider asking people to arrive in uniform if there is no suitable changing facilities.
- Suitable travel arrangements must be in place for the child to get home. It is considered best practice that no child should be left to go home alone. They should be signed over by the supervising adult to either a parent, or someone with parental responsibility or to a known person whose details have been given.
- An accident book must be used to record any accidents with a carbon paper copy to send home with the child for parental knowledge.





# Requirements in summary

## Supervising adults

As the BBE BOPA does not require the use of licensed chaperones, we refer to people fulfilling this role as 'supervising adults'. The responsibility remains the same but the requirement to be licensed by a local authority doesn't exist.

These supervising adults may also play in the band, but must maintain sight of the child(ren) in their care at all times during the performance. If a child needed to leave the stage then so must the supervising adult and all children in their care. For this reason we strongly recommend a lower ratio than 1:12 as best practice.

This does mean that a front row cornet player can't be the supervising adult for a back row cornet player but could supervise a trombone player, for example. This is because when the band is playing you possibly won't be able to hear if the child being supervised is in distress.

During non-performing times the supervising adult must supervise children at all times. In practical terms this means maintaining sight or sound to facilitate activities, such as toilet breaks, but preferably both sight and sound should be maintained.

Supervising adults must have a DBS check or a DBS status update check carried out in the last three years. These checks are free for volunteers for BBE member bands. Please email [info@bbe.org.uk](mailto:info@bbe.org.uk) to request the forms.



# BOPA terms and conditions

The BOPA will only cover the activities of BBE and its member organisations if they have met all of the following criteria:

- **Brass Bands England** members can apply for permission to use the BBE-held BOPA on an event-by-event basis.
- There must be a ratio of 1:12 for supervising adults who have had a DBS check or DBS Status check carried out in the last three years.\* In the case of a parent supervising their own child, a DBS check is not needed but they can only supervise their own child.
- The supervising adult must supervise the child at all times, including rehearsing for the performance, during the performance period or taking part in the activity.
- The supervising adult must have knowledge and understanding of the Children (Performances and Activities) (England) Regulations 2014 and be suitable to exercise care and control of the child in question.
- One adult who has attended BandSafe training must be present at the event.
- No payment is made to children, or to anyone else, apart from defrayment expenses.
- The permission certificate to use the BBE-held BOPA must be emailed to the Local Authority Licensing Officer where the activity or event is taking place.
- A representative of **BBE** will be allowed entry to the event to perform spot inspections if required.
- The event must report the number of school-aged children taking part to BBE for compliance reporting (this is collected via the online application process and is included on the permission certificate to use the BBE-held BOPA).
- A child may not be absent from school.
- The event has a risk assessment in place.
- The event has a first aider present.
- The performance must take place in England or Wales.
- The band must have permission, photographic consent, emergency medical information and contact details available for all child performers at the place of performance. An example of this can form can be seen [here](#). The document is a PDF you can type in so members can fill it out themselves. Feel free to use this form within your band.
- Children must not be on site longer than the restrictions on hours as laid out in the regulations. [see table overleaf]
- Children must not be at the place of performance for longer than the restrictions on hours as laid out in the regulations. [see table overleaf]
- Children must not be at the place of performance earlier or later than the permitted time at the place of performance as laid out in the regulations. [see table overleaf]
- Children must have the minimal intervals for meals and rest as laid out in the regulations. [see table overleaf]
- Children must have a break in performances as laid out in the regulations. [see table overleaf]
- Suitable arrangements must be in place for meals, changing/washing facilities, breakout room, etc.
- Suitable travel arrangements must be in place for the child to get home. It is considered best practice that no child should be left to go home alone. They should be signed over by the supervising adult to either a parent, or someone with parental responsibility or to a known person whose details have been given.
- An accident book must be used to record any accidents with a carbon paper copy to send home with the child for parental knowledge.



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Topic	Age 0–4	Age 5–8	Age 9+
Maximum number of hours at place of performance or rehearsal (regulation 22)	5 hours	8 hours	9.5 hours
Earliest and latest permitted time at place of performance or rehearsal (regulation 21)	7am to 10pm	7am to 11pm	7am to 11pm
Maximum total hours of performance or rehearsal (regulation 22)	2 hours	3 hours	5 hours
Minimum intervals for meals and rest (regulation 23)	Any breaks must be for a minimum of 15 minutes. If at the place of performance for more than 4 hours, breaks must include at least one 45 minutes meal break.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes.  If present at the place of performance for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.	If present at the place of performance or rehearsal for more than 4 hours but less than 8 hours, they must have one meal break of 45 minutes and at least one break of 15 minutes.  If present at the place of performance for 8 hours or more, they must have the breaks stated above plus another break of 15 minutes.
Minimum break between performances (regulation 23)	1 hour 30 minutes	1 hour 30 minutes	1 hour 30 minutes

\*N.B. These chaperones may also play in the band, but must maintain sight of the child(ren) in their care at all times during the performance. If a child needed to leave the stage then so must the supervising adult and all children in their care. For this reason we strongly recommend a lower ratio than 1:12 as best practice. During non-performing times the supervising adult must apply the usual rules about maintaining sight or sound to facilitate activities, such as toilet breaks, but preferably both sight and sound should be maintained.

\*\*In the event a child has performed and left the venue but re-enters as a member of the public to watch later performances, this will not count as time spent in the venue as long as the has been some element of finishing their performance and coming back in as a guest; e.g. after playing in a contest the band leaves the building and places instruments in vehicles and the child returns with their family to watch other performances, the performance time in the venue would only include up until the point the band have left the venue as performers.



# Resources

## [www.bbe.org.uk/BandSafe](http://www.bbe.org.uk/BandSafe)

**BandSafe Toolkit**, Brass Band England's online safeguarding resource. 01226 771015 [safeguarding@bbe.org.uk](mailto:safeguarding@bbe.org.uk)

## [www.nspcc.org.uk](http://www.nspcc.org.uk)

Up-to-date research, policy, practice guidance, training, information service etc.

NSPCC advice line 0808 800 5000 Whistleblowing advice line 0800 028 0285 [contactus@nspcc.org.uk](mailto:contactus@nspcc.org.uk)

## [www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

Current version of multi-agency guidance on safeguarding children.

## [www.ceop.police.uk](http://www.ceop.police.uk)

Online reporting of inappropriate behaviour towards children online. Training and knowledge share opportunities.

## [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

Advice and online resources for children and carers at risk of online and offline sexual exploitation.

## [www.nymaz.org.uk/connectresound/resources](http://www.nymaz.org.uk/connectresound/resources)

Resources for online learning and safeguarding.

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