

Safeguarding Children and Working with Vulnerable Adults Policy

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Safeguarding Children and Working with Vulnerable Adults

1. Policy Statement

- 1.1 The University is committed to ensuring a safe and supportive environment exists for all staff, students and visitors to the University. The University recognises that there are a number of circumstances in which children, young people and vulnerable adults will come onto University premises or otherwise and have contact with University staff, students, and/or contractors.
- 1.2 The University aims, so far as is reasonably practicable to ensure the safety of children, young people and vulnerable adults who are on its property, or who are engaged in University activities at any of its locations. This Policy sets out the University's approach to safeguarding children, young people and vulnerable adults and ensures that the University meets all legislation and good practice in this area.

2. Scope

- 2.1 This Policy applies to all members of University staff, volunteers and contractors who in the course of their duties (whilst on University business):
- i. engage in regulated activity relating to children, and regulated activity relating to adults (or who supervises anyone engaged in such regulated activity);
 - ii. may have contact with vulnerable groups (see Section 4 – Definitions below).
- 2.2 Education institutions which are partner organisations to the University will have their own Safeguarding Policy and Procedures in place. Members of those institutions are advised to consult with, and follow their own organisation's Safeguarding Policy as the first course of action.
- 2.3 The University expects the following agencies (external to the University) to be familiar with this Policy:
- i. external event organisers who will carry out regulated activity relating to children, and/regulated activity relating to adults on University premises;
 - ii. contractors/third party agencies carrying out work on behalf of the

University.

3. Aims

3.1 That children, young persons or vulnerable adults have the right to:

- a learning environment where they feel valued, and where their own unique talents and abilities are recognised and respected.
- have a safe and secure environment.
- have the ability to express themselves freely.
- have University staff listen to their concerns and take them seriously and support them with any issues or concerns raised.

4. Definitions

4.1 For the purpose of this Policy the following definitions relating to children, young persons or vulnerable adults are applicable:

- **Children** – a person or persons under the age of 18 years.
- **Vulnerable adult** – an adult who is in receipt of regulated activity is considered vulnerable at the time he or she requires that regulated activity, regardless of the setting or the personal circumstances of the adult receiving the activity. While ‘vulnerable adult’ is the term used in legislation, there is also a term ‘adult at risk’ that is often used in Adult Safeguarding documents. An **adult at risk** is classed as a person who is 18 years or over and who is or may be in need of community care or health care services by reason of mental or other disability 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**.

4.2 **Regulated activity relating to children:** includes **regular** unsupervised contact with under 18’s such as teaching, training; instructing; caring for; personal care for; supervising; providing advice and guidance on well-being; and driving a vehicle only for children or work for ‘specified places’ with opportunity for contact. Specified places can include schools or childcare premises. **Regular contact** is generally defined as “carried out by the same person frequently” (once per week or more often) or on 4 or more days in a 30 day period or overnight. Full guidance on this definition is available from the Disclosure and Barring Service.

4.3 **Regulated activity relating to adults:** includes provision of healthcare; personal care and/or social work; assistance with general household matters and/or in the conduct of the adult’s own affairs; and/or an adult who is conveyed to, from or between places where they receive healthcare, relevant personal care or social work because of their age, illness or disability.

4.4 University work that may bring contact with vulnerable groups

These scenarios include (but are not limited to):

- Applications by a vulnerable adult to study or for employment;
- Conference bookings for halls of residences, leisure facilities etc.;
- Widening participation initiatives taking place on or off campus as well as summer schools or other events;
- Placements with health and social care institutions as part of professional training;
- Provision of counselling, occupational health or other welfare services;
- Research specifically, but not limited to, any of the above areas;
- Excursions, volunteering or other social activities.

While some of the above scenarios may not come within the scope of required vetting for employees or students, the University has a duty of care to ensure risks to vulnerable groups are managed. It may be relevant for the 'owning' school or department to carry out a risk assessment of the situation and put in place appropriate procedures to minimise the risk.

4.5 This Policy does not cover:

- Specific vetting requirements for particular student or employee roles, i.e. recruitment, selection and employment procedures;
- General duty of care for visitors on University premises. This is references in the University's Health and Safety Policy and subsidiary documents.

5 Principles of Safeguarding

5.1 The University applies the following core principles to safeguarding, as outlines in the Safeguarding Code of Conduct (Appendix 1):

- i. All employees, volunteers and contractors who carry out regulated activity relating to children and/or adults, or who have contact with vulnerable groups:
 - should ensure they understand the implications of the Policy before commencing any programme, event, visit or other activity and should ensure appropriate risk assessments have been completed. Where relevant, safeguarding training should be incorporated into relevant programmes of study and/or briefings for students undertaking work-based and placement learning;
 - are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;

- should work in an open and transparent way with vulnerable groups.
- ii. The protection and welfare of people who are considered to come under the definition of vulnerable group is paramount.
 - iii. All vulnerable groups, without exception, have the right to protection from abuse regardless of age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion and belief, sex or sexual orientation.
 - iv. The University will implement a risk assessed approach to the development of policy and practice around safeguarding children. Areas deemed to be of a significant risk are outlined below and form the 'core' of this Safeguarding Policy:
 - Health and Safety Policy
 - Guidance on the Safety of Children on Campus
 - First Aid Policy
 - First Aid Treatment for Children
 - Public Interest Disclosure Policy (Whistleblowing)
 - Student Complaints Procedure
 - Code of Conduct for Dealing with Personal Harassment
 - Conduct of Professional Relationships between Staff and Students
 - University Equality Policy
 - Recruitment and Selection Policy (including employment vetting)
 - Recruitment of Ex-Offenders Policy
 - Policies covering Appropriate Use of IT and Social Media
 - Guides on Summer School Arrangements
 - Protection of Under 18's as Students (separate Policy).

6 Procedure

6.1 Introduction

The formal reporting requirements concerning children and young people (outlined in Working Together to Safeguard Children (2013) are different to those required for vulnerable groups (outlined in the Safeguarding Vulnerable Groups (2006) Act) (amended by the Protection of Freedoms Act 2012).

For the purpose of this Procedure, the term 'child or young person' applies to a person less than 18 years of age. The term 'vulnerable adult' applies to any adult to whom an activity which is regulated, as defined in Section 4 of the Policy. This procedure informs individuals what to do and what steps to take if a member of staff or a student is concerned that a member of a vulnerable group may be being harmed, if a disclosure needs to be made, or if a staff member or student is the subject of a complaint.

6.2 Responsibilities

- 6.2.1 If a member of staff has a concern that a child, young person or vulnerable adult is being harmed or abused (examples and descriptions of which are provided at Appendix 2), they should consult with a Designated Safeguarding Officer for advice and guidance. These concerns might include:
- a colleague's behaviour around individuals or a particular person;
 - concerns about welfare, either shared by an individual or based on behaviour or observation;
 - concerns about the behaviour of an adult accompanying a child or group of children;
 - concerns about bullying;
 - concerns about extremism.
- 6.2.2 If a member of staff or student does not believe that their concerns have been appropriately addressed, they have the right and responsibility to directly pass concerns to local Police or Social Services Child Protection Departments.
- 6.2.3 If a concern arises while you are taking part in activities with children ensure that all briefings have been followed (Checklist of Issues for Staff Planning Activities with Children, Young Persons and Vulnerable Adults at Appendix 3). Risks to an individual need to be taken into account before any action is taken.
- 6.2.4 It is easier to follow-up an incident if a clear record is made. A Safeguarding Concern Form (Appendix 4) should be completed as soon as possible to enable consistent collection of information which may subsequently be used as evidence in Court.
- 6.2.5 The University does not expect member of staff or students to handle issues alone. They are often complex and sometimes require the University to seek assistance from external agencies. Designated Safeguarding Officers will be appointed (DSO's) (see Appendix 5) to assist with such issues, recording available information on a 'Safeguarding Record Form – Designated Safeguarding Officer' (Appendix 6) and will report to the Lead Safeguarding Officer who is a member of the Vice-Chancellor's Executive.
- 6.2.6 Any response to a concern raised by a child, the child's parents must be made aware of any action taken in responding to that concern. Refer to a DSO for advice first.
- 6.2.7 When contacting a DSO do not discuss the concern over the telephone. You should only provide the DSO with the following information:
- your name
 - the activity you are engaged in
 - your location.

The DSO will take all necessary actions. If there is a significant concern a referral will be made to the Policy or local protection teams and the DSO will have the contact number for such agencies.

- 6.2.8 If a member of staff is the subject of a complaint or allegation that they have harmed a child or vulnerable adult, it may be necessary to suspend, without prejudice, pending the outcome of an investigations. The decision whether to suspend rests with the Vice-Chancellor with advice being taken from the Executive Director of HR and University Secretary.
- 6.2.9 The member of staff, will be notified of the allegation and the procedure to be followed for an investigation, internally via the Disciplinary Policy, or externally the Police, Social Services or relevant body.
- 6.2.10 Any member of staff who is approached by an external agency in relation to an investigation involving a member of staff, or student, refer the agency to the Lead DSO (University Secretary) who will determine whether the requested information can be disclosed with or without consent.

7 Records Management

A formal log will be in place, controlled by the Human Resources Department and disposed of in line with the University's Records Management guidelines and the Data Protection Act.

8 Training

- 8.1 All staff whose roles and responsibilities include regular contact with children, young persons or vulnerable adults will receive training and guidance most appropriate to their role.
- 8.2 All University staff will be made aware of this Policy and Procedure and related guidance.
- 8.3 Designated Safeguarding Officers will receive appropriate training and will require DBS clearance before commencing their role. Refresher training will be provided on a three yearly basis.
- 8.4 Guidance on the Safety of Children on Campus and First Aid for Children is provided at Appendix 7 and Appendix 8 respectively.

9 Risk Management

Failure to comply with this Policy and Procedure could lead to serious harm to others, non-compliance with our legislative requirements and reputational damage. Under proposed legislation a criminal charge for wilful neglect as introduced in the Criminal Justice and Courts Act 2015 is being extended to cover professionals in education and elsewhere who become aware of and fail to protect children from sexual exploitation. This Policy mitigates risks in the University Risk Register.

Document Control

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All University contracted staff, volunteers and visitors

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Safeguarding Code of Conduct for Staff

This Code of Conduct applies to all contracted staff at the University, together with any agency workers on University premises.

All University staff **must**, during the course of their duties:

- Treat all children, young persons and vulnerable adults with respect in accordance with the Safeguarding Children and Working with Vulnerable Adults Policy and Procedure.
- As far as reasonably practicable ensure that adults remain present with children and young people, as determined by the organiser in relation to specific events.
- Report any unacceptable behaviour, and report all allegations or suspicions of emotional and physical abuse, and bullying (in accordance with the guidance notes for staff responding to child protection concerns).

All University staff **must not** in the course of their duties:

- Have any physical contact with children or young persons unless essential to avoid immediate danger.
- Make inappropriate verbal comments, or discuss inappropriate topics.
- Display prejudicial behaviour towards a child, young person or vulnerable adult on the basis of gender, ethnicity, sexuality or disability.

Guidance for Staff

Descriptions of Significant Harm, Abuse and Neglect (Equality Act 2010)

1. Significant Harm

The Children's Act 1989/2004 defines this as the threshold that will justify compulsory intervention in family life in the best interests of the child. There should be reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Consideration is given to the severity of the ill-treatment and may include the degree and extent of premeditation, degree or threat of coercion, child sex abuse and sadism. Sometimes a single traumatic event can cause significant harm, e.g. violent assault. More often it is long standing and can change or interrupt a child's development – physically or mentally.

This definition will be used by the Designated Safeguarding Officers when considering matters with all vulnerable groups.

2. What is Abuse and Neglect?

Maltreatment by inflicting harm or failing to prevent harm.

3. Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning, scalding or other physical harm, including female genital mutilation. In the context of vulnerable adults it also includes the misuse of restraint or use of inappropriate sanctions.

4. Emotional/Psychological Abuse

With children emotional abuse is the persistent emotional ill-treatment of a child which causes severe and persistent adverse effects on the child's emotional development. This may involve telling a child they are worthless or unloved, or inadequate. It may involve inappropriate expectations being placed on a child as well as over-protection and limitation of learning or participating in normal social interaction.

In the context of vulnerable adults psychological abuse includes emotional abuse, threats, deprivation of contact, humiliation, intimidation, coercion, verbal abuse, isolation or withdrawal from services.

5. Sexual Abuse

In the context of children sexual abuse involves forcing or enticing a child or young person to take part in sexual activity whether or not the child is aware of what is happening. It may involve physical contact, e.g. rape or oral sex, or non-contact activities such as watching sexual activity, or encouraging children to

behave in sexually inappropriate ways, e.g. in the production of pornographic materials.

6. Child Sexual Exploitation

Child Sexual Exploitation (CSE) is a type of sexual abuse in which children are sexually exploited for money, power or status. Children or young people may be tricked into believing they are in a loving, consensual relationship. They may be given gifts (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) for performing, and/or others performing on them.

Child Sexual Exploitation can also occur through the use of technology without the child's immediate recognition; e.g. being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain.

7. Neglect

For a child this is persistent failure to meet a child's basic physical or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve not providing adequate food, shelter, clothing or failing to protect a child from physical or emotional harm or danger.

In the context of vulnerable adults this includes ignoring medical or physical needs, withholding medication or food, or failure to provide access to appropriate health, social or educational needs.

8. Extremism

Extremism is defined as vocal or active opposition to the fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Young people and adults from all walks of life may be subjected to extremist recruiters via the internet or in person.

9. Financial or Material Abuse

For adults this includes exploitation and pressure in connection with wills, property or financial transactions.

10. Bullying and Harassment

Can pose a threat to individuals well-being and can lead to self-harm or suicide.

11. Forced Marriage

Where one or both parties do not consent to the marriage.

Checklist of Issues for Staff Planning Activities with Children and Young Persons.

This checklist is designed to assist risk management assessment by members of staff planning activities with children and young persons (anyone under the age of 18) which are led by the University. It is not an exhaustive list, and plans and activities should be discussed in advance.

Supervision and Ratios of Adult/Child Supervision

Levels of supervision need to take into account:

- The age of the children taking part
- The overall scale of the activity
- Who is acting *in loco parentis*? (if children are attending in organised groups this usually means an external body holds the *in loco parentis* duty.
- The nature of, and specific risks attached to the activity being undertaken
- Recommended ratios of adult/child supervision.

Movement of Children and Young Persons

If the activity involves the movement of groups or individuals around campus, or to other locations, how will this be dealt with safely to protect them from inappropriate contact or potential harm?

Isolated Locations

Does the activity need to be an isolated venue? If so, what protocols will you put in place to prevent unauthorised access and provide security? How will you ensure that appropriate support staff are identified?

Dealing with Major Incidents

In the event of a major incident (e.g. fire evacuation, major failure of security systems, unauthorised access to site) you will need to have a plan to deal with this and continue to provide the same level of protection and safeguarding to the children. This might include calling on extra staff, requesting support from Security, or other measures. This plan should be shared with the person organising the event.

First Aid

Children should be given first aid treatment in the presence of a person who has been DBS checked or is a relative of the child (see Appendix 5 First Aid Treatment for Children). All organised visits by school children are only carried out with sufficient DBS checked adults in attendance. In those cases where a parent or a

relative brings a child onto campus then they should be in attendance during any treatment.

This does not preclude an individual deciding to treat a child where there is an obvious and overriding necessity to do so, and in these cases, the first aider will need to weigh their own concerns against any overriding desire to assist someone in medical distress. In all cases University staff should act in the best interests of the child and will be supported in doing so by the University. One way of dealing with this would be to ask another adult to be with you while an ambulance is called.

DBS Checks

Members of staff will not be permitted to carry out any planned duties which involves working with children or young persons until a satisfactory enhanced DBS disclosure has been received.

When it is identified that a member of staff may be expected to work from time to time with children and young persons, the Dean/Director, or nominee, will discuss this development with the member of staff, including the legal requirement for an enhanced DBS disclosure to be undertaken.

Members of staff with a Tier 2 visa will need to provide a Criminal Record Certificate/Certificate of Good Conduct from any country they have lived in for 12 months or more in the past 10 years to compliment the DBS Certificate.

Members of staff will be entitled to have a confidential discussion with the Deputy Director of Human Resources (being the designated countersignatory as well as offering HR advice to them). The member of staff will have the usual right of representation at this discussion.

SAFEGUARDING CONCERN FORM

Confidential record of concern and action taken.

Name of staff member or student reporting the incident, concern, disclosure or allegation	
Location	
Date and time concern disclosed to you	
Date and time concern recorded	

Name of child, young person, vulnerable adult	
Address of child, young person, vulnerable adult	
Any special needs (yes/no) If yes, please describe	
Name of the person who reported concern to you (if different to above)	

Factual description of concern, disclosure or allegation.

Be clear about the concern. Do not make assumptions or ask questions, just listen and record exactly what is said. You should note presentation, e.g. any visible signs of abuse, i.e. bruises or other injuries.

Signed DSO

Date Referred

Time referred

Safeguarding Contacts

Lead Designated Safeguarding Officer (Strategic)	Director of Legal Services and University Secretary Telephone: 01642 384251
Safeguarding Officer (Outreach activity)	Recruitment and Outreach Manager, Department for External Relations Telephone: 01642 384272
Safeguarding Officer (Student Recruitment)	Recruitment and Admissions Manager, Department for External Relations Telephone: 01642 384063
Safeguarding Officer (Outreach activity)	Recruitment Co-ordinator, Department for External Relations Telephone: 01642 738331
Safeguarding Officer (Student Services)	Deputy Director of Student Services Telephone: 01642 388303
Safeguarding Officer (Human Resources)	Deputy Director of Human Resources Telephone: 01642 342200
Safeguarding Officer (Academic)	School Managers For details please contact the relevant School

Lead Designated Safeguarding Officer (Strategic)

This role is held by the Director of Legal Services and University Secretary and will be accountable for the safeguarding practices within the University by:

- Ensuring that safeguarding is afforded the utmost priority at senior level through the link to the Board and UET.
- Ensure a structure is in place to fulfil safeguarding responsibilities.
- Ensure procedures are in place or managing safeguarding allegations, whistleblowing and safe recruitment practices.
- Ensure appropriate records relating to safeguarding are stored and shared appropriately.
- Ensure that monitoring and review systems are in place to incorporate new guidance in line with external requirements and legislative changes.
- Develop University wide procedures, practice and guidance for safeguarding in line with best practice and legislative requirements.
- Ensure sufficient funding is available to support safeguarding activities.

Designated Safeguarding Officers

- Act as a source of support, advice and expertise when staff or students have a concern about possible risk or harm.
- Refer cases of suspected abuse or allegations to the Lead Designated Safeguarding Officer.
- To liaise with the Lead Designated Safeguarding Officer regarding on-going investigations.
- To liaise with external agencies in the absence of the Lead Designated Safeguarding Officer.
- To support staff training and awareness raising.
- To keep detailed, accurate records of any safeguarding matters and to store them securely.

SAFEGUARDING RECORD FORM**(Designated Safeguarding Officer)**

Once completed this form should be immediately given to the Lead Safeguarding Officer (University Secretary) who will arrange for it to be actioned and stored confidentially and securely. **You must not keep a copy of this form.**

Details of the Incident

Date and time of incident	
Where the incident occurred	
Briefly describe the circumstances of the incident (including the names of any parties involved)	

Details of the child, young person or vulnerable adult

Full name of child, young person or vulnerable adult	
Name of parent or guardian and contact number	
Address of child, young person or vulnerable adult	
Home telephone number	

Mobile telephone number	
Sex (please circle)	Male Female
Date of birth	
Nature of injury/abuse	
Any comments made/or explanation Given for injury/abuse by abused party	
Names and contact details of any witnesses	
Initial action taken	

Details of DSO completing the Report

Name and contact details	
Signature	
Date	

Guidance on the Safety of Children on Campus

This guidance is valid for all locations and activities under the control of the University which involve children.

The University has identified the following categories of children who may be on University property or take part in an activity arranged by the University:

- Children on educational/Open Day visits to the campus
- Children of staff who are not at work, e.g. member of staff is on holiday/maternity leave etc.
- Children of students who are not attending a timetabled part of their course, such as a lecture, lab class, tutorial etc.

Children not in the above categories are not allowed on campus unless the University gives special dispensation resulting from circumstances such as severe weather conditions.

For all categories of children permitted on the campus the following guidance applies for both children who have not reached the minimum school leaving age (MSLA) and young persons, i.e. anyone under 18 years of age.

All activities involving children and young persons under the control of the University must be carried out in accordance with the University's Safeguarding Children and Working with Vulnerable Adults Policy and procedure to ensure that all child protection issues are addressed.

Health and safety legislation places restrictions on the work that can be carried out by children/young persons, particularly in the use of machinery, exposure levels for chemicals and work involving radiation.

Prior to activities being carried out by the children/young persons, a Risk Assessment must be carried out to determine whether the activity that the child/young person is to do:

- Is beyond their physical or psychological capacity
- Involves harmful exposure to substances that are toxic, can cause cancer, can damage or harm an unborn child, or can affect human health in any other way.
- Involves harmful exposure to radiation.
- Has a risk to health from extreme cold, heat, noise or vibration.
- Involves a risk of accident that cannot reasonably be recognised or avoided by children/young persons due to their insufficient attention to safety or lack of experience or training.

A child must never carry out any activities involving these risks.

A young person who is not a child, can carry out an activity involving these risks if;

- The activity is necessary for training
- The activity is properly supervised by a competent person
- The risks are reduced to the lowest level.

The Risk Assessment must also include details of the first aid provision that will be in place for the treatment of children to comply with the University's First Aid Policy.

To meet the above requirement, any Risk Assessment produced for activities carried out by staff or students must be reviewed to ensure that it is still appropriate when an activity is carried out by a child or young person. Consideration needs to be given to whether an activity that does not require a written Risk Assessment for staff/students requires one when it is carried out by a child or young person.

Further information on the safety of children may be obtained from the Health and Safety Executive (HSE) website or the University's Health and Safety Centre, Ext. 2213.

First Aid Policy

Additional Section on First Aid Treatment of Children

3. First Aid Provision for Children

In order to ensure compliance with the University's Safeguarding Children and Working with Vulnerable Adults Policy and Procedure, first aid treatment to children will be administered by either:

- A first aider who has been subject to a DBS check, or
- A first aider in the presence of the child's parent, teacher or member of University staff who has been DBS checked.

