

POLICY

University Policy for Safeguarding Children and Vulnerable Adults

Contact Officer

*Director of Personnel - for Policy issues relating to staff
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Purpose

This policy outlines the key principles that the University holds in the context of safeguarding children and vulnerable adults. The definitions of both the terms 'children' and 'vulnerable adults' are defined within the policy.

Overview

1. Safeguarding is defined by the Children Act 1989 (updated 2004) and Joint Chief Inspector's Report on Arrangements to Safeguard Children (2002) as meaning that:

 'Agencies working with children and young people take all reasonable measures to ensure that the risks of harm to the individual's welfare are minimised; and

 Where there are concerns about children and young people's welfare, all agencies take all appropriate actions to address those concerns, working to agreed local policies and procedures, working in partnership with other local agencies'.¹
2. Safeguarding practices are most commonly applied to children and young people under the age of eighteen. Throughout various pieces of legislation and guidance, the two terms are sometimes differentiated, where 'children' refers to those under the age of eighteen who are still in full-time education, and 'young people' refers to those under the age of eighteen who have left full-time education. For the purposes of clarity, throughout this policy and related procedures the University uses the term 'child' or 'children' to denote anyone under the age of eighteen.
3. The University has specific guidance in relation to the admission of students under the age of 18, which can be found in the Admissions Policy² (Section 11). In summary, this

¹ [Every Child Matters](#), DfES (November 2004)

states that the University has a duty of care to protect such students and consent will therefore be sought from a parent or legal guardian prior to entry.

4. Whilst schools and Further Education colleges have a statutory duty to safeguard and protect children in their care, Higher Education institutions are not specifically named in their duty to safeguard and protect. However, we have a common law duty to take such steps to ensure that reasonable foreseeable harm does not occur by way of omissions or careless acts by the University. This is contextualised by the Safeguarding Vulnerable Groups Act 2006³ and the Protection of Freedoms Act 2012.⁴
5. These key legislation structures extend similar standards of protection to adults in vulnerable situations. The Protection of Freedoms Act 2012 redefined the definitions of 'vulnerable adults' from that detailed in the Safeguarding Vulnerable Groups Act 2006, amending it to reflect activities which, if **any adult** requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities undertaken by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.
6. Therefore, typically such adults are defined as being of age eighteen or over with either a permanent or temporary dependency upon others, or a requirement for assistance in, the performance of basic functions; a severe impairment in the ability to communicate with others or a reduced ability to protect themselves from assault, abuse or neglect. This Policy uses the term 'vulnerable adult' as shorthand for this broader definition to aid identification of potential safeguarding issues.
7. This policy is also predicated upon the University's strategic value of encouraging social responsibility, whereby all members of the organisation, be they students or staff, are expected to protect the interests of the wider community.
8. The policy provides a University position upon which specific, detailed procedures (and/or policy) may be added by departments depending on the localised need. Such needs typically include external professional body requirements (such as Ofsted or the Nursing and Midwifery Council) but will also include specific procedures with regard to, for example, accommodation of children on campus or security arrangements at a variety of University locations.
9. This policy should be read in conjunction with the University's policies on Admissions (specifically the policy statement on the recruitment of ex-offenders) and Disclosure and Whistleblowing. By its nature, however, nearly all aspects of University policy and procedure, at whatever level, will potentially contain aspects related to safeguarding in the wider sense.
10. This policy is designed to mitigate the following risks:
 - Protection: of the vulnerable, be they adults or children
 - Legal: ensuring that the University complies with legislation related to Safeguarding,

² [UW Admissions Policy](#)

³ [Safeguarding Vulnerable Groups Act 2006](#)

⁴ [Protection of Freedoms Act 2012](#)

in particular the Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012.

- Reputation: that students and staff do not allow the reputation of the University to be damaged through their own inappropriate action or their response to inappropriateness by others (either staff, students or the public)
- Undue Burden/Accessibility: for staff or students in managing risk and operating procedures.

Scope

This policy applies to all members of the University, including students and staff. The policy also applies to members of the public visiting any of University premises for work or pleasure.

The Policy

11. The University is committed to providing a safe and secure environment for all students, staff and individual visitors who access its facilities and services.
12. The University recognises that it has a duty to help staff and students recognise their responsibilities, mitigate risk and act appropriately in situations where abuse or neglect might occur, be they on University premises or when working or studying at other sites.
13. The University also embraces the value of social responsibility and actively encourages all staff and students to help mitigate the risk of accident or injury and to manage appropriately any situations that they encounter which carry the risk of harm to anyone, including both children and adults.
14. People attending the University, for example when carrying out contractual work, are expected to comply with the principles laid out in this Policy. However, where specific contacts are denoted in the text, contractors should report any safeguarding issues to their contact at the University in the first instance, typically a member of the Facilities or Information Learning Services team.
15. The University will refer concerns that a child might be at risk of significant harm to Worcestershire Children and Young People's Services⁵ and/or the Police.
16. Concerns that vulnerable adults might be at risk will normally be referred to Worcestershire Safeguarding Adults Board⁶. In cases where domestic and/or sexual abuse is disclosed, referral will be made to appropriate support agencies or the Police (with consent) or to the Multi-Agency Risk Assessment Conference (MARAC) (with or without consent). Paragraphs 59-65 below provide further detail.
17. All personal data will be processed by the University in accordance with the requirements of the Data Protection Act 1998.

⁵ [Worcestershire Children and Young People's Services](#)

⁶ [Worcestershire Safeguarding Adults Board](#)

Disclosure and Barring (Criminal Records Bureau) checks

18. The University complies with all aspects of the Safeguarding Vulnerable Groups Act 2006 and the subsequent Protection of Freedoms Act 2012. In this regard, any member of staff who will have regular unsupervised contact with groups protected by these Acts (typically children or adults requiring healthcare, social care or other basic support) is required to obtain clearance (a DBS check) from the Disclosure and Barring Service prior to employment. With regard to some areas of employment (eg. the University Nursery), staff involved in unsupervised contact with children will also be required to obtain a Barred List check. Where applicable, these requirements are stated in advertisements.
19. In appropriate cases and in accordance with the law, the University will report to the appropriate authorities any concerns it has that a University member (or former University member) of staff, or a student (or former student) ought to be included in any list of people who should be restricted from working with children.

Staff

20. The University has a detailed and specific recruitment and selection policy and associated guidance that aims to ensure that:
 - people of the appropriate calibre are attracted, recruited and selected to meet the requirements;
 - all applicants whether appointed or not, receive accurate and timely information concerning the University and the relevant vacancy;
 - all applicants are treated fairly during the recruitment process, and that only those factors related to the job to be filled will be used to make selection decisions; the University will take no account of gender, marital status, carer commitment, sexual orientation, disability, ethnic or national origins, colour, race, religious or political belief, nationality, age, or socio-economic background;
 - staff making selection decisions receive up to date information and training in recruitment principles, and are aware of the current legal framework for ensuring diversity and equality;
 - the recruitment and selection decisions are monitored, reviewed and reported annually.

Students

21. Where students are entering into regular unsupervised contact with groups protected by these Acts, they will normally be required to obtain a DBS check (and/or Barred List check) prior to registration on the course. Otherwise, this requirement will be necessary prior to their taking up the unsupervised activity. Such requirements will be clearly stated in the University prospectus and on entry profiles.

22. Where students hold a criminal conviction (either spent or unspent) they are advised to check the detail of the University Admissions Policy⁷ (paragraphs 15 and 16 apply).
23. The University recognises that some organisations may require DBS checks (or Barred List checks) for all people coming into contact with protected groups as a matter of policy. In such cases, the member of staff responsible for establishing the contact (typically the Line-Manager or Course Leader) must ensure that Personnel or individual students are aware of this requirement with sufficient time to allow for a check to be carried out. Staff and students are alerted to the fact that this may be the case following intercalation (course deferral).
24. Where, after commencement of employment or study, a person commits a criminal offence that requires reporting to the DBS, this will be done by the Head of Personnel (in the case of staff) or the University Secretary and Pro Vice Chancellor (Students), in the case of students.

Delivery of Safeguarding information

25. The University expects that, where deemed relevant by academic staff or prescribed by professional bodies, students will be taught about safeguarding issues and relevant legislation as part of their academic provision.
26. Staff will be made aware of safeguarding issues through induction and periodic training or briefing sessions, as well as via online media as appropriate. In particular, Heads of Department in areas where safeguarding issues are likely to be particularly prevalent, such as Registry Services, Security, Accommodation and Personnel take responsibility to ensure that relevant staff are kept up to date with legislation and practical advice and guidance as appropriate.

Responding to allegations of abuse or neglect

27. The University produces guidance on identifying abuse and neglect and outlines how best to respond to allegations of the same⁸.
28. The University takes the view that the first point of contact when an allegation of abuse or neglect is made is crucial in ensuring the protection of children and vulnerable adults. If an allegation of abuse or neglect is made to a member of staff, *including when this is about a third party*, the individual making the allegation must be taken to a safe, private place and reassured that the appropriate authorities will be informed. They should not be left unattended from this point. The member of staff receiving the allegation will be responsible for ascertaining the correct authority and notifying the Nominated Safeguarding Officer. No attempt should be made to investigate the allegation by members of staff.

⁷ [University Admissions Policy](#)

⁸ [Guidance On Responding To Allegations Of Abuse And/Or Neglect](#)

29. Should a serious allegation be made to a student on University premises, that student should inform a member of the Security Team in the first instance. If the allegation is made outside of University premises, the student should normally inform a member of staff or the Students' Union. Should the allegation be made on a designated work placement, the employer's policy or process should normally be followed. However, in such cases, students are advised to notify their Course Leader or Module Tutor as soon as possible.

Avoiding Allegations of Abuse or Neglect

30. The University is committed to responding swiftly and appropriately to any allegations of abuse or neglect in accordance with law and/or via University policy or regulations pertaining to staff or students.
31. The University recommends that all University members, both staff and students, take steps to ensure that they do not *accidentally* put themselves in a position where an allegation of abuse or neglect can be made against them. Guidance on how to avoid allegations of abuse or neglect⁹ in the context of working with children and vulnerable adults are made available via the University website. Similarly, the section on Lone Working in this Policy, and associated guidance, is designed not only to ensure safety but also to protect staff and students against unwarranted allegations.
32. The University regards allegations that are found to be clearly vexatious or frivolous as a serious disciplinary and potentially criminal matter.

Lone Working

33. Lone working is the term used to describe situations whereby staff and/or students work with a client (potentially another staff member or student, but also a member of the public) in a one-on-one situation. The University recognises that such working is an important and necessary aspect of many roles, including (but not limited to) academic staff, researchers, Community Development Workers and students following professional awards, such as Midwifery or Social Work.
34. Generally, staff are encouraged to consider the Guidance on Lone Working¹⁰ produced by the Health and Safety Executive and also further guidance provided by Student Services¹¹. This Guidance places emphasis on safety in the workplace. Students are also advised to utilise this Guidance although it is expected that, where Lone Working is an integral aspect of provision (such as for many students following Health-related or Education awards), additional support and guidance will be offered by Course Teams. Such support and guidance will correspond with the policy as outlined below.
35. In the case of students on placement, prior to the student commencing work there should be written confirmation that the employer's policies, procedures and guidance

⁹ [Guidance on Avoiding Allegations of Abuse](#)

¹⁰ [HSE Guidance on Lone Working](#)

¹¹ [UW Guidance on Lone Working](#)

apply to students. In the case of doubt, such policy, procedure and guidance must be drawn up in conjunction with the employer and the student and, where one exists, to a specification equivalent to that of the associated professional body. As above, where any allegation of a breach of the policy is made, the Nominated Safeguarding Officer must be notified and kept informed of any subsequent investigation.

36. Where Lone Working is to take place between staff or students and those falling under the Safeguarding definitions (ie. children or vulnerable adults) then detailed procedures must be drawn up, established (through induction or academic sessions, for instance) and followed. In broad terms, these procedures must include:
- Confirmation of the need for Lone Working
 - Identification of the risks posed
 - Measures to ensure the safety of the 'client' and of the member of staff/student
 - Process to be followed in the case of allegations of abuse, neglect or neglect of duty, including but not limited to, potential suspension of duty, reporting and recording mechanisms (both internally and to an outside agency, as appropriate) and the specific personnel responsible for carrying out investigations into allegations. In the latter such cases, the Nominated Safeguarding Officer must be notified of the allegation and kept informed of the progress of the investigation.

Public Interest Disclosure/Whistleblowing

37. The University has a specific policy on Disclosure and Whistleblowing¹², which outlines the principles and practice expected of staff and students.
38. Should students include, in their assessment items (including presentations) examples of practice on placement that require reporting, staff must follow the Disclosure and Whistleblowing Policy. Where such examples are deemed to be 'poor practice' (as opposed to abusive or neglectful practice as outlined in legislation) it is expected that staff will follow up these concerns with the student concerned in the first instance, and with the practice provided as appropriate.

Children on University premises or in the care of staff or students

39. The University recognises that there are a number of occasions on which children might be present on the campus, on University premises or in the temporary care of University staff and/or students. These will include, but are not limited to, the following:
- Organised visits, summer schools and other outreach activity on University premises;
 - Outreach activities undertaken in schools and other venues away from University premises;
 - Staying in University-managed halls of residence either overnight or for extended periods;

¹² [University Policy on Disclosure and Whistleblowing](#) (update in progress)

- Attending University premises for sporting or other recreational or social purposes;
 - Attending school holiday clubs;
 - Attending the University Library (the Hive)
 - Being the subject of research by University staff or students;
 - Under 18s registered as students of the University;
 - Under 18s employed by the University;
 - Under 18s carrying out work experience at the University;
 - Attending the University Nursery;
 - Accompanying their parent in an incidental manner (eg to submit assignments or visit colleagues whilst on parental leave);
 - Accompanying their parent/guardian to seek advice or attend an appointment at the University/SU, as appropriate.
40. In such cases, those responsible for organising or managing such occasions must first carry out a risk assessment¹³ related both to Health and Safety and to Safeguarding prior to commencement. This risk assessment should clearly articulate the likelihood and impact of risk and how they are to be mitigated.
41. Children may only be brought onto University premises under the close and continuous supervision of their parent or guardian. Supervision is the sole responsibility of the parent or guardian and cannot be delegated to another person except in the cases of formal provision e.g. the University Nursery.
42. Staff at work or students at seminars/lectures are not normally deemed to be in a position to exercise close and continuous supervision in this context. Staff or students who wish to bring children with them onto University premises when they are either at work or attending lectures should obtain the permission of their line manager or tutor prior to arriving on the University campus.
43. Children are not permitted in Laboratories, Workshops, Kitchens or other hazardous areas. They should also not enter quiet study areas of the Library unless accompanied.
44. As per JANET regulations, children are not permitted to use computers logged onto the University intranet, unless prior arrangement has been made with ILS.
45. Children are not permitted to be accommodated overnight in Halls of Residence except as part of an organised/special event.

Consensual Sexual Relations

46. The University has a Policy on Consensual Sexual Relationships in the workplace. This section therefore provides only an outline. The full Policy¹⁴ can be found on the Personnel webpage.
47. Staff and students should be aware that it is a criminal offense under the Sexual

¹³ See [University Procedure for Children on University Premises](#), including draft risk assessment

¹⁴ [Policy on relationships involving staff, students and close personal or business associates](#) (currently under revision)

Offences Act 2003¹⁵ to engage in sexual activity with a person under the age of 18, *even where the person is of the legal age of consent*, where the adult is in a position of trust in relation to the under 18 year old.

48. In order to avoid allegations of favouritism and, in the case of relationship breakdown, help to avoid undue and ongoing difficulties, staff who engage in a sexual relationship with a person in a position of trust (eg. a student or a subordinate employee) are required to inform their Line Manager or the Head of Institute/Department.
49. In the case of academic staff engaging in a personal relationship with a student, such staff must immediately disclose this to their Line Manager who will consult with the member of staff and the student separately to ensure appropriate steps are taken for the student's work to be assessed fairly and objectively, and to ensure that the member of staff is not solely in a position to take decisions affecting the student, e.g. the allocation of scholarships or loans; the awarding of facilities or benefits of any kind.
50. In the case of staff forming a sexual relationship with a subordinate, such staff must immediately disclose this to Personnel, whereby an appropriate plan will be drawn up to mitigate against potential conflicts of interest.
51. In either case (and also in the case of staff entering a relationship with a client or business associate) failure to disclose the relationship may result in disciplinary action.

Illness, incapacity and disability

52. The University expects staff and students to be aware of the welfare of all members of the University and to report (or disclose, if appropriate) significant illness or incapacity to the appropriate body. Such incapacity includes that caused through food intolerance or allergy, intoxication via consumption of alcohol and/or any other mind-altering substances. In the case of students reporting should be to University Security; in the case of staff to Personnel.
53. The University complies with appropriate legislation relating to the sale of tobacco-based products or alcohol to those under 16 and 18 years of age respectively. Staff in the Students' Union Shop are trained accordingly.
54. The University encourages students and staff with disabilities or chronic illness to disclose this either at the point of registration/appointment to Registry Services and/or their Course Leader (for students) or Personnel and/or their Line Manager (for staff). Such disclosure enables appropriate arrangements to be put in place to ensure the safety and wellbeing of all members of the University.
55. Similarly, in the case of children or vulnerable adults visiting University premises, either for educational or other reasons, the guardians of those visitors should disclose to their University contact any specific medical requirements, including allergies and intolerances. Whilst the University will endeavour to ensure the safety of all visitors, the guardian retains responsibility for ensuring that safeguards are in place with regard

¹⁵ [Sexual Offences Act 2003](#)

to emergencies relating to such requirements. (For example, disclosing beforehand that a child suffers with Type 1 diabetes and ensuring that a responsible party carries insulin and glucose and is aware of the specific needs of the child.)

Abuse of staff/students

56. Staff and students should be protected from abuse, whether that be physical or verbal. The Student Code of Conduct, the Harassment and Bullying Policy, Dignity at Work and Study Policy and other staff disciplinary procedures cover events where such abuse is directed at staff and/or students by other members of the University.
57. Should staff or students receive abuse from members of the public, such matters should be reported to University Security in the first instance.
58. Students on placement who suffer abuse from their employer are advised to contact their Module Tutor or Course Leader in the first instance. If the abuse comes from a client, the employer should be the first point of contact although students are advised also to notify the Module Tutor/Course Leader.

Domestic abuse

59. Domestic abuse is defined by the Home Office (2013) as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- *psychological*
- *physical*
- *sexual*
- *financial*
- *emotional.”*

60. Statistics show that 1 in 4 women and 1 in 6 men will experience at least one incident of domestic abuse at some point in their lifetime with the majority of those experiencing regular and sustained violence and abuse.
61. The University of Worcester recognises therefore that domestic abuse is a widespread problem that cannot be ignored and that staff and/or students may experience abusive relationships in their personal lives that may have an impact on their work and study.
62. The University is committed to:
 - providing a safe and supportive environment in which staff and students can disclose domestic abuse and in which they will receive a positive response;

- providing training for appropriate staff on the issue of domestic abuse, dealing with disclosure and making referrals to internal and external support agencies/organisations as appropriate in accordance with this Policy;
 - Treating the safety of the person experiencing the abuse as high priority, taking steps to minimise risk and maximise safety.
63. The University will treat as confidential all records concerning reports of domestic abuse where possible. Informed consent will be sought before making any referrals to any agency/organisation or before sharing any information. However, confidentiality may be breached and information shared without consent where there is concern that children or vulnerable adults are at risk.
64. The University is aware that people who experience domestic abuse may have performance problems at work and study. When addressing performance issues the University will make reasonable efforts to consider all aspects of their situation.
65. Sympathetic consideration will be given to requests by staff and students for time off to deal with emergencies such as seeking protection, going to court, looking for new housing, attending counselling and arranging child care. In certain cases, staff are also able to apply for an advance on salary in order to assist with additional costs associated with emergency, such as the immediate need to move house. Students seeking assistance with issues associated with domestic violence should speak to Student Services or the Students' Union.

Implementation

66. The University through Nominated Safeguarding Officers will ensure that all members of the University members are fully briefed and/or trained (as appropriate) on the implications of this policy. University members are expected to observe the accompanying guidance referenced throughout this document.
67. All incidents of alleged misconduct concerning children and/or adults will be taken seriously by the University and responded to swiftly and appropriately in accordance with this policy.
68. The University has established a Safeguarding subcommittee of the Health, Safety and Wellbeing Committee which is responsible for:
- a. providing a formal route through the University for the consideration and approval of policy, procedure and guidance related to safeguarding children and adults;
 - b. providing a means by which interested parties can discuss, share and promote good practice related to safeguarding.
69. The subcommittee aims to recognise and promote the importance of safeguarding vulnerable adults and the distinctions with regard the safeguarding of children. This role not only includes dissemination of information and advice across the University but

also involves the development and sustainment of communications with local organisations in order to offer, receive and disseminate advice and guidance related to safeguarding. Similarly, the subcommittee will endeavour to use local media channels in order to promote the University position.

70. In particular, the subcommittee is established:

- a. to monitor and keep under review the University's policy and procedures for safeguarding
- b. to maintain an overview of the legislative context for safeguarding
- c. to advise the HSWB on matters pertaining to the Child Protection Policy and the H&S Policy
- d. to monitor and record the University's activity pertaining to the Disclosure and Barring Service (Criminal Records Bureau and Barred List checks)
- e. to report annually to the HSWB on cases investigated by the University in relation to the Safeguarding Policy and the outcomes which specify the action taken or the reason/s why no action was taken.
- f. Contribute to the implementation of the UW Strategic plan (2013-18) as appropriate.
- g. To promote a culture of equality and anti-discriminatory provision in terms of group membership and communication with other agencies.

Date Policy Approved	<i>26/6/2013</i>
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Date of Commencement	<i>26/6/2013</i>
Amendment Dates	
Date for Next Review	<i>26/6/2016</i>
Related Policies, Procedures, Guidance, Forms or Templates	<i>Disclosure and Whistleblowing Policy Admissions Policy Policy for the Recruitment of Staff with Criminal Records Policy for Managing Personal Relationships Between Staff, Students and University Associates Procedure for Children on University Premises Procedure for Managing DBS Checks (staff) Guidance on Lone Working Guidance on Responding to Allegations of Abuse/Neglect Guidance on Avoiding Allegations of Abuse</i>
Policies (or equivalent) Superseded by this Policy	<i>Safeguarding Children Policy</i>