

## FINAL Policy for Safeguarding Children and Vulnerable Adults

From: Helen Rowland, Associate Director, Student and Education Services

Date: March 2023

<p><b>Principal Safeguarding Officer:</b> Helen Rowland, Associate Director (Student Support)</p>	<p><b>via the Student Hub for immediate escalation through the Student Wellbeing team</b> 02380 599 599, <a href="mailto:studenthub@soton.ac.uk">studenthub@soton.ac.uk</a></p> <p><b>or directly to the PSO:</b> <a href="mailto:H.I.Rowland@soton.ac.uk">H.I.Rowland@soton.ac.uk</a> or via Teams 07393 781344 or 023 8059 8017</p> <p><b>or out of core business hours:</b> 02380 599 599</p>
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### Summary

#### What is this Policy about?

This Policy outlines how the University seeks to deliver its social, ethical and legal responsibilities to protect and safeguard children and vulnerable adults to the highest possible standards.

#### Who is this Policy for?

All staff who work with children and vulnerable adults on the University's premises or who engage in activities controlled by the University.

#### Who can you contact if you have any queries about this Policy?

Further information, guidance and interpretation of this Policy should be sought from the Principal Safeguarding Officer – contacts above.

#### Where can I find further information?

Further information and guidance on safeguarding can be found on the [Raising Concerns and Safeguarding](#) SharePoint site

## LEGISLATION

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- Children Act 1989 - <http://www.legislation.gov.uk/ukpga/1989/41>
  - Children Act 2004 - <http://www.legislation.gov.uk/ukpga/2004/31/contents>
  - Working Together – <https://www.safeguardingschools.co.uk/working-together-to-safeguard-children-2015/>
  - Safeguarding and Vulnerable Groups Act 2006  
<http://www.legislation.gov.uk/ukpga/2006/47/schedule/4>
  - Protection of Freedoms Act 2012 (amending the above)  
<http://www.legislation.gov.uk/ukpga/2012/9/part/5/enacted>
  - Rehabilitation of Offenders Act 1974 Sexual Offences Act 2003 -  
<http://www.legislation.gov.uk/ukpga/2003/42/contents>
  - UN Convention (Rights of a Child), ratified by UK legislation, recognises those under 18 as children.  
[1] <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx> Counter-Terrorism and Security Act 2015
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## UNIVERSITY POLICY

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### 1. Introduction

The University is committed to providing a safe and secure environment for children and vulnerable adults. This Policy outlines how the University seeks to deliver its social, ethical and legal responsibilities to protect and safeguard children and vulnerable adults to the highest possible standards.

### 2. The University's responsibilities

- 2.1 The University has specific legal responsibilities to ensure that children and vulnerable adults are safeguarded against the risk of harm and abuse as set out in the Safeguarding Vulnerable Groups Act 2006.
- 2.2 The University recognises that abuse or harm or the risk of abuse or harm to a child or vulnerable adult may take many different forms and that individuals may have different perceptions of what constitutes harm or abuse. Further guidance on the forms that harm or abuse might take can be found on the University's [Raising Concerns and Safeguarding](#) site.
- 2.3 It is not the responsibility of the University to investigate harm or abuse. However, it has a duty of care to act if there is cause for concern, to protect the welfare of children and vulnerable adults, and to notify the appropriate agencies about any concerns so that they can investigate.
- 2.4 The lead member of staff within the University with responsibility for safeguarding children and vulnerable adults is the Principal Safeguarding Officer.
- 2.5 The University will keep this Policy under review to ensure that children and vulnerable adults are safeguarded and that this Policy complies with developments in legislation, regulations and good practice.

### 3. The purpose of this policy

- 3.1 This Policy sets out the University's arrangements for securing the safety and wellbeing of children and vulnerable adults who are on the University's premises or who engage in services or activities controlled by the University. It sets out the steps that the University will take to ensure that concerns about a child's or vulnerable adult's wellbeing or risk of harm or abuse to them arising from services or activities connected with the University can be addressed quickly and appropriately.
- 3.2 Some faculties and departments within the University operate their own specific procedures for securing the safety and wellbeing of children and vulnerable adults in accordance with guidance from relevant professional or sponsoring bodies. Faculties and departments are required to ensure that their own specific procedures comply with the requirements of this overarching University Policy.

3.3 All staff must be aware of this Policy and must abide by its requirements. Non-compliance with this policy will be dealt with in accordance with the University's disciplinary procedure. Further information can be found [here](#).

## 4. Definitions

4.1 The University uses the following definitions for the purposes of this Policy:

- **'Child' or 'children'** refers to a person or persons under the age of 18 years.
- **'Vulnerable adult'** refers to a person who is aged over 18 years who is or may be in need of community care services for reasons of mental health or other disability, age or illness, and is or may be unable to take care of themselves or protect themselves against significant harm or exploitation. Exploitation may happen when an adult at risk is persuaded to enter into a situation that they are unable to consent or have not consented to as a result of a learning or physical disability (not normally to include dyslexia); a physical or mental illness chronic or otherwise (including an addiction to alcohol or drugs); or a reduction in physical or mental capacity.
- **'Safeguarding'** refers to the arrangements made to ensure that all reasonable measures are taken to prevent harm to children and/ or vulnerable adults.
- **'Regulated activities'** are the activities that the Disclosure and Barring Service can bar people from doing. These are activities that, generally speaking, may place someone in a vulnerable position, for example, through a relationship of trust or dependency. Details of what constitutes regulated activity can be found on the [government webpages](#).
- **'Abuse'**: the University regards harm or abuse as including any physical, sexual or emotional abuse or neglect, bullying, harassment or intimidation.

## 5. Recruitment and Employment of Staff

### Declaration of Offences

- 5.1 It is illegal for an organisation to knowingly allow a person barred by the DBS to work in regulated activity. The University will therefore:
- i) Require the applicant to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned) if the job into which the University is seeking to recruit is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
  - ii) Once selected, the University will seek the applicant's agreement to make a joint application to the Disclosure and Barring Service (DBS) for a standard, enhanced or enhanced with DBS barred lists check (as appropriate). Where the individual is member of the DBS update service, the University will, with the candidate's permission, carry out a status check on any current certificate. If the person appointed is from overseas or has lived overseas for a significant period of time, then checks will be sought from the countries concerned. If such checks are not available from the countries concerned, then the person appointed will be required to make a declaration concerning their previous life history.
  - iii) Require existing employees to disclose all convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned) if the job into which the University is seeking to recruit is one of the excluded jobs listed in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
  - iv) Where appropriate, the University may exercise its right to repeat DBS checks at appropriate intervals during employment. The University recognises the need to take a proportionate approach to personal and DBS disclosures and will treat all such information in the strictest confidence. The University will not discriminate unfairly on the basis of such information.

### Consideration of Offences

- 5.2 The University will consider ex-offenders for employment on individual merit. Our approach towards employing ex-offenders differs, however, depending on whether the job is or is not exempt from the provisions of the Rehabilitation of Offenders Act 1974

- 5.3 If a subsequent DBS check shows a conviction or caution or contains other information in relation to a potential employee, then the hiring manager shall liaise with the HR Recruitment Team. Alternatively, if a subsequent DBS check shows a conviction or caution or contains other information in relation to an existing employee then the line manager shall liaise with AskHR.
- 5.4 The hiring manager or line manager, with support from HR, shall form a view on whether such a conviction, or other information as disclosed by the DBS check is sufficiently serious to constitute an impediment to their employment by the University and should be referred for further consideration under the appropriate University policy. In forming this view, they will take account of factors such as the nature of the conviction or information, time elapsed, and whether this indicates a pattern of behaviour that may place children or vulnerable adults at risk. Guidelines for informing this decision can be found on the University's [Raising Concerns and Safeguarding](#) and SharePoint site.
- 5.5 Decisions further to the consideration of offences will be documented by the recruiting manager or line manager in accordance with the University's privacy notice.

### **Reporting to DBS**

- 5.6 If the University dismisses or removes someone from regulated activity (or would have done had they not already left its employment) because they have abused or harmed children or vulnerable adults, then it has a legal responsibility to report the person concerned to the DBS. This responsibility will normally be undertaken by the Principal Safeguarding Officer in consultation with the Human Resources Director of Client Services.

## **6. Responsibilities of Staff, Students and Visitors**

### **Good practice**

- 6.1 The University has guidance on good practice for those who come into contact with children and vulnerable adults as part of their work or studies with the University. The guidance can be found in the University's [Raising Concerns and Safeguarding](#) site.

### **Declaration of investigation, cautions and criminal convictions**

- 6.2 All staff are required to notify their Line Manager if they are the subject of an investigation by the police or other safeguarding agency into an allegation of abuse of a child or vulnerable adult or if they receive a police caution or conviction for a criminal offence. The line manager should also contact AskHR for advice.
- 6.3 Students undertaking a course where declaration of an investigation, caution or criminal conviction is required must notify their Personal Academic Tutor as soon as possible if they become the subject of an investigation by the police or other safeguarding agency into an allegation of abuse of a child or vulnerable adult or if they receive a police caution for a conviction or criminal offence. If a student is in doubt regarding the need to report, they should check with their Personal Academic Tutor.
- 6.4 Visitors to the University who undertake ongoing working with children or vulnerable adults are required to notify their University Host if they are the subject of an investigation by the police or other safeguarding agency into an allegation of abuse of a child or vulnerable adult.

### **Risk Assessments**

- 6.5 Members of staff or visitors with responsibility for activities at the University or run by the University which involve children or vulnerable adults must ensure that they conduct a risk assessment of the activities involved and take appropriate steps to protect the welfare of the children or vulnerable adults involved. Guidance on producing risk assessments is available from the University's [Health and Safety Team](#).
- 6.6 Members of staff or visitors with responsibility for activities at the University or run by the University which involve children or vulnerable adults must confirm with the University's Insurance Services that the University has appropriate insurances in place to indemnify the proposed activity.

### **Sexual relationships**

6.7 It is a criminal offence for any person in a position of trust to engage in sexual activity with someone who is subject to this trust and is under the age of 18 years. Please see the Personal Relationships Policy for guidance on relationships with vulnerable adults over the age of 18.

## 7. Recruitment, studying and employment of students

7.1 The University will require DBS checks to be undertaken for the following groups of students:

- All those offered places on professional programmes requiring placements in regulated positions (including teaching, nursing and social work).
- All those undertaking paid or voluntary work on behalf of the University in a regulated setting.
- Students undertaking research which requires unsupervised access to children or vulnerable adults

7.2 Where such students are from overseas or have lived overseas for a significant period of time, checks will be sought from the countries concerned. Students from countries where no such checks are available will be required to make a declaration concerning their previous life history.

7.3 If a DBS check indicates that an individual is barred from working with children or vulnerable adults then they will not be offered a place on any course requiring placement in a regulated position, allowed to work as a volunteer in such a position, or to undertake research involving children or vulnerable adults. They may be counselled to seek an alternative course if this is appropriate.

7.4 If a DBS check indicates that a student is barred from working with children or vulnerable adults, and that student is already engaged in a programme of study leading to regulated employment, the student's registration on the course will be terminated. They may be counselled to seek an alternative course if this is appropriate.

7.5 Students who are Under 18 when they start their study with the University are subject to the [Under 18s Admissions Policy](#) and this should be followed by all staff admitting someone who has not yet turned 18.

## 8. Reporting suspicions, allegations or actual incidents

8.1 The welfare of a child or vulnerable adult must be paramount. Members of staff have a duty to report suspicions, allegations or actual incidents, regardless of whether the information has been disclosed in confidence to them or if they remain unsure of their suspicions according to the process set out in appendix 4.

8.2 Staff must not attempt to deal with a suspicion, allegation, or actual incident themselves but must report it using the procedure set out below. All suspicions and allegations will be taken seriously and will be responded to swiftly and appropriately.

8.3 As far as possible, the confidentiality of all individuals involved in any allegation, investigation or resulting disciplinary proceedings will be respected by the University. However, there may be circumstances in which it is necessary for the University to share information with parties such as social services, the police, and the parents, guardians or carers of the child or vulnerable adult concerned. Information may also need to be disclosed if there is a public interest imperative. The University cannot therefore guarantee that the confidentiality of any disclosures can be maintained in all circumstances.

### **Reporting concerns about members of the University community**

8.4 In the event of any suspicion, allegation or apparent abuse committed by a member of the University's community, the matter should be reported using the safeguarding procedure as set out on the [Raising Concerns and Safeguarding](#) site.

8.5 The University also operates a Report and Support Tool for acts of harassment, discrimination or hate. Safeguarding concerns reported through Report and Support should be reported to the Principal Safeguarding Officer

8.6 If the Principal Safeguarding Officer or their deputy is the subject of the suspicion, allegation or the claim of apparent abuse then this must be reported to the VP Operations.

8.7 The University may refer a student or member of staff to the relevant professional body if there are concerns over their suitability to practice and/or remain on a professional register or equivalent. The

Human Resources Director Client Services will normally make this referral on behalf of the University for staff. For students this would be carried out by the relevant Faculty safeguarding lead.

### **Reporting concerns from placements, mentoring schemes, projects or external visits**

- 8.8 Staff and students who are undertaking activities at the premises of another organisation should familiarise themselves with the host organisation's safeguarding policies and procedures and the name and contact details of the organisation's safeguarding officer. Staff with concerns about a child or a vulnerable adult with whom they come into contact in a placement setting or in the course of external visits should follow the procedure in place at the school, hospital or other institution concerned. If, for whatever reasons, the member of staff feels that this is inappropriate then they must refer their concerns to the Principal Safeguarding Officer who will contact the appropriate agency.
- 8.9 Students with concerns about a child or a vulnerable adult with whom they come into contact in a placement, through a mentoring scheme, a project setting or in the course of external visits should follow the procedure in place at the school, hospital or other institution concerned. If, for whatever reasons, the student feels that this is inappropriate or they lack the confidence to raise their concerns then they should refer their concern to the member of University staff who is supervising their placement, mentorship scheme or project. This member of staff should then follow the procedure set out in paragraph 8.8.

### **Reporting concerns about students**

- 8.10 If a student engaged in activities with another organisation is alleged to have abused a child or vulnerable adult, the allegation will be investigated using the procedures of the school, hospital or other institution under whose auspices the abuse is alleged to have happened. The member of staff supervising the activity must inform the Principal Safeguarding Officer of the details of the incident. The University may decide to suspend the student for the period of the investigation. Suspension in this context is not a punitive measure and implies no assumption of guilt. Depending upon the outcome of the investigation, the student may be liable for further suspension, disciplinary action, or subject to the University's Student Support Review (fitness to practice) procedure.

### **Reporting other concerns**

- 8.11 There may be instances when a member of staff receives information in the course of their normal duties about allegations of abuse towards a child or vulnerable adult that are unconnected with the activities of the University or the use of its premises. In such instances, staff must exercise a duty of care and should either encourage the informant to report the matter to the appropriate agencies and, make a report using the procedure the safeguarding procedure as set out on the [Raising Concerns and Safeguarding](#) site.

## **9. Responsibilities of parents, guardians and carers**

- 9.1 The University cannot take responsibility for ensuring the wellbeing of children or vulnerable adults who are on its premises without its knowledge and consent. Parents, guardians or carers who bring children or vulnerable adults onto University premises must take responsibility for their safety and wellbeing and ensure that they do not place themselves at risk, disturb others or damage property.
- 9.2 Unless they are students of the University or are attending the University as part of an authorised visit or activity, children and vulnerable adults are not allowed to enter learning environments, laboratories, workshops or other premises which present hazards or contain valuable or fragile equipment.

## **10. Reporting of accidents involving children or vulnerable adults**

- 10.1 Any accident or near miss on University premises involving a child or vulnerable adult must be reported to the University's [Health and Safety Team](#) immediately and formally recorded on the accident reporting system as soon as possible.

## 11. Further information and guidance

- 11.1 Further information, guidance and interpretation of this Policy can be found on the University's [Raising Concerns and Safeguarding](#) site. Alternatively guidance can be sought from the Principle Safeguarding Officer.
- 11.2 Key contacts, including local safeguarding agencies can be found on the [Raising Concerns and Safeguarding](#) site.

### RESPONSIBILITIES

Role	Responsibility
<p><b>Principal Safeguarding Officer (PSO)</b> (Appointed by the University)</p>	<p>Implementing and promoting this Policy.</p> <p>Ensuring that the Policy is kept up to date, monitored and reviewed with changes in legislation and guidance.</p> <p>Acting as the main point of contact with the University for safeguarding.</p> <p>Ensuring that the appropriate University staff are provided with information, training and advice.</p> <p>Maintaining confidential records of actions taken in accordance with the Data Protection Act 2018.</p> <p>Reviewing safeguarding issues raised and referring to the appropriate authority, when appropriate.</p> <p>NB: If concerns are significant enough to seek advice and guidance from PSO, the University's default position is to refer to external agencies as appropriate. This includes <b>all</b> allegations of abuse including those under The Prevent Duty. The PSO may seek advice from the MASH (Multi Agency Safeguarding Hub).</p>
<p><b>Safeguarding Lead</b> (Appointed by each Head of Faculty and Professional Service)</p>	<p>Supporting the PSO in:</p> <p>Ensuring there are adequate resources available to support safeguarding activities relevant to each Faculty/Professional Service, e.g. for training.</p> <p>Ensuring all regulatory requirements, with regard to specific degree programmes, are complied with, e.g. (but not limited to) Health Sciences, Medicine, Law and Education.</p> <p>Ensuring safeguarding is embedded in curricula and professional registrations as appropriate.</p> <p>Ensuring appropriate local procedures are in place, to include but not limited to:</p> <ul style="list-style-type: none"> <li>• Ensuring processes in response to safeguarding issues are followed.</li> <li>• Implementing the policy on appropriate and inappropriate physical contact with learners</li> <li>• Reviewing any risk assessments for Safeguarding and ensure reasonable adjustments are made to activities.</li> </ul> <p>Reporting annually to the PSO and informing the PSO of any issues which have required referral to Social Services, Local Authority, MASH (Multi Agency Safeguarding Hub), or Police.</p> <p>Undertaking basic training provided by PSO every two years.</p>

<b>HR Director (Client Services)</b>	<p>In consultation the PSO, reporting a member of staff to the DBS following dismissal or removal from regulated activity.</p> <p>If there are concerns about the suitability of a member of staff to practice or remain on a professional register or equivalent, making referrals to the relevant professional body on behalf of the University.</p>
<b>Line managers/hiring managers/visitor hosts</b>	<p>Seeking advice from AskHR where a declaration of investigations, cautions or criminal convictions has been made by a member of staff or visitor.</p>
<b>All Staff</b>	<p>The University has a duty to help staff recognise their responsibilities (through guidance, support and training), minimise risk and avoid situations (where possible) where abuse or neglect might be alleged.</p> <p>Staff have a duty to report concerns for the wellbeing of a child or vulnerable adult via the appropriate Safeguarding Lead or <a href="mailto:studenthub@soton.ac.uk">studenthub@soton.ac.uk</a> as quickly as possible.</p> <p>To protect those in positions of responsibility (including staff, volunteers and students) for children's and/or vulnerable adult's welfare, staff are reminded to:</p> <ul style="list-style-type: none"> <li>• Respect children's dignity, privacy and rights to protection.</li> <li>• Maintain age-appropriate relationships with children.</li> <li>• Act in a fair, honest and transparent way.</li> <li>• Respond positively to concerns raised by children without rushing to judgement, and by taking advice from those identified in this policy.</li> <li>• Always work in an open environment with children.</li> <li>• Never go on a journey with a child/vulnerable adult alone.</li> </ul> <ul style="list-style-type: none"> <li>• Adhere to the University Personal Relationships policy</li> <li>• Declare to their line manager or visitor host if they are the subject of any of investigations, or have received a caution or criminal conviction in relation to the abuse of a child or vulnerable adult</li> </ul>
<b>Student and Education Services (Associate Director Student Support)</b>	<p>Determining whether the incident is managed under the Safeguarding Policy and process or by an alternative policy or practice.</p> <p>Appointing a Principal Safeguarding Officer (PSO) to cover in their absence.</p> <p>Developing and reviewing the institution's Safeguarding Policy.</p> <p>Ensuring that decisions which affect the whole organisation take safeguarding into account.</p> <p>Reporting on any safeguarding issues on an annual basis to the appropriate Executive body.</p>



<b>Last updated:</b>	28 March 2023		
<b>Consulted:</b>	Education Committee Trade Unions	<b>Date consulted:</b>	UEB approval 3.1.2023 JJNC ratification 28.03.2023
<b>Feedback:</b>	Ratification of the policy via JJNC was sought offline as the meeting scheduled for 9 February was cancelled.		
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