Safeguarding Policy: Children and Vulnerable Adults

October 2010
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1. Aims and objectives

1.1 This Policy does not seek to discourage activities involving children. Instead, this Policy seeks to support these activities and to offer assurances to both staff, students, volunteers and visitors that, through its implementation, the University seeks to protect children, young people and vulnerable adults and to keep them safe from harm when in contact with University students and staff (whether acting in a paid or unpaid capacity).

1.2 The University wishes to ensure that it maintains the highest possible standards to meet its social, moral and legal responsibilities to protect and safeguard the welfare of children, young people and vulnerable adults with whom the University’s work brings it into contact, whilst recognising that it cannot act ‘in loco parentis’. Ultimate responsibility will continue to rest with parents and guardians.

1.3 While it is impossible to ensure that a child, young person or vulnerable adult would never come to any harm, the adoption of this Policy and associated guidelines aims to facilitate the management of the risk associated with the duty to protect such individuals.

2. Introduction

2.1 This Policy sets out the requirements with which University Members must comply in respect of child protection and safeguarding within the work of the University.

2.2 This Policy covers children and vulnerable adults defined as follows:

- ‘child’ or ‘children’ refers to a person or persons under the age of 18 years (as defined in the Children Act 2004);
- ‘vulnerable adult’ is a person aged 18 or over who is or 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, abuse or exploitation.

2.3 In this document, child/children is used generically and includes vulnerable adults. University Member is used to describe: staff, students, volunteers and governors of the University, others approved by the University to teach or examine on its programmes and contractors; premises includes all buildings, grounds, roadways, vehicles and other means of transport belonging to the University. All references to the Safeguarding Officer include the Deputy Safeguarding Officer. The University of Portsmouth Students’ Union is expected to adopt this Policy, or send a copy of their own policy to the University Safeguarding Officer.

2.4 Any incidents of alleged misconduct concerning children and/or abuse of children will be taken seriously by the University and responded to swiftly and appropriately in accordance with this Policy.

2.5 Where appropriate, breaches of this Policy and/or allegations of misconduct concerning children and/or abuse of children will result in the University invoking its Disciplinary Policy and Procedures in respect of staff or the Handbook of Student Regulations in respect of students.

2.6 The University will refer concerns that a child might be at risk of significant harm to children’s social care services and/or the police (see Annex A).

2.7 All personal data will be processed by the University in accordance with the requirements of the Data Protection Act 1998.

2.8 In line with the Vetting and Barring Scheme, the University will ensure that all staff working in regulated activity are checked against the ISA Register if necessary.

2.8.1 Regulated activity is defined as:

i) any activity which involves contact with children and is of a specified nature (e.g. teaching, training, care, supervision, advice, treatment or transport)… or any activity allowing contact with children and is in a specified place (e.g. schools, children’s homes etc)… and

ii) where that activity is frequent, intensive or overnight… and

iii) where that activity is wholly or mainly the role, and not merely incidental.

2.8.2 Frequent and intensive for regulated activity is defined as:

i) In child settings: frequent means regular, repetitive activity once a week or more; intensive means four or more days in any one 30 day period (e.g. field trips, summer schools);

ii) In health settings (medical/social care): frequent means once a month or more; intensive means three or more days in any one 30 day period.

2.9 All University Members working in regulated activity will also undergo an enhanced Criminal Records Bureau (CRB) check.
3. Context

(Extract from Executive Summary: Safeguarding Children: Guidance for English Higher Education Institutions (HEIs), Department for Innovation, Universities and Skills 2007)

3.1 The Government’s Every Child Matters agenda aims to ensure that every child attains their full potential. Safeguarding children from harm plays an important part in meeting this goal. Safeguarding is also relevant to meeting any duty of care that the Higher Education institution (HEI) may owe towards children (i.e. those aged under 18) with whom it has contact.

3.2 The term ‘safeguarding’ is outlined as putting in place ‘arrangements to take all reasonable measures to ensure that risks of harm to children’s welfare are minimised’.

3.3 There is no legislation in the area of safeguarding that is directed specifically at HEIs. However, some pieces of legislation and, in some circumstances the common law, place responsibilities on organisations in general, and the forthcoming Independent Safeguarding Authority Scheme will have an impact on HEIs. It is for HEIs to make sure that they know about their legal responsibilities and how to comply with them, and to ensure that they are doing so.

3.4 Effective safeguarding practice starts with having in place effective procedures. Lines of responsibility should be clear, with leadership from the highest level. Representatives from across the HEI should be involved in implementation and in contributing to a culture in which safeguarding is discussed openly. Staff with particular responsibilities will need appropriate training, and all staff need to be aware of the HEI’s policies and procedures.

4. University of Portsmouth safeguarding arrangements

4.1 The University’s designated Safeguarding Officer is the University Secretary who is responsible for:

• implementing and promoting this Policy;
• ensuring that the Policy is monitored and reviewed in accordance with changes in legislation and guidance on the protection of children;
• acting as the main contact within the University for the protection of children;
• ensuring that appropriate University members are provided with information, advice and training on the protection of children;
• providing adequate information on this Policy as part of the induction process for any new University Members;
• establishing and maintaining contacts with the local children’s social care services departments and police;
• maintaining confidential records of reported child abuse cases and action taken.

4.2 The University’s Deputy Safeguarding Officer is the Health and Safety Manager.

4.3 Some departments have their own specific, supplementary policies and procedures where, for example, the University or professional bodies require particular arrangements. These include:

• the School of Education and Continuing Studies, the School of Health Sciences and Social Work and the Dental Academy whose staff and students may come into contact with children or vulnerable adults;
• the University Nursery;
• the outreach team which works within the Aimhigher Aim Safer framework;
• areas where research involves children.

4.4 These areas may nominate a Safeguarding Coordinator who will enable a cascading of information and training on the implications of this Policy. A copy of any relevant policy in these areas of University activity should be sent to the University Safeguarding Officer.

4.5 It is the University’s policy that children under the age of 18 are not allowed into the workplace or onto University premises other than those children who are formally attending:

• organised events where they are the responsibility of their school or other institution;
• summer schools;
• open days;
• taster days;
• Aimhigher events;
• for work experience;
• the University Nursery;
• as dental visitors;
• as students on a University course*.

“The University’s policy in relation to students who are under 18 while they are registered is set out in the Admissions Code of Practice (www.port.ac.uk/accesss/toinformation/policies/academicregistry/filetodownload,14404,en.pdf). Students under the age of 18 who enrol on University courses are accepted on the basis that they, for all practical purposes, will be treated as if they are 18.

4.6 University buildings and their associated safety precautions were designed with an adult population in mind. Consequently, these may be inadequate to protect children (for example, because of their inexperience, size or inquisitiveness). It is important to remember that a greater duty of care is owed to children than to adults and, where appropriate, risk assessments must include the hazards faced specifically by children.

4.7 The University reserves the right to exclude children from some or all of its premises. In general the children of University Members should not enter University premises, except for brief periods when they are fully under the supervision of a parent/carer. The University is clear that a member of staff, or any student or visitor, who is working or studying on University premises cannot at the same time provide full supervision of children. If an emergency childcare situation arises, a University Member may bring a child onto University premises in order to make arrangements with their manager for work to be covered, or taken home.

4.8 The use of photography or recorded still or moving images of children is prohibited without signed consent by the child’s parent/carer and, in the case of research or academic activity, the consent of the relevant departmental or faculty ethics committee. Even where consent is obtained, University Members are required to safeguard images of children and use them only for the permitted purposes.

5. Related policies

5.1 Ethics Policy: www.port.ac.uk/accesss/toinformation/policies/humanresources/filetodownload,88682,en.pdf. Ethical considerations apply to every activity in the University and in research activities involving children the faculty and University ethics committees have a role in improving these activities before they commence. Please refer to the Policy, and to the relevant Chair of your faculty committee.

5.2 Health and Safety Policy: www.port.ac.uk/departments/services/humanresources/healthandsafety/policyandstatement/. The University is committed to ensuring the health, safety and wellbeing of its employees and students, contractors, other visitors and the general public who may be affected by the University’s activities, so far as is reasonably practicable. Risk assessments are an important part of discharging that commitment and advice should be taken from the Health and Safety Manager and Health and Safety Coordinators as appropriate.

5.3 University’s Admissions Code of Practice (which includes policy in relation to the admission of support for students under the age of 18): (www.port.ac.uk/accesss/toinformation/policies/academicregistry/filetodownload,14404,en.pdf).

5.4 Vetting and Barring Scheme Policy and Procedures*.

5.5 The Whistleblowing Policy*.

5.6 Aimhigher webpages*.

5.7 Nursery Policies*.

5.8 Guidance notes on Children in the Workplace*.

5.9 Guidance notes on Photography*.

*For details, please refer to the University Secretary on university.secretary@port.ac.uk.
Annex A

Responding to a suspicion or allegation of child abuse

1. Definitions of abuse

1.1 Physical abuse (para 1.33): Physical abuse 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.

1.2 Emotional Abuse (para 1.34): Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s development capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

1.3 Sexual Abuse (para 1.35): Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

1.4 Neglect (para 1.36): Neglect is 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. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

1.5 These references are drawn from:

Working Together to Safeguard Children, March 2010

2. Working with children and process of responding to possible abuse

2.1 University Members are reminded that it is a criminal offence for an adult to engage in sexual activity with a person under the age of 18 where the adult is in a position of trust in relation to the under 18 year old (Sections 3 and 4 of the Sexual Offences (Amendment) Act 2000 refers).

2.2 The University recommends that all University Members take steps to ensure that they do not put themselves in a position where an allegation of abuse can be made against them. Such steps include, but are not limited to:

• Maintaining a register of children they are working with.
• Always working in an open environment with children where they can be seen by others.
• Avoiding unnecessary physical contact with children unless to prevent danger to the child or others.
• First aid treatment should be carried out with more than one adult present unless any delay could prove life-threatening.
• Avoiding unaccompanied journeys with a child. Always using the official mode of transport for the event and ensuring the appropriate parental consent has been received.
• Avoiding unaccompanied time with a child.
• Not making suggestive remarks or being inappropriately familiar with children, as this could be mis-interpreted by them.
• Always acting upon and recording allegations/reports of abuse made by children.
• Always reporting potential concerns/allegations/reports of abuse made by children to the Safeguarding Officer.
• Not inviting or allowing children to socialise with them and/or to visit them outside of the workplace.
• Not giving the child their personal contact details such as address, home or mobile phone numbers and personal email address.
• Reporting any potential concerns to their head of department.
2.3 In appropriate cases and in accordance with the law, the University reserves the right to report to the appropriate authorities any concerns it has that a University Member (or former University Member) ought to be included in any list of people who should be restricted from working with children.

2.4 All University Members must be alert to the possibility that the children they are working with may have been, or may be, at risk of being abused. All complaints/allegations of such abuse must be taken seriously and dealt with in accordance with the procedure set out below.

2.5 If a University Member has a suspicion that a child is being abused he/she should seek the advice and assistance of the Safeguarding Officer or other senior manager, setting out the basis of the suspicion as clearly as possible. This should be done immediately without awaiting confirmation of concerns.

2.6 If a University Member receives from a child an allegation that that child or another child is being abused, has been abused, or is at risk of abuse he/she should:
   a) Listen carefully and stay calm.
   b) Ensure that he/she does not interview the child. However, if necessary, he/she may seek to clarify, using open questions and without putting words into the child’s mouth, in order to be sure that they understand what the child is telling them.
   c) Reassure the child that by telling him/her they have done the right thing.
   d) Inform the child that he/she must pass the information on, but that only those that need to know about it will be told.
   e) Inform the child to whom he/she will report the matter.
   f) Make a detailed note of the date, time, place, what the child said and did and the questions asked of the child, etc.

2.7 University Members should not investigate concerns or allegations themselves but should report them immediately to the Safeguarding Officer or the Vice-Chancellor (or nominated deputy) in the Safeguarding Officer’s absence.

2.8 On receipt of a report of a suspicion/allegation of child abuse (which may be contemporary or historical) by a University Member, the Safeguarding Officer (or the Deputy Safeguarding Officer where applicable) will make a referral to the local Children’s Social Care Services department and/or the police where there is a significant risk of harm to a child and take steps to initiate the appropriate staff or student disciplinary procedure when appropriate. Only in the most urgent circumstances should University Members make referrals to the police or to Children’s Social Care Services or other authorities themselves without consultation with the Safeguarding Officer.

2.9 Where an allegation of child abuse is received by the University concerning a University Member the Safeguarding Officer will normally consult with Children’s Social Care Services (see section 3 below).

3. Making referrals

3.1 On receiving a report of suspected abuse or of a sustainable allegation, the Safeguarding Officer should refer every case to Children’s Social Care Services, as follows:
   • To the Portsmouth City Council Child Protection Unit (tel: 023 9283 9111). This should be done immediately if urgent action is needed to protect the child; or
   • If the child is an open case with an allocated social worker, to the child’s social worker direct; or
   • If the child is from a school or FE college, to the Safeguarding Officer of that school or FE college; or
   • If the referral is to be made outside normal working hours, to the Portsmouth City Council Emergency out of hours team (0845 600 4555).
   • Where possible parents/carers will be notified if a referral is to be made. If a child appears to be at risk of significant harm parents may be asked to give consent to the referral, but even if consent is not given, the referral should still be made. If seeking consent might increase the risk to the child, then a referral can be made without doing so.

3.2 All referrals should be recorded in writing by the Safeguarding Officer within three working days of the referral.

3.3 If the Safeguarding Officer is unsure about whether a case should be formally referred, or has a general concern about a child’s health or development, advice should be sought from the Portsmouth City Council Child Protection Unit (tel: 023 9283 9111).

3.4 A child who is not being abused or at risk of abuse may nevertheless be ‘in need’ of local authority services and such cases should be made known to the Children’s Social Care Services. If the child appears to be at risk of significant harm then a referral must always be made.
3.5 For advice and guidance:

- NSPCC Child Protection Helpline: 0800 800 5000
- NSPCC (South Hampshire): 023 9286 1685
- Portsmouth City Council Child Protection Unit: 023 9283 9111
- Portsmouth City Council Emergency out of hours: 0845 600 4555
- Hampshire Constabulary: 0845 045 45 45
4. Example procedures

This flowchart sets out the actions which should be taken within a single day (if at all possible) to address any allegations of abuse.

**ALLEGATION of Abuse**

A child says they want to tell you something, or begins to allege what you think will be information about abuse

Talk to the child in the presence of a colleague to clarify the issues, but without asking leading questions.
Stay calm. If the child asks you to keep it a secret you must explain that you must tell another adult in order for you both to feel safe.
Even if they do not ask for it to be kept secret, make it clear before they continue that you may have to tell someone else

If you still have a genuine concern about abuse, make a referral:

In a school/college:
Make a referral to the school’s Child Protection Liaison Officer (CPLO) or a senior member of staff such as the head teacher

On the University campus:
Make a referral to the Safeguarding Officer

It is the responsibility of the CPLO or Safeguarding Officer to inform Children’s Services

**CONCERN of Abuse**

You are concerned that a child is being abused

If you do not believe it is abuse, but you are still concerned, discuss it with the teacher or responsible adult

The CPLO/Safeguarding Officer should enquire if the child is a Child in Care.

*If yes, Children’s Services should be informed*

**NOTE:** The CPLO or Safeguarding Officer should contact you to report progress. If you do not hear anything, please contact them

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**REMEMBER**

Don’t dismiss a child’s concerns. Listen carefully to what they say, don’t jump to conclusions.
Don’t question the child; let them tell you what they want to tell you.
When the child is finished, make sure he/she feels secure; explain what you are going to do next.
As soon as possible, record the discussion using the child’s language.
Concern of abuse by a University Member or third party where the University Member is working with others

Does the behaviour of a member of staff towards a child raise concerns?

Could the behaviour constitute child abuse OR poor practice?

Concerns should be reported to:

In a school:
The Child Protection Liaison Officer (CPLO) who will then liaise accordingly with the line manager of the staff member involved and

...who will decide if the concern constitutes:

Poor practice?

The employer institution’s disciplinary procedures will be initiated

On the University campus:
The Safeguarding Officer who will then liaise with the line manager of the staff member involved and

Possible child abuse?

It is the responsibility of the CPLO or Safeguarding Officer to inform Children’s Services

NOTE: The CPLO or Safeguarding Officer should contact you to report progress. If you do not hear anything, please contact them
Annex B

Frequently asked questions

This Annex to be populated with questions over time. For details, please refer to the University Secretary on university.secretary@port.ac.uk.