

Safeguarding Policy

Responsible Office	Governance, Legal & Compliance
Responsible Officer	University Secretary
Approving Authority	Board of Governors
Date of Approval	26 September 2024
Effective Date	26 September 2024
Related Procedures	
Related University Policies	<p>Fitness to Study</p> <p>Fitness to Train to Teach</p> <p>Student Disciplinary</p> <p>Staff Disciplinary</p> <p>Whistleblowing</p> <p>Disclosure and Barring Checks</p> <p>Admission of Under 18s</p>
Amended (if applicable)	n/a
Supersedes	Safeguarding Policy 2021
Next review due	September 2029

1. Purpose

Safeguarding is about protecting someone's right to live in safety, free from abuse and neglect. This Policy outlines the University's approach to safeguarding children and adults who are connected with members of the Bath Spa University community, including those who may be at risk of being drawn into extremist or terrorist activities (radicalisation).

We are committed to the care, respect and dignity of all children and adults regardless of age, disability, sex, racial heritage, religious belief, sexual orientation or identity, and recognise our specific safeguarding duties to children under the age of 18 and to "adults at risk". We know that these groups, in particular, can be at increased risk of harm inside and outside of their educational establishment, inside and outside of their home, and online.

Our approach is that "safeguarding is everybody's business": it is important that all members of the University community know how to interact appropriately with children and "adults at risk", how to spot possible signs of abuse and neglect and how to report concerns and/or allegations so that these can be reviewed and, if required, escalated promptly to relevant statutory authorities and/or the police.

This Policy, which signposts additional University guidance and support on Safeguarding and Prevent, forms the cornerstone of our suite of robust arrangements to protect children and "adults at risk" from harm caused by possible abuse or neglect.

2. Definitions and Legal/Regulatory Context

2.1 The following terms are central to achieving a consistent approach to Safeguarding and Prevent across all University activities:

Safeguarding

Safeguarding is the range of actions taken to protect children and adults from abuse or neglect, prevent impairment of their health and development, to ensure they live in a safe environment that enables them to grow and develop.

Child/Under 18s ("U18s")

A child is anyone under the age of 18¹. The term "young person" is often used to refer to individuals aged 16 and 17 as they possess more legal rights than those aged under 16, but this does not alter their status as a child.

Adult at Risk (sometimes known as a "vulnerable adult")

The definition of an "adult at risk"² means an adult who:

- has needs for care and support (whether or not the local authority is meeting those needs), and
- as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it, and
- is experiencing, or is at risk of, abuse or neglect.

¹ The Children Act 1989 and 2004

² The Care Act 2014

Examples might include individuals who have learning disabilities, mental ill-health conditions (including dementia) or who are physically frail or have a chronic illness, physical or sensory disability, older people with support/care needs, misuse drugs or alcohol or those with neurodivergent diagnoses.

Harm

Harm is the impact to, or impairment of, a person's health, development or welfare caused by the ill-treatment of that person and can include the impact suffered by them as a result of seeing or hearing the harm done to other people. Within Safeguarding and Prevent scenarios, such ill-treatment normally occurs via acts of abuse or neglect.

Judgements about whether harm constitutes "significant harm", which is likely to require external intervention to prevent further harm, need to be made by experienced health and social care professionals.

Abuse

Abuse involves the ill-treatment of a child or "adult at risk". It can be caused by inflicting harm or by failing to act to prevent harm, and includes the harm caused by the impact of witnessing others being ill-treated. Abuse means physical, sexual, psychological, emotional or financial abuse and it can take place in any setting, whether at home, in an institution, online or any other place. It can be perpetrated by adults and/or children.

The Care Act 2014 specifically lists the following key types of abuse that can affect "adults at risk", which are detailed in Appendix A, along with the typical types of abuse that affect U18s, as outlined by Keeping Children Safe in Education and NSPCC.

Neglect

Neglect is the ongoing failure to meet a person's basic physical, emotional, social or psychological needs, including not supervising them sufficiently or keeping them safe. Neglect can diminish an individual's sense of self-worth and can impair their health and development, causing serious harm or death in some cases.

The University's Safeguarding/Prevent webpages provide detailed guidance, including Guidance Notes on typical indicators of the types of abuse and neglect listed in the above definitions: [Safeguarding – Bath Spa University](#).

Regulated Activity

Regulated activity is work that a barred person must not do (i.e., someone who is barred from working with children or Adults at Risk). It is a criminal offence for a barred person to seek to work, or work in, activities from which they are barred, and it is a criminal offence for employers to knowingly employ a barred person in regulated activity. To minimise the risk of employing a barred person in such activities, organisations can carry out an Enhanced DBS Check with a barred list check.

Regulated activity with children is determined by a) the role activities and b) the setting in which those activities take place. Regulated activity with adults is

determined by the activities undertaken with the adult, irrespective of the setting.

Prevent

This refers to the Prevent Duty, as it is commonly known, which forms part of the requirements of the Counter Terrorism and Security Act 2015 which requires the University to have “due regard to the need to prevent people from being drawn into terrorism”, which is a process known as radicalisation.

2.2 The Legal and Regulatory Policy Context

This Policy and related arrangements are informed by a range of legislation and statutory and regulatory guidance, including:

- The Children Act 1989 and 2004
- The Care Act 2014
- Sexual Offences Act 2003
- Female Genital Mutilation Act 2003
- Forced Marriage Act 2007
- The Mental Capacity Act 2005
- Safeguarding Vulnerable Groups Act 2006 (amended by the Protection of Freedoms Act 2012)
- Rehabilitation of Offenders Act 1974
- Modern Slavery Act 2015
- Counter Terrorism and Security Act 2015
- Working Together to Safeguard Children (latest version)
- Keeping Children Safe in Education (latest version)

The Principal and Designated Safeguarding Leads will monitor relevant legislative and regulatory developments, making use of guidance from statutory agencies, the police and other bodies (e.g., NPSCC, Social Care Institute for Excellence, and so on) on emerging safeguarding issues relating to children and adults at risk, and Prevent issues.

3. Policy Scope

- 3.1 This Policy applies to all University-controlled activities undertaken in the UK and overseas and to its staff, students, governors and third parties acting on behalf of the University (e.g., its sub-contractors).

External parties which act on behalf of the University (e.g., contractors, placement providers etc) are expected to maintain their own Safeguarding Policy arrangements. Where necessary, the Principal and/or Designated Safeguarding Leads will liaise with their representatives on relevant issues (e.g., incidents, joint events) and the University reserves the right to request assurances about their safeguarding arrangements.

The Policy does not apply to:

- Oak Tree Nursery, an independent organisation that provides nursery care for the children of University staff and students as well as local residents, which maintains its own Safeguarding Policy arrangements.
- Bath Spa University Students' Union which, as a separate legal entity, maintains its own Safeguarding Policy arrangements. Given the possibility of safeguarding concerns arising in connection with students, there are clear reporting lines between the Students' Union and the University's Head of Student Wellbeing Services, who acts as the Designated Safeguarding Lead for Students.
- Other external bodies who work alongside the University and/or on campus but do not deliver activities on behalf of the University (e.g., hirers of campus rooms/equipment). The University expects these organisations to maintain their own Safeguarding arrangements and to liaise with the Principal or Designated Safeguarding Leads if they wish to bring to the University's attention any relevant concerns or allegations.

- 3.2 It is intended that this Policy, alongside related Policies that are signposted from this Policy, will provide sufficient coverage for all University activities. The University's academic schools and departments should not develop their own policies or procedures, unless a specific need can be demonstrated.

Certain parts of the University have, however, been authorised to maintain "local" Safeguarding Policies, normally involving higher-risk activities that require specific policy and procedural guidance (e.g., within Teacher Training provision, Short Courses Unit, etc). The Principal Safeguarding Lead will maintain an oversight of such arrangements, with the "local" Policies and related procedural guidance signposted from the University's Safeguarding Webpages.

4. Roles and responsibilities

4.1 Governance level responsibilities

The governing body of Bath Spa University is ultimately responsible for the University's approach to Safeguarding and for the approval of this Policy. Governors receive assurance on Safeguarding and Prevent, which will include:

- obtaining relevant assurances via the Internal Audit Plan, the planning of which reflects key safeguarding risks.
- reviewing the Annual Report on Safeguarding and Prevent activities.
- monitoring serious concerns and/or incidents raised via the Whistleblowing Policy.
- monitoring issues that require external reporting in line with OfS "reportable event" reporting requirements, which may relate to Safeguarding and Prevent matters, and providing feedback to the governing body, as necessary.

4.2 Executive responsibilities

As Accountable Officer, the Vice-Chancellor is ultimately accountable for the University's Safeguarding arrangements, including Prevent.

The Senior Leadership Group will:

- support the Principal Safeguarding Lead to ensure that Safeguarding is afforded utmost priority at the most senior level within the institution.
- review the Annual Reports on Safeguarding and Prevent activities.
- monitor serious Safeguarding and Prevent incidents and ensure serious incidents are reported to the Governing Body, as necessary, and/or to regulators in line with "serious incident" reporting requirements.

4.3 Senior Safeguarding Lead responsibilities

The key roles listed below are central to the leadership and co-ordination of Safeguarding activities across Bath Spa University's activities; further detailed information on their respective responsibilities is outlined at Appendix B, with contact details shown on the University's Safeguarding webpages:

- **Principal Safeguarding Lead (PSL):** the University Secretary acts as the University Lead for Safeguarding matters, liaising with the Vice-Chancellor and the Governing Body as necessary.
- **Designated Safeguarding Lead for Students (DSL Students) and University Prevent Lead:** the Head of Student Wellbeing Services.
- **Designated Safeguarding Lead for Staff (DSL Staff), including volunteers:** the Director of Human Resources.
- **Local Safeguarding Leads (LSLs):** a network of nominated members of staff who provide advice on safeguarding matters and who ensure that Safeguarding and Prevent concerns/allegations are routed correctly, liaising with the Designated Safeguarding Leads where necessary.

The Designated Safeguarding Leads for Staff and Students are authorised to deputise for the Principal Safeguarding Lead, where required.

4.4 Other key role holders

- The Head of Student Wellbeing Services, in addition to their role as Designated Safeguarding Lead for Students, is responsible for the provision of appropriate services that support students involved in Safeguarding and Prevent cases.
- The Director of Human Resources will design and manage safe recruitment arrangements for University staff (including University students who undertake paid roles), volunteers and Governors, including the administration of DBS checking procedures. They will ensure the provision of appropriate wellbeing support to University staff involved in Safeguarding and Prevent cases and manage staff disciplinary matters connected with Safeguarding and Prevent cases.
- The Pro-Vice-Chancellor (Academic Planning) will oversee the design and effective management of safe recruitment arrangements for Bath Spa registered students at the on-boarding stage, including the administration of DBS checking procedures. They will also ensure that appropriate safeguarding arrangements are in place within student recruitment and outreach activities (including compliance with the requirements of host schools and colleges) and for PSRB courses, which may be more onerous than those relating to other HE courses.
- The Pro-Vice-Chancellor (Research and Enterprise) will ensure that appropriate safeguarding arrangements are in place within research and enterprise activities, and that the safeguarding requirements of external research funders are implemented.
- The Pro Vice-Chancellor (Partnerships Strategy) is responsible for ensuring that educational partners operate in line with the Safeguarding Policy in relation to BSU-registered students.
- The Head of Facilities and Services will ensure that arrangements are in place to manage health and safety risks for University activities involving under 18's and adults at risk, and the delivery of an effective University security service, including related emergency response support for Safeguarding and Prevent related incidents.

The Principal and Designated Safeguarding Leads will work with these role holders to assist them in discharging these responsibilities.

4.5 All staff

All Bath Spa University staff are expected to:

- participate in Safeguarding and Prevent training and utilise related guidance;
- consult with their line manager about any changes to their work activities that may require them to work with U18s and/or adults at risk, in order that these changes be reviewed in light of the University's safe recruitment requirements;
- take action (within the same working day) when they become aware of a Safeguarding concern and/or allegation, recording the information obtained and reporting this to the relevant DSL, who will determine the next steps to take.

4.6 Safeguarding Steering Group

The University's Safeguarding Steering Group supports University managers to discharge their safeguarding duties by identifying University activities that feature U18s and/or Adults at Risk, enhancing Safeguarding procedures and training, and raising awareness and compliance. The Group is led and chaired by the Principal Safeguarding Lead and consists of representatives from Schools and Professional Services. It normally meets at least 2 times each year and makes use of task and

finish groups as required to address any key improvement areas. It works with other University groups on issues of mutual interest and its activities are summarised in the Annual Safeguarding Report.

5. Policy Implementation

Safeguarding issues feature in a broad range of University activities, including:

- students and staff, who may be under 18 or who meet the definition of an “adult at risk”;
- children and adults at risk come into contact with the University through recruitment and outreach activities, fieldtrips, participation in research, sporting or voluntary activities on and off campus;
- children and adults at risk are taught or cared for by students training to enter certain professions (e.g., Education or Health);
- the content of certain educational teaching or research materials and coursework produced by students (e.g., for assessment purposes).

The Senior Safeguarding Leads will maintain a documented overview of typical safeguarding scenarios within the University to ensure adequate levels of policy and procedural coverage are in place.

Bath Spa University will use a range of measures to protect children and adults at risk, including:

- a clear staff support structure, with defined roles and responsibilities, to support Safeguarding activities (including Prevent), as outlined in Section 4 above;
- safe recruitment protocols for staff and students, including review of criminal convictions, where necessary (See BSU Criminal Convictions Policy);
- appropriate procedures for the admission of students who are under 18;
- risk assessments and associated measures for University activities involving children and/or adults at risk;
- an appropriate safeguarding training programme, with clear guidance on how to recognise signs of abuse and neglect and how to report concerns;
- procedures for reporting and handling concerns and allegations about possible abuse and/or neglect of children or adults at risk;
- the maintenance of relevant safeguarding records and appropriate information sharing protocols;
- the co-ordination of all Safeguarding and Prevent activities and sharing of good practice across the University using the Safeguarding Steering Group.

5.1 Safe Recruitment of Staff and Students

When recruiting staff and students, the University will:

- apply safe recruitment controls to those posts that are expected to have contact with U18s and Adults at Risk, utilising DBS checks, where eligible, and an associated Criminal Convictions Panel to review details arising from those checks;
- renew staff and student DBS checks, normally every three years unless they are registered with the DBS Update Service to facilitate more frequent updates (e.g. for certain student placement activities);
- require staff and students, following commencement of their employment or study, to notify the University of any criminal convictions and/or restrictions (e.g., bail conditions) that may affect their ability to work with U18s or Adults at Risk.

5.2 Admission of Students who are under 18

For students who have not yet reached the age of 18 by the date of registration, a specific Under 18s Admissions Policy is applied. The Designated Safeguarding Lead (Students) will work with the Head of Admissions and the Data and Insights Service to monitor the numbers of students who are under 18 and will provide support and guidance as needed.

5.3 Working safely to protect children and adults at risk

Bath Spa University promotes the use of appropriate boundaries and relationships when working with children and adults at risk. Related guidance is shown at Appendix C and is signposted within related safeguarding training and on the Safeguarding webpages.

The University's staff training and web guidance will clearly identify the reporting routes for Safeguarding concerns and allegations, including Prevent, to ensure members of the University community, including staff, students and University partners, know how these should be escalated within the University.

The Senior Safeguarding Leads will work together with the Head of Facilities and Services, Health and Safety Manager, Risk and Assurance Manager and relevant schools and departments to:

- identify and manage risks to staff, students and others connected with the University community (e.g., individuals on placement within the University, volunteers) who are under 18 and adults at risk, providing support and guidance as needed; and
- monitor the Health and Safety Risk Assessments and related controls applied for students who are under 18 and will provide support and guidance as needed.

6. Reporting Safeguarding concerns and allegations

It is our intention that staff, students and volunteers will confidently respond when Safeguarding and Prevent concerns arise hence the University reporting arrangements includes:

- a safeguarding training programme and web guidance, to ensure staff are able to recognise signs of abuse and neglect that typically affect U18s and Adults at Risk;
- commentary on Safeguarding and Prevent within student induction materials, including guidance on how to report concerns;
- clear internal referral routes to Designated Safeguarding Leads;
- additional reporting routes via the University's Whistleblowing arrangements and anonymous reporting mechanisms (e.g., Report and Support).

6.1 Raising concerns and allegations

The process for reporting concerns and/or allegations is outlined in the flowchart at Appendix D, and is summarised below:

Concerns for someone at immediate risk of serious harm, abuse or radicalisation

- If there is an immediate risk of serious harm (e.g. emergency situations), call 999.

- Where possible, try to ensure the immediate safety and welfare of the under 18 or Adult at Risk, by contacting University Security or the emergency services. BSU Security should be contacted on 01225 875555 (24/7, 365 days/year)

Concerns for those in non-emergency situations

- The concerned person should raise all concerns promptly, within 24 hours, via the University's Safeguarding Report Form ([Login \(topdesk.net\)](#)), although it is recognised that some concerns may arise via other channels (e.g., the Report & Support system).
- Prior to reporting a concern, advice is available by contacting:
 - the University's Local Safeguarding Leads
- Concerns about individuals at risk of radicalisation from those involved in violent extremism and/or terrorism (including fundraising) should be reported directly to the University Prevent Lead (Head of Student Wellbeing Services and Designated Safeguarding Lead for Students). You must not discuss your concern with the person you are concerned about. Complete the Safeguarding Report form, or email: Prevent@bathspa.ac.uk

Further information on reporting and referral mechanisms, including contact details, can be found on the University Safeguarding webpages. Guidance will also be available for staff who may identify Safeguarding or Prevent concerns while marking student work.

Concerns about University Safeguarding Leads

If the concern or allegation relates to a University-appointed Safeguarding Lead, the concern should be reported directly to the Principal Safeguarding Lead. Concerns about the Principal Safeguarding Lead should be reported directly to the Vice-Chancellor.

Whistleblowing Arrangements

The University encourages the use of its Whistleblowing Policy arrangements which will support and protect those staff who wish to raise concerns or allegations but who may be fearful of repercussions or other negative consequences as a result of doing so.

Anonymous concerns and allegations

It is recognised that some individuals who wish to raise a concern or allegation may have valid reasons for wishing to remain anonymous. Safeguarding and Prevent concerns reported anonymously will therefore be taken very seriously; however, the inability to conduct follow-up enquiries with the concerned person often causes difficulties in progressing further investigations. Where a response can be made, the University will normally signpost its confidential "whistleblowing" process, which ensures that the individual's identity is significantly restricted during any follow-up enquiries.

Students on placement at external partners

Students wishing to report any concerns or allegations whilst on placement should do so via the host organisation's safeguarding reporting arrangements. Should a student feel dissatisfied with the host organisation's response to concerns raised by them, they should report the concern directly to a BSU Designated Safeguarding Lead and/or make use of the host organisation's Whistleblowing arrangements.

Where an external partner becomes aware of a concern or allegation about a BSU student during their work experience, placement, off-site study etc, it is expected that the external partner supervising the student activity (e.g., school or partner) would utilise its own safeguarding arrangements to review the matter, making a referral to safeguarding authorities if required, and notify the University of the issue, which may result in further actions by the University, including disciplinary action.

Concerns received from outside the University community

For concerns and allegations raised by individuals external to the University (e.g., Social Services, members of the public, etc), the University's Safeguarding webpages contains instructions on referral routes to the University's Single Point of Contact, the Head of Student Wellbeing Services (and Designated Safeguarding Lead for Students).

Confidentiality

All concerns and allegations received will be handled in confidence; only those staff who need to be made aware of a concern or allegation will be informed. Since individuals who have raised concerns may be invited to participate in statutory safeguarding processes by Safeguarding authorities, complete confidentiality cannot be guaranteed.

7. How the University will respond

The University recognises that it has a duty to support members of its community who may be involved in concerns and/or allegations. It will review and, where necessary, to externally report suspected abuse of any child or adult at risk if that concern is reported via the reporting arrangements outlined in this Policy. This might include concerns raised about individuals who are not directly connected with the University community.

7.1 Initial response to concerns/allegations

The relevant Designated Safeguarding Lead will review the information provided by the concerned person and:

- assess the concern for signs of actual or possible abuse or neglect.
- make further internal enquiries to gather more information to support this assessment and to manage actions required across the University.
- consider the provision of support to the person perceived to be at risk of abuse and, to the alleged perpetrator, if they are a member of the University community.
- consider any immediate academic implications associated with the concern reported (e.g. Fitness to Study, Fitness to Train to Teach, etc), including any restrictions.
- decide whether to report the concern to the safeguarding authorities and/or the police (e.g., if it is suspected that a crime has been committed) and, if required, external referrals will be made.
- ensure that any subsequent advice from statutory authorities is followed.
- make appropriate records of all key decisions and actions taken by the University.

7.2 Review of reported concerns

The Designated Safeguarding Leads will maintain an overview of all reported concerns to identify possible connections between reported concerns and allegations, including over time. This may result in internal actions (e.g. provision of support or training) and/or a referral to statutory authorities if cumulative “low-level” concerns or concerning patterns of behaviour are identified.

7.3 Allegations about staff members

The Designated Safeguarding Lead for Staff will ensure all concerns and allegations involving possible risks to children that are made against members of University staff (including volunteers and Governors) are referred externally to the relevant Local Authority Designated Officer, as required by statutory guidance.

7.4 Suspension of staff or students during enquiries

The Director of Human Resources (for staff) and the Pro-Vice-Chancellors Student Experience and Academic Planning (Students) will liaise with the Senior Safeguarding Leads and others to assess whether suspension or other precautionary actions may be required while follow-up enquiries are undertaken. These decisions will be informed by advice provided by external safeguarding authorities, where they are involved.

7.5 Disciplinary action

The University will follow relevant disciplinary procedures for any student or staff member who is found to have committed abuse or neglect in the course of their employment or studies with the University. This may result in staff dismissal or student exclusion.

7.6 References for staff or students involved in safeguarding offences

Any request for a reference for a member of staff who has been disciplined or prosecuted for abuse or neglect in the course of their work activities shall in all cases be referred to the Director of Human Resources. Similarly, reference requests for students in such circumstances will be directed to the Academic Registrar.

7.7 Malicious reports

Disciplinary action may be taken against anyone found to have maliciously raised a concern or allegation, frivolously, in bad faith, maliciously, for personal gain or for revenge. This would not apply to individuals who have raised a genuine concern that proves to be unfounded.

8. Record keeping and information sharing

8.1 Key Safeguarding Records

Safeguarding records (including those associated with Prevent) will be managed in line with data protection and other legal requirements and reflected in the relevant record retention schedules. These will include records associated with the University’s safe recruitment procedures for staff and students and records of concerns and allegations reported to the University, including records of follow-up actions and external referrals made.

Records will be kept of all safeguarding concerns and incidents, including related actions and outcomes, with relevant information shared only on a need-to-know basis and in connection with regulatory reporting requirements.

Record keeping arrangements for safeguarding concerns/allegations include:

- paper records of safeguarding concerns must be either stored away in a locked filing cabinet (with restricted access to that filing cabinet) or held securely electronically.
- retention of these records should be kept until the person reaches normal retirement age or for 10 years if that is longer.
- destruction of records should comply with the retention period. Paper records should be destroyed through shredding and disposed of as confidential waste. Electronic records should be deleted only after approval is obtained from the Principal Safeguarding Lead.
- A record should be made of records destroyed.

8.2 Information Sharing

Information relating to certain concerns and allegations will be shared with external safeguarding authorities (e.g., Local Authorities) and the Police, as appropriate and with due regard to statutory and non-statutory guidance.

In cases where third party organisations are involved in safeguarding incidents, relevant information may also be shared with those bodies (e.g., University partners, research partners, etc). In some cases, information sharing agreements may be put in place with certain University partners with which the University regularly liaises on Safeguarding concerns, (e.g. the Students' Union), to formalise the expected data sharing protocols.

Further information and Guidance Notes are accessible online: [Safeguarding – Bath Spa University](#)