



## SAFEGUARDING POLICY AND PROCEDURE: STUDENTS

This policy sets out the arrangements for ensuring the safety and welfare of children and vulnerable adults whilst on the University's premises or while engaging in activities controlled by the University.

When any child or vulnerable adult is due to come on to the University premises, the host at the University must ensure that the children or adults are suitably protected from abuse or harm or the risk of abuse or harm. Staff or students planning activities which may involve children or vulnerable adults must ensure that activities are competently supervised and that the University's procedures are followed. The Code of Practice, Safeguarding Children, Young Persons and Vulnerable Adults on Bath Spa University premises can be found on the Health & Safety website.

### 1. Introduction

- 1.1 The University is committed to providing an environment that supports the safety and welfare of all its staff and students. The University has developed this policy, procedure and accompanying guidance to protect and support its staff, students and visitors, in order that the University continues to be a rewarding, respectful and safe environment in which to work, study and visit.
- 1.2 Whilst the University is predominately an adult environment, the University does engage in a range of activities that, from time to time, involve students coming into contact with children and vulnerable adults (see Definitions). A list of the main activities that may involve children or vulnerable adults is included in Appendix 1 of this policy.
- 1.3 The procedure for how the University may deal with safeguarding issues and the type of action that the University may take to manage such matters is set out in paragraph 6: Procedure for dealing with Safeguarding Concerns. Examples of the types of situations which may result in the University implementing the Safeguarding Procedure are:
  - A child or vulnerable adult raises an allegation of abuse, harm or other inappropriate behaviour;
  - There are suspicions or indicators that a child or vulnerable adult is being abused or harmed or is at risk of abuse or harm. (The indicators of abuse or harm, or risk of abuse or harm, can be difficult to recognise and it is not a staff member's responsibility to decide, only to raise any concerns they may have. Types of abuse or harm are set out in Appendix 2);
  - There are observable changes in a child or vulnerable adult's appearance or behaviour that may be related to abuse or harm or risk of abuse or harm;
  - There are indications that suggest an adult has become vulnerable;
  - A concern is raised that an individual presents as a safeguarding risk, see Appendix 3 for advice and guidance. If there is a concern that a student may present as a risk the University may invoke its risk assessment process for students who are considered to pose a safeguarding risk, see Appendix 4.

## **2. Purpose**

- 2.1 The purpose of this policy is to assist the University in discharging its duties and commitments in respect of safeguarding children and vulnerable adults fully and effectively and in accordance with statutory guidance.
- 2.2 This policy and procedure together with the guidance in Appendix 5 aims to:
- Provide a safe environment for all during University-led activities;
  - Raise awareness of issues relating to the welfare of children and vulnerable adults and promote their welfare;
  - Provide staff, students, governors, volunteers and third parties working for or with the University (or undertaking activity on its premises) with procedures they should follow including those they should adopt in the event of incidents involving children and/or vulnerable adults and/or if they suspect that a member of one of these groups may be experiencing, or is at risk of, harm;
  - Provide guidance on good practice for working with children and vulnerable adults.
- 2.3 To ensure that any concerns are referred appropriately and in a timely way to the relevant Local Authority Designated Officer, LADO.
- Bath & North East Somerset: Jackie Deas, 01225 396810
  - Bristol: Nicola Laird, 0117 9037795
  - Wiltshire:
    - North area, 01249 444321
    - West area, 01225 773500
    - South area, 01722 327551

## **3. Scope and Definitions**

- 3.1 This Policy and Procedure applies to:
- Staff, students and governors of the University;
  - Consultants, contractors and contracted representatives of the University (e.g. recruitment agents, ambassadors, other service providers);
  - Visitors/external organisations engaged with the University, including those contracted to conduct their own business on the University premises (e.g. building contractors);
  - Activities at external locations where staff and students are involved in University-led activity;
  - Those hiring University facilities for the provision of services or activities that may involve children or vulnerable adults;
  - The Students' Union, including the Union Board of Trustees and external partners. The University and Students' Union are committed to working together and share information in order to safeguard the wellbeing of children and vulnerable adults; for example individuals and activities with Students' Union societies and volunteering.
- 3.2 For the purpose of this policy and procedure the following definitions apply:
- 'child' is anyone under the age of 18;
  - 'vulnerable adult' is a person over the age of 18: "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 themselves, or unable to protect themselves against significant harm or exploitation”<sup>1</sup>;

- ‘abuse’ is a violation of an individual’s human and civil rights by any other person or persons;
- the University also recognises there are a range of different factors that may result in an adult being vulnerable to exploitation, radicalisation or abuse, without them coming within the legal definition of a ‘vulnerable adult’. Examples include: relationship breakdown, financial difficulties, physical or mental ill-health and social isolation.

3.3 In implementing this policy the University will remain mindful of its duty of care and other current and future legal obligations, including:

- Health & Safety Act Work Act 1974;
- Human Rights Act 1998;
- Data Protection Act 1998;
- Safeguarding Vulnerable Groups Act 2006;
- Working together to safeguard children 2015;
- Keeping children safe in education 2015;
- Equality Act 2010;
- Protection of Freedoms Act 2012;
- Counter-Terrorism and Security Act 2015 & Prevent Duty 2015: Higher Education providers must have ‘due regard to the need to prevent people from being drawn into terrorism’ and have robust measures in place to identify and support individuals who may be vulnerable to being drawn into terrorism. Any student or staff member in danger of radicalisation or demonstrating extremist tendencies is deemed to be vulnerable and appropriate support and advice through Prevent and Channel will be sought.

## 4. Responsibilities

- 4.1 All individuals covered by this policy should ensure that they read the policy and understand the standards expected of them and their responsibilities. All individuals have a responsibility to ensure the health, safety and wellbeing of children and vulnerable adults and to take appropriate steps (including those set out in this policy) to ensure that suspicions and allegations of abuse or harm are taken seriously and responded to swiftly and appropriately.
- 4.2 The University also has designated (with delegated deputies as appropriate) safeguarding roles with specific responsibilities as follows:

### 4.2.1 Lead Safeguarding Officer (LSO)–Provost/Chief Operating Officer? (to be determined)

Strategic lead responsible for:

- Implementation, monitoring and review of the University’s safeguarding policy, procedure and guidance;
- Ensuring that the operation of the University’s approach to safeguarding is sufficiently resourced in order that in order that the University may fulfil its statutory obligations and the requirements of this policy; and
- Ensuring that the University engages with appropriate professional Child Protection fora, including Local Safeguarding Children Boards.

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/194272/No\\_secrets\\_guidance\\_on\\_developing\\_and\\_implementing\\_multi-agency\\_policies\\_and\\_procedures\\_to\\_protect\\_vulnerable\\_adults\\_from\\_abuse.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/194272/No_secrets_guidance_on_developing_and_implementing_multi-agency_policies_and_procedures_to_protect_vulnerable_adults_from_abuse.pdf)

#### 4.2.2 Principal Safeguarding Officer (PSO)

- Director of Human Resources: staff related incidents and allegations;
- Registrar & Director of Student Services/ Student Support Manager: student related incidents and allegations.

The PSO is an operational role with responsibility for:

- Reviewing reports of safeguarding concerns and, as appropriate, ensuring referrals of incidents/allegations/disclosures involving children or vulnerable adults are made to the relevant LADO;
- Where required, liaising with and assisting support services and/or external agencies in their investigations;
- Ensuring that incidents/allegations/disclosures are recorded and archived accordingly; and
- Maintaining a log of all reported breaches of this policy and actions/outcomes.

#### 4.2.3 Nominated Safeguarding Officer (NSO)

- The NSO for each school of study will be the Dean and the CEO in the Students' Union. They have responsibility for investigating any concerns or allegations and to ensure the relevant LADO and University PSO is informed of all incidents.
- The NSO is responsible for ensuring risk assessments in accordance with the Code of Practice, Safeguarding Children, Young Persons and Vulnerable Adults on Bath Spa University premises are undertaken for all activity where students and staff may have unsupervised access to children or vulnerable adults and recorded in the central risk assessment database.
- Where there are University or Students' Union activities where staff and students work with children, young people or vulnerable adults *as part of their roles*, the Dean or CEO may appoint a delegate NSO to take responsibility for safeguarding within that activity. The NSO will normally be the organiser or coordinator of the activity.
- All NSOs will be DBS checked at a level appropriate to the type of activity and engagement in which they are involved.

#### 4.3 Other responsibilities

##### 4.3.1 Director of HR is responsible for:

- Establishing an appropriate training record; and
- Coordinating and monitoring relevant training for Safeguarding Officers and staff or students who take part in, or intend to take part in, regulated activity as workers and/or supervisors.

##### 4.3.2 Safety, Health and Environment Adviser is responsible for:

- Providing high level advice and guidance supporting staff and students in the completion of risk assessments;
- Maintaining the University's Code of Practice for Safeguarding Children and Vulnerable Adults on BSU premises.

## 5. **Disclosure & Barring Scheme (DBS) Checks**

- 5.1 All students and staff who have unsupervised access to children or vulnerable adults, (defined as 'regulated activity' in the Safeguarding Vulnerable Groups Act 2006) as part of their role must be DBS checked, prior to that work taking place.
- 5.2 Some students undertake activities as part of their accredited studies which may necessitate the completion of a DBS check, as per the guidance of the partner organisation or external agency with whom the student is working (e.g. a school). In these situations it is the student's financial responsibility to pay for a DBS check.
- 5.3 The University may require a DBS check as a result of a risk assessment on any activity as part of additional identified controls.

## **6. Dealing with Safeguarding Concerns**

- 6.1 If the University is concerned that a student may pose a risk to the welfare, health and/or safety of a child or adult, the University may respond by:
- Making a referral to an external agency e.g. police or social services;
  - Decide no action is to be taken;
  - Notifying the Head of Department in which the student is studying that conditions be imposed to enable them to continue on their programme of study;
  - Take action under an alternative procedure e.g. disciplinary;
  - Recommend that the student be suspended to allow further investigation.
- 6.2 It is the remit of Social Services and/or Police and not anyone connected with the University to investigate safeguarding concerns. Further details of the types of abuse or harm that may be experienced by a child or vulnerable adult can be found in Appendix 2 of this procedure.

NB: If a Bath Spa University student becomes aware of a possible safeguarding issue whilst on placement, work based learning or in a professional setting they should normally report any concern in the first instance to a safeguarding officer of the placement or work based learning provider, or in the professional setting.

- 6.3 If a child or vulnerable adult as defined in paragraph 3.2 of this Policy & Procedure raises a safeguarding concern for example, that they are being abused or harmed, at risk of abuse or harm or any individual raises such a concern, the matter should be reported to a Nominated Safeguarding Officer (Staff or Student) without delay using the Safeguarding Incident Report Form in Appendix 4 of this procedure. If in any doubt as to whether a safeguarding concern should be reported, a report should be made to the Nominated Safeguarding Officer in any event.
- 6.4 If a Nominated Safeguarding Officer considers that the child or vulnerable adult maybe being abused or harmed or is at risk of abuse or harm they will make a referral to the Local Authority (via the LADO) or the Police as appropriate.
- 6.5 If any student or member of staff other than the Nominated Safeguarding Officer makes a referral to the Local Authority or the Police, they must notify the appropriate Nominated Safeguarding Officer that a referral has been made as soon as reasonably practicable.
- 6.6 The Nominated Safeguarding Officer or delegate will consult with the safeguarding team of the appropriate local authority to determine whether the allegation warrants further investigation. The NSO on behalf of the University will liaise with the relevant Local Authority Safeguarding Board as appropriate.

- 6.8 Where concern is raised that an individual may be vulnerable to being drawn into terrorism and/or is at risk of being radicalised, they will inform one of the University Prevent leads: Registrar & Director of Student Services or Student Support Manager.

## **7 Suspending a student**

7.1 This section refers to the temporary suspension of a student from their studies and/or temporary exclusion from all, or part of, the University's premises. Any temporary suspension or exclusion in accordance with 7.1.1 of this Policy and Procedure is a neutral and non-punitive measure.

7.1.1 Where the Vice-Chancellor or nominee reasonably believes that a student, about whom a safeguarding concern has been raised, poses a serious or immediate risk to the health, safety or wellbeing of a child or vulnerable adult, they may:

- Suspend the student for a specified time; and/or
- Exclude the student from the University premises for a specified period of time, pending steps being taken under this Policy and Procedure.

The student will be notified in writing usually within two working days of the Vice-Chancellor's decision.

7.1.2 Where the Vice-Chancellor or nominee suspends or excludes a student in accordance with paragraph 7.1.1 the student may appeal against that decision within 10 working days of the date of notification of the decision on the grounds that:

- The correct procedures were not followed; and/or
- Material irregularity took place; and/or
- The decision was unreasonable in the circumstances.

Students can access advice on submitting an appeal from the Students' Union Advice Centre.

7.1.3 Where a student is suspended or excluded in accordance with 7.1.1, the Vice-Chancellor or nominee will regularly review whether it is reasonable for the temporary suspension or exclusion to continue, or whether it should be revoked or extended.

7.1.4 As part of the consideration of 7.1.1 the Vice-Chancellor or nominee will consider whether specific arrangements can or should reasonably be put in place in order to minimise the impact of a suspension or exclusion on a student's studies. For example; allow the student to undertake study at home or to attend the University in order to sit an exam or submit an assessment.

## **8. Alternative procedures**

8.1 The University may consider it appropriate to take action under an alternative procedure, for example:

- Mental Health and Wellbeing Policy;
- Fitness to Study;
- Disciplinary;
- Fitness to Teach.

## **9. Training**

- 9.1 All University and Students' Union staff and students whose roles and responsibilities include regular contact with children and/or vulnerable adults, or carrying out the related risk assessments will receive training and guidance appropriate to their role. All staff will be made aware of this policy and procedure and related guidance.

## **10. Retention of information**

- 10.1 Written records of any safeguarding concerns will be retained for as long as is necessary, for the purpose for which it was obtained or as legally required or lawfully permitted.
- 10.2 Such written records will be held centrally and separately from a student's academic record.

## **11. Monitoring, Evaluation and Review**

- 11.1 The Lead Safeguarding Officer will record any incidents relating to safeguarding concerns and will report them anonymously to VCEG on a yearly basis. This report will be confidential and if any concerns or patterns of abuse or harm emerge these will be dealt with appropriately.
- 11.2 The Registrar & Director of Student Services is responsible for overseeing and updating this policy and procedure particularly with respect to the legal obligations. This policy and procedure will be reviewed regularly and updated as appropriate.
- 11.3 The University policies listed below are also relevant in seeking to ensure the health, safety and wellbeing of children and vulnerable adults:
- Data Protection Policy (Legal);
  - Disclosure and Barring Policy and Procedure for Staff (HR);
  - Prevent Duty (Legal);
  - Teacher Education DBS Advice (Institute for Education);
  - Recruitment Policy (HR);
  - Admissions Policy (Student Services);
  - Criminal Convictions Policy (Student Services);
  - Fitness to Teach (Student Services);
  - Mental Health and Wellbeing Policy;
  - Fitness to Study (Student Services);
  - Code of Practice Safeguarding Children, Young Person and Vulnerable Adults on Bath Spa University Premises (Safety, Health and Environment).

List of Activities/Areas

Examples of activities/areas that may involve contact with children or vulnerable adults (this is not an exhaustive list):

1. Teaching, supervision and support of students;
2. Summer schools, school visits, and other events such as work experience and placement;
3. On-site nursery (Oak Tree Day Nursery policies and procedures can be found at <http://www.bathspa.ac.uk/university-life/childcare> );
4. Outreach or widening participation activities taking place on or off campus;
5. Student residences;
6. Research undertaken as part of a studentship with the University and/or by a member of staff under the auspices of the University;
7. Attendance or participation at private functions run commercially by the University, e.g. Weddings and Conferences;
8. Children accompanying members of staff to work;
9. Field trips, excursions, volunteering and other social activities at both the University and the Students' Union
10. Use of University facilities by external organisations, such as performance spaces.

## Definitions of Abuse

The different forms of abuse for the purposes of this policy and procedure are consistent with the definitions in Working Together to Safeguard Children (HM Government, March 2015)<sup>2</sup> and No secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (Home Office and Department of Health, January 2015)<sup>3</sup> includes:

- **Physical abuse** - a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. It may be caused when an individual fabricates the symptoms of, or deliberately induces, illness in a child or vulnerable adult.
- **Neglect** - the persistent failure to meet the basic physical and/or psychological needs of a child or vulnerable adult, likely to result in the serious impairment of their health or development. Neglect may involve failing to:
  - Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
  - Protect a child or vulnerable adult from physical and emotional harm or danger
  - Ensure adequate supervision (including the use of inadequate care-givers); or
  - Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, the basic emotional needs of a child or vulnerable adult.

- **Financial or material abuse** – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Discriminatory abuse** – including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
- **Radicalisation** - individuals may be susceptible to being radicalised by extremists who often use a persuasive rationale to attract people who are vulnerable to their cause.
- **Sexual abuse** – involves forcing or enticing a child, young person or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching the outside of clothing. They may also include non-contact activities, such as involving the individual in looking at, or in the production of, sexual images, watching sexual activities, encouraging them to behave in sexually inappropriate ways, or grooming an individual in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can children.
- **Emotional abuse** – the persistent emotional maltreatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the individual's emotional development. It may involve conveying to a child or vulnerable adult that they are worthless or unloved,

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419595/Working\\_Together\\_to\\_Safeguard\\_Children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf)

<sup>3</sup> <https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care#history>

inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the individual opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond a child's or vulnerable adult's developmental capability, as well as over-protection and limitation of exploration and learning, or preventing the individual participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child or vulnerable adult, though it may occur alone.

The above is a non-exhaustive list and there may be other forms of abuse, or examples of abuse, which require action under this policy and procedure.

### Appendix 3

The following list of useful dos and don'ts is based on those included in the Safeguarding Vulnerable Adults: Guidance for English Higher Education Institutions (HEIs) – Department for Innovation Universities and Skills (December 2007).

If child or vulnerable adult discloses that they are experiencing abuse or harm or if there are suspicions a child or vulnerable adult is at risk of abuse or harm consider the following.

<b>DO</b>	<b>DO NOT</b>
Be supportive	Panic
Take what the child or vulnerable adult says seriously	Delay
Remain calm	Promise to keep secrets
Reassure them that it was right to tell someone	Ask leading questions
Use the language they understand	Ask them to repeat the story unnecessarily
Explain what will be happen next, i.e. that disclosure of relevant information will be passed to the Nominated Safeguarding Officer	Express any opinions about what you are told
Write down verbatim immediately afterwards what was said, including the time, place and any other observations: sign and date the record	Discuss the disclosure with anyone other than the Principal Safeguarding Officer and other relevant personnel.
Pass the report to the Nominated Safeguarding Officer	Start to investigate
Remember that you may need support. Seek advice and support yourself from HR, Lifeworks or Student Support	Do not contact the alleged abuser

Safeguard Incident Report Form

Name of child/vulnerable adult:	
Date of birth (of child):	Gender: (M/F)
The child's/vulnerable adult's account:	
Time, location, date or other relevant information:	
Description of the safeguarding issue (including any visible signs or other injuries, please see Appendix A of the Safeguarding Procedure for more information):	
Any other observations/information:	
Action taken:	
Signed:	
Name (print):	
Position:	
Date:	

Please use the word version of this form, and complete as fully as needed. If additional information is provided, please ensure that it is securely attached. Please send this information to the Nominated Safeguarding Officer (staff or student) as a matter of urgency.

### Guidance for Staff working with Students under the age of 18 years

All staff who have regular one-to-one contact with students who are under the age of 18 should adhere to the following guidance to ensure safety both for themselves and the young person.

If you have any concerns or queries arising from reading this guidance please contact Sara Gallagher, Student Support Manager who is responsible for matters relating to safeguarding vulnerable groups.

#### General Guidelines:

- Respect all individuals whatever their age;
- Place the safety and wellbeing of the young person first. It must be placed before any personal or organisational goals and before loyalty to friends and colleagues;
- Form appropriate relationships with young people. These should be based on mutual trust and respect;
- Be aware of the relative powerlessness of young people compared to staff members;
- Be committed to actively preventing the exploitation and abuse of children and young people.

#### Guidelines for working with students under the age of 18 years:

- Conduct meetings with the student either with another staff member present or in an open environment (e.g. leave office door open and do not hold meetings when lone working);
- If staff have a concern about a student which specifically relates to the age of an under 18 year old student, they can contact the Student Support Manager;
- Academic staff should follow guidance on signposting, consultation and referral to appropriate services if they have concerns about individual students;
- If physical contact is necessary e.g. for demonstration purposes, ensure it takes place only with the full consent of the student and that its purpose is clear;
- Do not use touch as a form of communication, even to comfort a student who is distressed;
- Consider the implications of transporting students in your own vehicle, offer alternatives where ever possible so the student travels with peers;
- Consider your expected behaviour in certain situations and what might be considered unacceptable, e.g. sexually suggestive comments, inappropriate language;
- Be mindful that it is a criminal offence for any person in a position of trust to engage in sexual activity with someone who is under 18;
- Remember that it is not legal for students who are under 18 to buy alcohol, and that it would not be appropriate to offer them alcohol. Planning and organisation of events involving students should take this into account.