



Safeguarding Staff

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 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 planning activities which may involve children or 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 [Heath and Safety space](#).

The University is committed to providing an environment that supports the safety and welfare of all its staff and students and believes that safeguarding is everybody's responsibility. The University has developed this policy, procedures and accompanying guidance to protect and support its staff, student and visitors, in order that the University continues to be a rewarding, respectful and safe environment in which to work, study and visit.

Whilst the University is predominately an adult environment, the University does engage in a range of activities that, from time to time, involve staff coming into contact with children and vulnerable adults who may be vulnerable to being abused (defined under Care Act 2014) (see Definitions). A list of the main activities that may involve children or adults is included in Appendix 1 of this policy.

The procedure for how the University may deal with safeguarding issues and the type of action that the University may take to manage matters is set out in paragraph 6 Procedure for Dealing with Safeguarding Concerns (NB potential safeguarding issues should be considered in the planning of courses, modules and related activity). Examples of the types of situations which may result in the University implementing the Safeguarding Procedure are:

- A child or adult raises an allegation of abuse, harm or other inappropriate behaviour.
- There are suspicions or indicators that a child or 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 very difficult to recognise and it is not a staff member's responsibility to decide, only to raise concerns they may have. Types of abuse or harm are set out in Appendix 2)

- There are observable changes in a child or 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; some useful advice on what to do and not to do is included in Appendix 3 of this procedure. If there is a concern that a member of staff or student may present as a risk the University may invoke its risk assessment process for staff who are considered to pose a safeguarding risk see Appendix 4.

Purpose

The purpose of this policy and procedure is to assist the University in discharging its duties and commitments in respect of safeguarding children and adults fully and effectively and in accordance with statutory guidance.

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 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 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 adults.

To ensure that any concerns are referred appropriately and in a timely way to the relevant agency.

- Bath and North East Somerset: Jackie Deas, 01225 396810
- Bristol: Nicola Laird, 01179 037795
- Wiltshire (North area): 01249 444321
- West area: 01225 773500

- South area: 01722 327551

Scope and definitions

This policy and procedure applies to all:

- 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 sharing information in order to safeguard the wellbeing of children and vulnerable adults, for example individuals and activities with Students' Union societies and volunteering.

For the purpose of this policy and procedure the following definitions apply:

- **'Child'** means anyone under the age of 18
- **'Adult'** refers to 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”
- The University also recognises there are a range of different factors that may result in an adult being vulnerable to exploitation, radicalisation or abuse. Examples include: relationship breakdown, financial difficulties, physical or mental ill-health and social isolation.

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

- Care Act 2014
- Health and Safety at Work Act 1974

- Human Rights Act 1998
- Data Protection Act 1998; General Data protection Regulations (GDPR)
- 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 and 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 'vulnerable individuals'. Any staff or student 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.

Responsibilities

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 adults and to take appropriate steps (including those set out in this policy) to ensure that suspicions and allegations of abuse are taken seriously and responded to swiftly and appropriately.

The University also has designated (with delegated deputies as appropriate) safeguarding roles with specific responsibilities as follows:

Lead Safeguarding Officer (LSO) - Deputy Vice-Chancellor and Provost

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 the University may fulfil its statutory obligations and the requirements of this policy
- Ensuring that the University engages with the Local Safeguarding Children Board (LSCB) and any other appropriate professional Child Protection fora, as

appropriate.

Principal Safeguarding Officer (PSO)

- Director of Human Resources - (staff related incidents and allegations)
- Registrar and Director of Student services / Head of Student Support - (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 adults are made appropriately
- 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
- Maintaining a log of all reported breaches of this policy and actions/outcomes

Nominated Safeguarding Officer (NSO)

- The NSO for each academic unit 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 adults and recorded in the central risk assessment database.
- Where there are University or Students' Union activities where staff and students work with children or adults as part of their roles, the Dean or CEO may appoint a delegate NSO to take responsibility for safeguarding within that activity. The delegate 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.

Other responsibilities

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.
- Safety, Health and Environment Adviser is responsible for:
- Providing high level advice and guidance supporting staff and students in the completion of risk assessments; and
- Maintaining the University's Code of Practice for Safeguarding Children and Adults on BSU premises.

Disclosure and Barring Scheme (DBS) Checks

All students and staff who have unsupervised access to children or 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. The University will cover the costs associated with gaining a DBS (standard or enhanced) check for those staff roles requiring one which have been identified through the University's DBS flowchart. Human Resources will provide advice and assistance as to how, when and to whom this would apply.

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.

The University may require a DBS check as a result of a risk assessment on any activity as part of additional identified controls.

Dealing with Safeguarding Concerns

If the University is concerned that staff 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

- Deciding no action is to be taken
- Take action under an alternative procedure e.g. disciplinary

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 member of staff of the University becomes aware of a safeguarding issue whilst on placement or 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.

If a child or adult (as defined above) 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 Principal Safeguarding Officer (Staff or Student) or if within an academic unit the Nominated Safeguarding Officer for that academic unit, 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 Principal or Nominated Safeguarding Officer in any event.

If a Principal or Nominated Safeguarding Officer considers that the child or vulnerable adult is being abused or harmed or at risk of abuse or harm they may make a referral to the Local Authority or the police as appropriate.

If the Principal or Nominated Safeguarding Officer is not available or the safeguarding concern involves for example a concern against them, then the Lead Safeguarding Officer or the Vice-Chancellor should be contacted.

If any student or member of staff other than the Principal or Nominated Safeguarding Officers makes a referral to local authority or the police, they must notify the appropriate Principal and Nominated Safeguarding Officer that a referral has been made as soon as reasonably practicable.

The Principal or Nominated Safeguarding Officer or delegate will consult with the Local Authority Designated Officer of the appropriate local authority to determine whether the allegation warrants further investigation.

Managing a reported incident

Once an Incident involving a member of staff has been reported to a Principal or Nominated Safeguarding Officer an assessment of risk to the welfare, health and/or safety of a child or adult must be carried out.

The Principal or Nominated Safeguarding Officer will carry out a risk assessment which seeks to identify any risks posed by a particular member of staff and consider the appropriate way to manage such risks (this will not be an investigation of the situation, only an assessment of the risk).

- NB - If the risk assessment identifies that the staff member poses a serious risk to the health, safety or wellbeing of a child or adult, action to suspend should be taken under the University's disciplinary policy. It will be the Principal Safeguarding Officer who will take the decision, based on the risk assessment, to move to the disciplinary process.

It is anticipated that the risk assessment will be shared with the member of staff (who is thought to pose a risk) and the member of staff will be given the opportunity to respond to the information and concerns that have been raised.

The member of staff will be invited to a meeting to discuss the concerns that have been raised. They will have a right to be accompanied by a trade union representative or a work colleague.

- NB it is recognised that in some cases it may not be appropriate to share the concerns that have led to the risk assessment e.g. where it is considered that this might result in harm being committed against a child or adult. A decision not to share information with the member of staff will be documented.

Possible recommendations from the Risk Assessment are:

- No further action required
- Some actions recommended (these may be for the individual, School or Department or University). If actions are for the individual an action plan will be created and the line manager will be expected to work with the individual to achieve the required actions. Recommendations for Schools or Department or the University need to be sent to the Principal Safeguarding Officer, who will be responsible for ensuring actions are achieved.
- Move to disciplinary. At this point the risk assessment will be put on hold until the outcome of the disciplinary.

- Move to formal capability. The risk assessment will be used to enable the capability process.

The Principal and Nominated Safeguarding Officers are responsible for ensuring the risk assessment is recorded and actions are taken. A register of risk assessments will be retained by HR and documents relating to that register will be retained separately from personal files in a restricted access file within INVU. It will be the responsibility of the Director of Human Resources to ensure the register is checked for any previous risk assessments whenever issues or concerns are raised.

Training

Human Resources in conjunction with Student Services, Safety, Health and Environment and Line Managers will ensure that all staff whose roles and responsibilities include regular contact with children and/or 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.

Retention of information

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.

Such written records will be held centrally and separately from a member of staff's personal records.

Alternative procedures

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

- Disciplinary
- Capability

Monitoring, evaluation and review

The Lead Safeguarding Officer will report on recorded incidents in an anonymised form to VCEG on a yearly basis. This report will be confidential and if any concerns or patterns of abuse emerge these will be dealt with appropriately.

The Director of HR 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.

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); GDPR policy
- Recruitment Policy (HR)
- Admissions Policy (Student Services)
- Criminal Convictions Policy (Student Services)
- Code of Practice Safeguarding Children, Young Person and Vulnerable Adults on Bath Spa University Premises (Safety, Health and Environment)
- Prevent Duty (Legal)
- Teacher Education DBS advice (Institute for Education)
- Mental Health and Wellbeing Policy (Student Services)

