



University of the
West of England

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

Introduction

The University is expected and has a responsibility to take appropriate steps to safeguard children and vulnerable adults who are on University premises and are working with its staff and students. It also needs to consider the position of those staff and students who in the course of their work, studies or other activities on behalf of the University are in 'regulated' positions or otherwise in regular and unsupervised contact with children or vulnerable adults either on campus or in external settings.

The University is committed to practice that is safe and to protect children and vulnerable adults from harm as far as is possible and reasonable.

Guidance exists in documents from various organisations (Appendix A) and, as far as children are concerned, the government advises universities to apply the principles set out in guidance to schools and FE colleges as far as they apply to the HE context.

Definitions

For the purposes of this policy:

- The definition of 'children' is young people under the age of 18 years.
- The definition of 'vulnerable adults' is that used by the Criminal Records Bureau (CRB) : a person aged 18 or over who has a condition of the following type: i) a learning or physical disability; ii) a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or iii) a reduction in physical or mental capacity.
- 'Regulated' positions are as set out in Part 2 of the Criminal Justice and Court Services Act 2000 (Appendix B)
- Duty of care: "the obligation to exercise a level of care towards an individual, as is reasonable in all the circumstances, to avoid injury to that individual or his property. Duty of care is therefore based on the relationship of the parties, the negligent act or omission and the reasonable foreseeability of loss to that individual. A negligent act is an unintentional or careless act which results in loss. Only a negligent act will be regarded as having breached a duty of care. Liability for breach of a duty of care very much depends on the public policy at the time the case is heard. In the FE and HE system duties of care will govern relations with a wide variety of groups including, but not limited to, employees, students and even visitors."
Duty of Care in the FE and HE Sectors, JISC
- Safeguarding: "Institutions have an enhanced duty towards children, and safeguarding is part of that common-law duty of care. Safeguarding refers to taking reasonable measures to ensure the risks of harm to children's welfare are minimised and where there are concerns about children and young people's welfare, to take all appropriate actions to address those concerns."
Adapted from Aimhigher... Aimsafer

Policy

This policy sets out the University's approach to safeguarding children and vulnerable adults. It applies to those staff employed by the University and to registered students who in the course of their work, studies or other activities on behalf of the University are in 'regulated' positions or otherwise in regular and unsupervised contact with children or vulnerable adults either on campus or in external settings.

It is supported by guidance documents and refers to other relevant policies of the University. (Appendix A)

The Vice-Chancellor will nominate a member of the senior management team to take the lead on and to be responsible for safeguarding those children and vulnerable adults to whom the University has a responsibility.

There is a range of occasions on which staff and students may come into contact with children and/or vulnerable adults, which are outlined below.

Where these are off campus the responsibility for the protection of individuals usually lies with the external agency. Some examples are: education and health care students undertaking placements as part of their programme of study; staff going into schools for widening participation activities; staff and student volunteering organized by the University in education or health care settings. The University will work with the external agencies involved over arrangements that need to be made, and University staff and students are expected to comply with any safeguarding policies of those agencies as long as they do not contradict any requirements of the University. The University will undertake to carry out criminal records checks on staff and students as necessary and appropriate (see below), consulting with those external agencies as necessary.

The main activities and services on campus through which staff and students may have contact with children or vulnerable adults includes, but is not confined to, those listed below. This will change and expand over time, especially as the University's outreach and other activities to support its widening participation strategy increase.

- Students admitted to University courses who are under 18
- Summer schools, school visits and other events
- The nursery
- Student residences and the conference office for residential events
- Centre for Sport

Each of these presents different challenges and more detail is given in section 2 below and in the accompanying guidance.

Staff and students are discouraged from bringing children onto campus. If it is necessary for them to do so, staff should seek prior approval. With the exception of brief visits or attendance at the nursery, students are not expected to bring children to the University. It is not appropriate for children to be in teaching or research areas. If staff or students do bring children to the University, they are responsible for those children who must be supervised at all times (with the exception of attendance at the nursery). (See also Health & Safety guidance.)

Any visitor to the University bringing children onto campus is responsible for those children who must be supervised at all times.

1 Criminal Records Checks

The Criminal Records Bureau (CRB), an executive agency of the Home Office, provides access to criminal record and other information available in England and Wales to organisations through a service called disclosure.

The University is required to obtain disclosure statements from the CRB for staff and students in 'regulated' positions who are undertaking certain roles and functions. This is for the protection of children and vulnerable adults, and also for the assurance of the individual, the external agency and the University itself. The University has a separate policy which sets out its requirements and expectations, and various related guidance.

The introduction of the Vetting and Barring Scheme in 2010 will have implications for the University's policy in this area, which are currently being considered.

2 Children and Vulnerable Adults on Campus

As already outlined, there are a number of legitimate reasons why children or vulnerable adults might be on campus.

In all cases, a risk assessment must be undertaken prior to their attendance and at the planning stage for an event so that reasonable precautions are taken to safeguard them and to ensure adequate supervision. It is also necessary to work with any organisation visiting the University, for instance for a school visit, which may have its own expectations about the arrangements that will be put in place. The Dean of the Faculty or Head of the Service organising an event or other organiser such as the Staff Association, is responsible for ensuring that a risk assessment is carried out, that a record of the risk assessment is kept and that the necessary measures are put into place. In some circumstances it might be necessary and appropriate to decide that the risks are too great to allow the children or vulnerable adults to attend for or participate in a particular activity.

Guidance for such risk assessments is provided, in addition to the Health and Safety guidance that should always be followed. Further advice is also available as set out in the guidance.

Guidance is also available for staff and students participating in such events regarding appropriate behaviour and how to act or respond in particular situations.

- i) Children or vulnerable adults invited into the University for events where University staff are in control of and have a responsibility for their safety and supervision. This might include events at which a responsible adult from an external agency eg a class teacher is present. Includes events such as faculty-based study days, summer schools, outreach events and activities.

In the case of residential events, particular care is called for and there is separate guidance for staff involved in those events.

- ii) Children or vulnerable adults responding to an open invitation to, for instance, an open day or a performance, where there is a general but not specific responsibility on the University.

It is expected that any child under the age of 16 attending an open event will be accompanied and supervised by an adult. However, it is acknowledged that most prospective students attending open days and other similar events will be

under 18 and unsupervised. The University's duty to them extends no further than it does for any other visitor for such an event. Guidance for such events is provided.

- iii) Students admitted to full-time programmes of study who are aged under 18. There are few students who fall into this category, and most will become 18 during their first year of study. A separate policy has been produced including specific procedures to be followed in these cases.

Separate guidance is provided to cover students aged under 18 who are admitted to part time and short courses.

- iv) Children or vulnerable adults as research subjects. Separate guidance is set out within the research ethics policy and research governance arrangements.
- v) Children and vulnerable adults will visit the Centre for Sport as members in their own right, for specific events and for activities as part of, for instance, summer schools. Appropriate arrangements will be put in place in by the Centre for day to day operations, and risk assessments will be undertaken for specific events for children and vulnerable adults.
- vi) Children or vulnerable adults as patients (Health and Life Sciences, Centre for Sport) *(To be added)*
- vii) Employment of under 18s: Specific regulations apply to the employment of under 18s and the measures that need to be taken, in particular with respect to their supervision (Criminal Justice and Court Services Act 2000). Advice is to be sought from Human Resources who will be responsible for ensuring that necessary steps are taken. This also applies to under 18s on work placement in the University.
- viii) Attendance at private functions run commercially in the University: Specific responsibility lies with the organisers of the event, which must be made clear to those organisers as part of the letting, but the University has a general responsibility to provide an environment that is of as low risk to children or vulnerable adults as is practically reasonable.
- ix) Conferences: These may fall under categories (ii) and (viii) above. A risk assessment must be carried out in accordance with the guidance provided. In the case of the latter, there will need to be detailed discussions with the organisers about appropriate arrangements.

Children might also come uninvited onto University sites. As far as is reasonably practical, the University makes its buildings and grounds of as low risk as possible to children as is consistent with its access policy. It cannot, however, remove every potential danger to children from its sites.

Training

Staff and students whose roles include contact with children and/or vulnerable adults, arranging events involving children and/or vulnerable adults, or carrying out related risk assessments, will receive training and guidance appropriate to their role. All staff will be made aware of this policy and related guidance.

Child Protection

A protocol has been drawn up for staff to whom a disclosure raising issues of child protection is made. They should inform the Clerk to the Governors who will inform the senior manager responsible, and who can provide advice and guidance.

Review

The Clerk to the Governors is responsible for overseeing and updating this policy, particularly with respect to the legal and other external requirements. The policy will be reviewed regularly and initially no more than two years after its approval.