Safeguarding Children and Vulnerable Groups – Policy and Guidance

Foreword

Set out in this document are the University's policies in respect of Safeguarding Children and Vulnerable Groups. These were approved by Council on 30 January 2013 with amendments adopted by the University's Equal Opportunities and Human Resources Committee in April 2016.

These will be subject to periodic update and review, the responsibility for this lies with the University's Safeguarding Children and Vulnerable Groups Committee and the Health and Safety Committee. It is not suggested that these procedures will encompass the whole range of policies and guidance that the University will require and areas such as the Guidance on Specific University Activities will require further work.

The University, and all its services and facilities, is an open access and predominantly adult environment. We invite members of our community to visit the campus and enjoy the University's facilities. As such the University intends to treat all students as independent, mature individuals. Staff members are not routinely DBS checked unless their work warrants it by involvement in Regulated Activity. The University does not accept the rights, responsibilities and authority that parents have in relation to children and will not act in loco parentis in relation to students or visitors who are under the age of 18 years. The standard personal and academic support arrangements apply equally for students who are under and over 18 years of age. However, the University acknowledges that students under the age of 18 and vulnerable adults may have additional needs in relation to their support and welfare and the University encourages self-disclosure of information to support this.

The Policy is divided into three sections and each of these has various sub-sections as detailed in the list of contents. The three sections are:

Section A – Policy and Legal Framework
Section B - Guidance for Staff and External Organisations
Section C - Information and Records

If you have any queries about safeguarding please contact:

Jilly Court
Secretary to Council and Registrar

Jilly.court@brunel.ac.uk

This Policy Document was issued in April 2017 by the University's Safeguarding Children and Vulnerable Groups Committee

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Section A [sub-sections 1-8] – Policy and Legal Framework

1. University Statement on Safeguarding Children and Vulnerable Groups

1.1 Brunel University London is committed to providing a safe and secure environment for all students, staff and individual visitors who access its facilities and services.

1.2 Brunel University London recognises its particular responsibility to safeguard the wellbeing of children and vulnerable adults engaged in the breadth of the University's activities by ensuring that there are appropriate arrangements in place to enable it to discharge its duty to provide a safe and secure environment and to deal with issues concerned with suspected or reported abuse of children and vulnerable groups.

1.3 Brunel University London seeks to ensure that its policy and procedures comply with statutory duties, reflects guidance and good practice in safeguarding children and vulnerable adults, and that safeguarding arrangements are proportionate and reasonable. This statutory duty extends to reporting incidents as they occur to the appropriate authorities.

1.4 The University recognises that it has a duty to help staff and students recognise their responsibilities (through guidance, support and training), minimise risk and avoid situations (where possible) where abuse or neglect might arise or be alleged. The University accepts its responsibility as an employer for providing a safe and healthy workplace and work environment, as far as is reasonably practicable, for non-employees (students, contractors, visitors, children, young people and the public) who are on campus and who may be affected by its work, equipment or property.

1.5 The University undertakes to comply with all statutory health and safety requirements pertaining to non-employees.

1.6 The University wishes to adopt all other reasonably practicable means to eliminate hazards and reduce the risk of injury to non-employees.

1.7 The University requires that a written risk assessment be carried out for all planned and supervised activities for children, young people and vulnerable groups.

2. Policy

2.1 The University recognises that the change in student population, with more mature students studying together with the changing domestic needs of staff, have resulted in there being more children entering University premises than has previously been the case. The use of the campus for organised educational activities, social events, summer camps, sporting events and the use of the facilities by paying customers means that children are regularly invited to be part of the campus population. In addition children can be brought onto campus by their parents who may be staff or students. The University permits the public, including children to access its campus grounds and has, as a consequence, legal responsibilities for the presence of children who may be unsupervised.

2.2 As far as supervised activities go, all organisations working with, or providing activities for, children or young people have a responsibility to protect and safeguard their welfare. The Protection of Children Act 1999 (PCA) goes a long way towards ensuring that where people have been identified and considered unsuitable to work with children that they are prevented from gaining access to children through their work. There are regulations about staff ratios for different age groups and activities and there is a responsibility to act on any concerns through contact with the appropriate authorities and a duty of care to safeguard all children from harm.

2.3 This policy therefore aims to protect those most vulnerable users of the University's facilities against harm and ensure that they feel safe and secure whilst they are on campus and take with them positive feelings about their visit when they leave.

3. Scope

3.1 The University has a responsibility to safeguard and promote the welfare of under-18s and vulnerable adults who participate in its organised activities or services. These include registered students who are under 18 or vulnerable, children who come onto University premises as part of organised activities such as visits or summer schools and University staff working off campus (e.g. widening participation and marketing activities in local schools or FE Colleges). The University must ensure that reasonable steps to promote and safeguard the welfare of children, young people and vulnerable groups are taken.

3.2 All University staff are in a position of trust, in particular those staff who teach, support, guide or in any way interact with students. It is incumbent on all staff to be aware of this and to act accordingly at all times. Safeguarding children and vulnerable groups is a personal responsibility and liability cannot be passed to the University. The University's responsibilities extend to safeguarding children and vulnerable groups who come into contact with its staff and students outside of the University's premises as part of work that may be conducted on professional courses or in carrying out research.

3.3 The University endeavours to have a comprehensive approach towards safeguarding, but the safeguards that are put in place are generally those appropriate for a higher education institution serving a predominantly adult community. Staff, students and visitors are expected to understand this before agreeing to join the University or use its facilities. The University, however, has stated in sub-section A1.2 that it has a responsibility to safeguard and promote the welfare of under-18s and vulnerable adults who participate in its organised activities or services.

3.4 The University works with children in a variety of settings, such as research activities, summer schools, hosting visiting groups to providing short periods of work experience. In the majority of cases the children will be in the supervisory care of a teacher or parent; occasionally however, it will be a member of University Staff who will be supervising a child. Even if the statutory duties arising from the PCA do not apply, the Government expects that, while there is no mandatory provision, all organisations will adopt the same level of protection for children in their care. For a few areas of the University's work there may be a requirement to obtain Disclosure from the Disclosure and Barring Service for particular staff or volunteers. For the majority of staff this will not be required, but a member of staff working with children, young people or vulnerable groups is a role model and will need to be aware of the potential risks and the practical steps that can be taken to minimise risks.

4. Safeguarding structure and responsibilities

4.1 The University has in place an organisational structure for safeguarding children and vulnerable groups. Key staff with designated safeguarding responsibilities are members of the Safeguarding Committee, that communicates regularly and meets on an as-needed basis in order to monitor, review and develop the work of the University in delivering its duty of care. This, however, does not abnegate individual responsibility for safeguarding.

4.2 The University Principal Safeguarding Officer (PSO), who has overall accountability for safeguarding children and vulnerable groups at the University, is the Secretary to Council [Jilly Court]. This person carries out a leadership and co-ordination role and chairs the Safeguarding Committee. In the absence of the Secretary to Council the Head of

Counselling [Peter Eldrid] or the Assistant Secretary to Council [Bridget Alabi] will act as Principal Safeguarding Officer.

4.3 In those areas where staff and students work with children and vulnerable adults as part of their roles, a member of staff is nominated to have special responsibility for safeguarding in their area of responsibility. This person will be the focal point for all safeguarding issues within that area. This nominated member of staff holds the title Designated Safeguarding Officer (DSO). The role description for DSO can be found at sub-section C2 of this policy.

4.4 Staff and students working in direct contact with children and vulnerable groups on a day-to-day basis (i.e. staff involved in teaching and providing pastoral guidance to students) may come across signs of harm and/or abuse. Staff need to ensure that significant concerns for the wellbeing of a child or vulnerable person are reported to the appropriate Designated Safeguarding Officer, or the PSO (if DSO is not available) as quickly as possible (at most, within 24 hours). The DSO/PSO will invoke the appropriate procedures to protect the child or vulnerable adult, involving Social Services and/or the Police as appropriate. Guidance for staff recognising, reporting and dealing with allegations or suspicions of abuse can be found at sub-section B3 of this policy.

4.5 The Student Services Department provides support for children and vulnerable groups who disclose that they have been or are being abused or are the victim of other inappropriate behaviour. They will report incidents to the appropriate authorities as required and this duty will override responsibilities in respect of confidentiality.

4.6 Where an allegation of abuse or inappropriate behaviour is made against a member of staff and relates to their actions as a member of the University, in addition to actions set out in paragraph 4.4 above, Human Resources will advise and guide the line manager of the member of staff against whom allegations have been made in relation to employment issues.

4.7 Where an allegation of abuse or inappropriate behaviour is made against a student and relates to their actions as a member of the University, in addition to actions set out in sub-section 4.4 above, the Head of Registry will advise and guide the College and/or Chair of the Disciplinary Board in relation to student discipline issues.

4.8 Where an allegation of abuse or inappropriate behaviour is made against an independent contractor or visitor to the University, in addition to actions set out in sub-section 4.4 above, the PSO will advise the Chief Operating Officer on the appropriate steps to take.

5. Definitions

5.1 For the purposes of this policy:

(a) A **Child** is defined as a person who is eighteen years old or less [Section 60 of the Safeguarding Vulnerable Groups Act 2006 defines a Child as “a person who has not attained the age of 18”].

(b) a **Young Person** is defined as a person who has not attained the age of eighteen.

(c) an **Adult** is defined as a person of eighteen years or more.

(d) a member of a **Vulnerable Group** is defined as a person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness;

and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Those defined to be members of a Vulnerable Group are to be treated with the same standard of care as that offered to children and young people. The University is not acting *in loco parentis**. Thus, throughout this document reference to children and young people also includes vulnerable adults.

(e) a **Hazard** is something with the potential to cause harm (eg a moving vehicle).

(f) **Risk** is the likelihood that a hazard will cause harm (eg chance of a child being in collision with a moving vehicle).

(g) a **Control Measure** is a positive action taken to reduce the risk of a hazard causing harm (eg adult supervision of children when walking near traffic).

* '**in loco parentis'** = "in the place of a parent." (Latin)

5.2 For guidance on this and other definitions please contact the University Principal Safeguarding Officer/Secretary to Council [Jilly Court].

6. Legal Framework

6.1 Safeguarding Children and Vulnerable Groups is the responsibility of all University staff who may come into contact with under-18s or members of a vulnerable group in the course of their work. The University will provide Legislative Guidance [sub-section A7] and a Code of Behaviour and Good Practice [sub-section B2] to advise on how these responsibilities can be met.

6.2 The University permits members of the public (including children and young people) to enter its campus and use its open private grounds for recreational purposes or for access to services provided for their use (eg Sports Facilities). In return it would expect them to behave responsibly and not cause criminal damage to its grounds, equipment or property or injury to its staff or students. When members of the public are on campus the University owes them a Common Law duty of care even if they are uninvited. This duty increases if the member of public is very young, very old or is in some other way vulnerable.

6.3 If an accident happens to a member of the public on campus they may consider legal remedy for an alleged breach of the Common Law duty of care through the civil courts. The University has Public Liability Insurance and its Insurer will deal with and, if necessary, defend such a claim. For the claim to be successful, the University would have to be shown to be negligent in some way and that this negligence led to the injury.

7. Legislative and Statutory Guidance

Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Local Authorities undertake assessments of the needs of individual children to determine what services to provide and action to take. The full set of statutory assessments is set out below.

7.1 Section 17 of the Children Act 1989

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services; or a child who is disabled. In

these cases, assessments by a social worker are carried out under section 17 of the Children Act 1989. Children in need may be assessed under section 17 of the Children Act 1989, in relation to their special educational needs, disabilities, or as a carer, or because they have committed a crime. The process for assessment should also be used for children whose parents are in prison and for asylum seeking children. When assessing children in need and providing services, specialist assessments may be required and, where possible, should be coordinated so that the child and family experience a coherent process and a single plan of action.

7.2 Section 47 of the Children Act 1989

Concerns about maltreatment may be the reason for a referral to local authority children's social care or concerns may arise during the course of providing services to the child and family. In these circumstances, local authority children's social care must initiate enquiries to find out what is happening to the child and whether protective action is required. Local authorities, with the help of other organisations as appropriate, also have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, to enable them to decide whether they should take any action to safeguard and promote the child's welfare. There may be a need for immediate protection whilst the assessment is carried out

(1) Where a local authority—

(a) are informed that a child who lives, or is found, in their area—

(i) is the subject of an emergency protection order; or

(ii) is in police protection;

(b) have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm,

the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

(2) Where a local authority have obtained an emergency protection order with respect to a child, they shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide what action they should take to safeguard or promote the child's welfare.

(3)The enquiries shall, in particular, be directed towards establishing—

(a) whether the authority should make any application to the court, or exercise any of their other powers under this Act (child safety orders), with respect to the child;

(b) whether, in the case of a child—

(i) with respect to whom an emergency protection order has been made; and

(ii) who is not in accommodation provided by or on behalf of the authority,

it would be in the child's best interests (while an emergency protection order remains in force) for him to be in such accommodation; and

(c) whether, in the case of a child who has been taken into police protection, it would be in the child's best interests for the authority to ask for an application to be made under section 46(7).

(4) Where enquiries are being made under subsection (1) with respect to a child, the local authority concerned shall (with a view to enabling them to determine what action, if any, to take with respect to him) take such steps as are reasonably practicable—

(a) to obtain access to him; or

(b) to ensure that access to him is obtained, on their behalf, by a person authorised by them for the purpose,

unless they are satisfied that they already have sufficient information with respect to him.

(5) Where, as a result of any such enquiries, it appears to the authority that there are matters connected with the child's education which should be investigated, they shall consult the relevant local education authority.

(5A) For the purposes of making a determination under this section as to the action to be taken with respect to a child, a local authority shall, so far as is reasonably practicable and consistent with the child's welfare—

(a) ascertain the child's wishes and feelings regarding the action to be taken with respect to him; and

(b) give due consideration (having regard to his age and understanding) to such wishes and feelings of the child as they have been able to ascertain.

(6) Where, in the course of enquiries made under this section—

(a) any officer of the local authority concerned; or

(b) any person authorised by the authority to act on their behalf in connection with those enquiries—

(i) is refused access to the child concerned; or

(ii) is denied information as to his whereabouts,

the authority shall apply for an emergency protection order, a child assessment order, a care order or a supervision order with respect to the child unless they are satisfied that his welfare can be satisfactorily safeguarded without their doing so.

(7) If, on the conclusion of any enquiries or review made under this section, the authority decide not to apply for an emergency protection order, a child assessment order, a care order or a supervision order they shall—

(a) consider whether it would be appropriate to review the case at a later date; and

(b) if they decide that it would be, determine the date on which that review is to begin.

(8) Where, as a result of complying with this section, a local authority conclude that they should take action to safeguard or promote the child's welfare they shall take that action (so far as it is both within their power and reasonably practicable for them to do so).

(9) Where a local authority are conducting enquiries under this section, it shall be the duty of any person mentioned in subsection (11) to assist them with those enquiries (in particular by providing relevant information and advice) if called upon by the authority to do so.

(10) Subsection (9) does not oblige any person to assist a local authority where doing so would be unreasonable in all the circumstances of the case.

(11)The persons are—

(a) any local authority;

(b) any local education authority;

(c) any local housing authority;

(d) any Local Health Board, Special Health Authority, Primary Care Trust, National Health Service trust or NHS foundation trust; and

(e) any person authorised by the Secretary of State for the purposes of this section.

(12) Where a local authority are making enquiries under this section with respect to a child who appears to them to be ordinarily resident within the area of another authority, they shall consult that other authority, who may undertake the necessary enquiries in their place.

7.3 Safeguarding Vulnerable Groups Act 2006

7.3.1 The Safeguarding Vulnerable Groups Act 2006 introduced the Vetting and Barring Scheme that operated under the auspices of the Independent Safeguarding Authority [the ISA]. The Act also sets out the activities and work which are 'regulated activity' which a person who is barred by the ISA must not undertake. The Safeguarding Vulnerable Groups Act 2006 has been amended by the Protection of Freedoms Act 2012.

7.4 Protection of Freedoms Act 2012

7.4.1 The Protection of Freedoms Act 2012 made provision for the establishment of the Disclosure and Barring Service [DBS]. It also amended the Safeguarding Vulnerable Groups Act 2006 in terms of the scope of the vetting and barring scheme and made changes to the system of criminal records. However, the University's obligations in the following mattes were unaffected:

i. to refer employees or volunteers to the DBS in appropriate circumstances;

ii. to carry out checks on individuals before allowing them to undertake regulated activity.

7.5 Other legislation and Key Guidance

7.5.1 Statutory responsibilities of the University are also set out in the Children Act 2006; Education Act 2002; Education and Inspections Act 2006 and the Equality Act 2002

7.5.2 Further information is available:

DBS at www.homeoffice.gov.uk/disclosure-and-barring

7.5.3 The Sexual Offences Act 2003 deals with inter alia offenders with an emphasis on the protection of vulnerable individuals and gives a comprehensive list of sex offences to protect individuals from abuse and exploitation. Under the Act any sexual intercourse with a child under 13 is treated as rape and it covers other non-consensual offences against children under 13 and offences of sexual activity with a child under 16. These cover a range of behaviour, involving both physical and non-physical contact. Other Offences in the 2003 Sexual Offences Act include:

- **trafficking** persons for the purposes of sexual exploitation;
- **child abuse** through prostitution and pornography. These include:
    - buying sexual services of a child,
    - causing, encouraging, arranging or facilitating child prostitution or pornography, and
    - controlling any of the activities of a child involved in prostitution or pornography;
- sexual **abuse of vulnerable persons** with a mental disorder. These include situations where:
    - they are unable to refuse because of a lack of understanding,
    - they are offered inducements, threatened or deceived, and
    - there is a breach of a relationship of care, by a care worker.

7.6 Regulated Activity and the Duty to Refer to the DBS

Regulated Activity

7.6.1 The Safeguarding Vulnerable Groups Act 2006 sets out the activities and work which are 'regulated activity', which a person who has been barred by the DBS must not do. The full, legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012. Regulated activity excludes family arrangements, and personal, non-commercial arrangements.

Children

7.6.2 The definition of regulated activity relating to children comprises only:

i. Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;

ii. Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers;

iii. Relevant personal care, for example washing or dressing; or health care by or supervised by a professional;

iv. Registered childminding; and foster-carers.

7.6.3 Work under (i) or (ii) is regulated activity only if done regularly by the same person. The definition of whether a regulated activity is done **regularly** is if:

- It is done frequently [once a week or more]
- It is done on 4 or more nights in a 30-day period
- It takes place overnight [at any point between the hours of 2am and 6am]

Adults [Vulnerable Groups]

7.6.4 The definition of regulated activity relating to adults no longer labels adults as 'vulnerable'. Instead, the definition identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. There are six categories of people who will fall within the current definition of regulated activity. A list of these categories is set out below:

i. Providing health care
ii. Providing personal care
iii. Providing social work
iv. Assistance with cash, bills and/or shopping
v. Assistance in the conduct of a person's own affairs
vi. Conveying [a person who transports an adult because of their age, illness or disability]

For further information please see 'Changes to disclosure and barring: what you need to know' http://www.homeoffice.gov.uk/publications/agencies-public-bodies/dbs/corporate-publications/disclosure-and-barring-changes/?view=Standard&pubID=1134027

Duty to Refer to the DBS

7.6.5 It is a criminal offence to knowingly allow a barred person to work in regulated activity. The University is legally required to forward information about anyone who has been dismissed or removed from regulated activity [or would have done had they not already left] because they harmed or posed a risk of harm to vulnerable groups to the DBS. If the University has concerns that an individual has caused harm or poses future risk of harm to vulnerable groups including children, it will need to complete a DBS referral form.

If the University believes that the person has committed a criminal offence, we have been advised to pass the information to the police. For further information on the duty to refer to the DBS is available through:

https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance

7.7 Statutory Guidance Regarding Safeguarding Children

Working together to safeguard children

7.7.1 The Government has produced Statutory guidance on inter-agency working to safeguard and promote the welfare of children. It is set out in the publication 'Working together to safeguard children' [March 2013]. It sets out:

-How organisations and individuals should work together to safeguard and promote the welfare of children;

-how practitioners should conduct the assessment of children.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683115/Changes_to_statutory_guidance-_Working_Together_to_Safeguard_Children.pdf

The Child Exploitation and Online Protection (CEOP)

7.7.2 The CEOP works with child protection partners across the UK and overseas to identify the main threats to children and coordinates activity against these threats to bring offenders to account. They protect children from harm online and offline, directly through NCA led operations and in partnership with local and international agencies. The address for CEOP is:

Child Exploitation and Online Protection Centre
33 Vauxhall Bridge Road
London SW1V 2WG
Telephone: +44 (0)870 000 3344
http://www.ceop.police.uk/About-Us/

The CEOP Reception is staffed from 09:00 till 17:00, Monday to Fridays.

7.8 Barred Lists

7.8.1 Barred individuals are placed on one of two barred lists:

-The Children's Barred List
-the Adults' Barred List.

7.8.2 If an individual will be working in a regulated activity they will be checked against the relevant barred list. Employers and personnel providers have a legal duty to refer relevant information about individuals to the DBS. They must do this if they remove an individual from a regulated activity on the basis that they have caused harm to a child or adult.

7.8.3 The University has agreed to comply with the code of practice drawn up by the DBS. This code is designed to ensure that all disclosure information is handled confidentially and fairly within an organisation. All disclosure information must be kept securely and disposed of when decisions based on them have been made. A policy on the correct handling and storage of disclosures has been agreed by the university.

7.8.4 The University also has a written policy on the recruitment of ex-offenders. This is to ensure that disclosure information is used fairly and sensibly in order to avoid unfair discrimination. It should be noted that a DBS check has no official expiry date. Any information included will be accurate at the time the check was carried out. The University will decide if and when a new check is appropriate. Applicants and employers can use the DBS update service to keep a certificate up to date or carry out checks on a potential employee's certificate.

7.9 Rehabilitation of Offenders Act 1974

7.9.1 The Rehabilitation of Offenders Act 1974 exists to support the rehabilitation into employment of reformed offenders who have not reoffended. Following a specified period (depending on the sentence) some convictions may become spent. As a result the offender is regarded as rehabilitated. This means they are treated as if they had never committed or been charged or prosecuted for the offence. Therefore they are not required to declare their spent cautions or convictions in a job application.

7.9.2 All cautions and convictions may eventually become spent with the exception of prison sentences (See Table of Rehabilitation Periods for more information). A person does not have to reveal a conviction unless an exception applies (See Exceptions to the Act).

7.9.3 Consecutive and Concurrent sentences: An offender may receive more than one sentence at the same time the total rehabilitation period will depend on whether the sentences run concurrently or consecutively.

e.g

If Concurrent sentences are imposed, then the longest applicable rehabilitation period will apply to all sentences.

A four month and six month prison sentence ordered to run concurrently will count as a single term of six months (carrying a buffer period of two years from the end of the sentence. This gives a total rehabilitation period of two years and 6 months before both convictions can be considered spent.)

If consecutive sentences are imposed, then the sentences will be added together to calculate the rehabilitation period.

A four month and six month prison sentence will count as a 10 month sentence (carrying a buffer period of four years from the end of the sentence, giving a total rehabilitation period of four years and ten months before the convictions can be considered spent).

7.9.4 Protection of rehabilitated person: The unauthorised disclosure of information about a spent conviction is illegal. Unauthorised disclosure is where an official with access to

information about the persons' criminal record discloses this information other than in the course of official duties. Serious misuse of a person's criminal record could result in a prison sentence or a fine or both.

7.9.5 Exceptions to the Act: Various occupations, professionals and types of employment are exempt from the Rehabilitation of Offenders Act 1974. The Exceptions Order over rules the employment rights an ex-offender would otherwise have in respect of spent convictions. Ex-offenders have to disclose information about spent, as well as unspent convictions, provided the employer states clearly on the application form or at the interview that the job applied for is exempted. Exempted occupations fall into the following categories:

- Work involving matters of national security, e.g. some civil service posts, defence contractors etc.

- Work that brings the person into contact with vulnerable groups such as the infirm, elderly, mentally ill and young people under the age of 18.

- Professionals that have legal protection e.g. healthcare professionals, accountants.

- Posts concerned with the administration of justice and law enforcement e.g. Police officers, lawyers, probation officers. Rehabilitation periods as defined by the Rehabilitation of Offenders Act 1974

Table of Rehabilitation Periods [as defined by the Rehabilitation of Offenders Act 1974]

Sentences (Prison including Suspended prison sentences) with a Buffer Period	**Rehabilitation period for Adults**	**Rehabilitation period for Under 18s**
Custodial Sentence of over 4 years	Never	Never
More than 30 months and less than (or equal to) 4 years	Sentence + 7 Years*	Sentence + 3½ Years*
More than 6 months and less than (or equal to) 30 months	Sentence + 4 Years*	Sentence + 2 Years*
Less than (or equal to) 6 months	Sentence + 2 Years*	Sentence + 1½ Years*
Community order / Youth rehabilitation order	Length of the order + 1 year	Length of the order + 6 months

*Sentence length includes time spent on licence

Sentences with no Buffer Period	**Rehabilitation period for Adults**	**Rehabilitation period for Under 18s**
Fine	1 Year	6 months
Conditional Discharge, Supervision order, Binding over order Attendance centre order, Hospital order (with or without a restriction order), Referral order	Length of the order	Length of the order
Absolute Discharge	None-spent immediately	None-spent immediately
Conditional caution and youth conditional caution	3 months (or when it ends)	3 months
Simple caution and youth	None-spent immediately	None-spent immediately

Reparation order	None-spent immediately	None-spent immediately
Compensation order	Once it is paid in full	Once it is paid in full

For information about other sentences, military convictions, the impact of multiple convictions and jobs that require spent convictions to be disclosed, visit hub.unlock.org.uk and search for Rehabilitation of Offenders Act.

7.9.6 Spent convictions: Some sentences can become spent after fixed periods from the date of conviction. The length of a rehabilitation period will depend of the sentence as outlined in the table above.

7.9.7 Suspended Sentences: A suspended prison sentence is treated as one that has taken effect and the rehabilitation period is the same as for the full sentence.

7.9.8 Filtering of old and minor cautions and convictions: Filtering is the term the DBS use to describe the process which will identify protected convictions and cautions and ensure that they are not disclosed on a DBS certificate. Since 2013, under a change to the Rehabilitation of Offenders Act 1974 (Exceptions), certain old and minor cautions and convictions will no longer be disclosed on a DBS certificate. For those 18 years or over at the time of committing an offence the conviction will be removed from a DBS record if:

-11 years have elapsed since the date of conviction, and
-it is the person's only offence, and
-it did not result in a custodial sentence.

7.9.9 The offence will not be removed if is appears on the list of offences relevant to safeguarding. If a person has more than one offence, then details of all their convictions will always be included. A caution issued to an adult will be removed after six years have elapsed since the date of the caution and if it does not appear on the list of offences relevant to safeguarding. For those under 18 years at the time of committing the offence:

-The same rules apply as for adult convictions, except that the elapsed time period is five and a half years.

-The same rules apply as for adult cautions, except that the elapsed time period is two years.

There is a list of convictions that will never be removed detailed on the DBS website:

https://www.gov.uk/government/organisations/disclosure-and-barring-service

7.10 Assessing criminal records history

7.10.1 The University must assess criminal records history within the relevant legal framework and in accordance with public law principles of decision-making. Decisions made on the impact of an individual's Criminal Records Disclosure will aim to be proportionate, reasonable, within the University's powers and based on relevant considerations.

7.10.2 The decision-maker should be a person or persons of sufficient seniority within the University who is able to act impartially and fairly. The individual concerned will be given an opportunity to make written or oral representations to the decision-maker before the decision is taken, and written reasons for the decision will be provided. Where an individual discloses a criminal offence by way of a Criminal Records Disclosure or otherwise, the University may need to ask for more information from that person, the police or other relevant local agencies

in order to assess whether the criminal records history disclosed indicates the individual presents any risk to children or to others.

7.10.3 The University undertakes to discuss any matter revealed in the Disclosure with the member of staff, applicant or student before acting upon the information and the University will consider the following factors when deciding the most appropriate steps to take:

-Is the conviction a one-off or are there several?
-How long ago did the offence take place?
-How old was the individual at the time of the offence?
-Is the type of offence relevant to the nature of work or activity which the individual will be undertaking?
-Is the behaviour that constituted the offence a particular cause for concern?
-Were there particular circumstances at the time that led or contributed to the offending?
-What evidence is there of positive change and rehabilitation in the individual's life?
-What is the individual's attitude to the offence – is it one of remorse, and do they take responsibility for the offence and the harm it caused?

7.11 UKVI

7.11.1 The UKVI has announced that from 6 April 2017, those applying to come to UK for employment under certain Standard Occupational Classification [SOC codes], and their adult dependents, will be subject to a requirement to produce a criminal record certificate from any country in which they have been resident for 12 months or more, consecutively or cumulative, in the previous ten years, aged 18 or over. UKVI goes on to state that from January 2017, sponsors [including the University] must inform prospective employees at the point they assign their certificate of sponsorship [CoS] that they may become subject to this requirement by the time they make their application, as this will enable them to begin seeking certificates where needed at the earliest opportunity and to lodge a complete application for entry clearance sooner. The SOC codes include a number of teaching roles as well as roles in the health profession. The teaching roles are all occupations skilled to NQF level 6 from SOC code 2312 to 2319. These are as follows:

• further education teaching professionals;
• secondary education teaching professionals;
• primary and nursery education teaching professionals;
• special needs education teaching professionals;
• senior professionals of education establishments;
• education advisers and school inspectors;
• teaching and other educational professionals not elsewhere classified.

8. Disclosure and Barring Service

8.1 Disclosure and Barring Service

8.1.1 At the start of December 2012, the work of the Criminal Records Bureau [CRB] and of the Independent Safeguarding Authority [ISA] was merged into a single Non-Departmental Public Body to be called the Disclosure and Barring Service [DBS]. The DBS is responsible for maintaining the barred lists and referrals [see sub-section A7.5] must also now be sent to the DBS which will also conduct CRB checks.

8.1.2 The following procedure will apply if you are appointed to a post at the University that falls within the terms of the DBS**/**CRB. Should you have any queries please contact the Human Resources Department.

1. You will be provided with a Disclosure Application Form and Guidance in your offer of employment pack.

2. You should complete the Disclosure Application Form and return it with your signed acceptance and other required forms as directed in your offer letter. No payment is required as the University will pay for your certification.

3. Your Disclosure Application Form will be checked on receipt by the Human Resources Department. To this end you should contact Human Resources to arrange a convenient time to bring in your original identification and proof of address documents for verification.

4. On completion, the Disclosure Application Form will be passed to the authorised Countersignatory within Human Resources for signing and will then be sent to the DBS for processing.

5. Once the DBS have completed their process, a Disclosure Certificate will be sent to your home address. The Disclosure Certificate will show the date on which it was printed and you are required to take this to the Human Resources Department to enable them to record the details. Disclosures do not carry a pre-determined policy of validity because a conviction or other matter could be recorded against the DBS check at any time after it has been issued.

6. Should the University wish to follow up any information detailed on the Disclosure Certificate our standard Disclosure Service Process (Staff) would apply (copy available on request).

8.1.3 The primary role of the DBS is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children. If the University asks you to apply for a DBS check further information about the process and what you need to do is available on the GOV.UK website.

8.2 DBS [Criminal Records Bureau] Checks

8.2.1 The DBS searches police records and, in relevant cases, barred list information, and then issues a DBS certificate to the applicant and employer to help them make an informed recruitment decision. The checking service currently offers two levels of DBS check; standard and enhanced:

-Standard disclosures identify spent and unspent convictions, cautions, reprimands and warnings held on the Police National Computer.

-Enhanced disclosures contain the same information as the Standard Disclosure but with the addition of any relevant and proportionate information held by the local police forces.

8.2.2 In most cases applications will be submitted to a standard level. To qualify for the higher level of DBS check, the position must also meet one of the criteria set out in The Police Act 1997 (Criminal Records) Regulations. Enhanced CRB checks are still possible on anyone who fell within the definition of regulated activity prior to September 2012. Enhanced disclosures for those no longer in regulated activity will not include barred list information.

8.2.3 The DBS operates a strict Code of Practice to which the University is required to adhere. A “Disclosure” will only be requested after a thorough risk assessment of the position involved has indicated that it is both proportionate and relevant to the post. Unless

the nature of the post allows the University to seek information about an employee or applicant's entire criminal record, the University will only ask about "unspent" convictions as defined by the Rehabilitation of Offenders Act, 1974. The Employee or Applicant will receive a copy of the Disclosure at the same time as the Employer and anyone for whom a Disclosure is sought will be given a copy of the DBS's Code of Practice.

8.2.4 It is ultimately the responsibility of the Manager/Head of College/Department/Unit/SRI in which activity involving children is planned to undertake a risk assessment and to determine whether or not a DBS check on the member of staff is required. However, a Manager/Head of College/Department/Unit/SRI who thinks that the duties of a particular post may necessitate a DBS check on a member of staff (or applicant) should contact HR for advice in the first instance. Using the risk assessment as a basis, a joint decision should be taken on whether or not to request a DBS Disclosure report. If it is agreed that a check should be made then this will be carried out by Human Resources.

8.2.5 The University wishes to emphasise that it will only consider undertaking a DBS check in those instances where a detailed risk assessment of the post has indicated the need for such a check.

8.3 Data Security and retention

8.3.1 No information regarding disclosed criminal convictions or Disclosure will be released to any individual or organisation, unless they are authorised to receive it under Section 124 of the Police Act Part V 1977.

8.3.2 University countersignatories authorised by the DBS will ensure that Disclosures and the information they contain will only be released to those managers and staff who need access in the course of their duties e.g. Chair of Appointment Panel (usually the Dean of College, Head of Department or Director of Institute) or other University Countersignatory.

8.3.3 All Disclosure information will be stored in secure, locked filing cabinets. Once a recruitment (or other relevant) decision has been made, the University will not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any dispute relating to the recruitment decision or Disclosure information. In exceptional circumstances information may need to be retained for longer, but this will not be done without consulting the DBS. After this time a named individual appointed by a countersignatory will shred the Disclosure information. No photocopy or other image of the Disclosure will be retained.

8.3.4 A record of the date of disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken will be retained in accordance with DBS advice.

8.3.5 Once the retention period has elapsed, the University will ensure that any Disclosure information is destroyed by secure means, i.e. by shredding.

8.4 DBS Update Service

Under the Update Service, applicants can apply once for a DBS check and then, if they need a similar check again, the recruiting organisation will be able to carry out an instant on-line check to view the existing check and see if anything has been added since the original check was carried out. This is called a 'status check'. The employer must have the applicant's verbal or written permission before carrying out a status check. This means that individuals will not need to make an application for a new check each time they start work in a new

regulated activity. Job applicants will have to pay an annual fee [at present £13] to be registered with this service.

8.5 Further Information

Further information is available from the Human Resources Department or the DBS website:

http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/

8.6 Code of Practice and Complaints Procedure:

The University undertakes to comply with the CRB Code of Practice. A copy of the Code is available from Human Resources or from the DBS website:

http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/services/dbs-standards/

Should you believe this Code has not been complied with, you should complain to the DBS directly at:

Performance Team
DBS
PO Box 181
Darlington
DL1 9FA

dbsdarlingtoncomplaints@dsbs.gsi.gov.uk

Section B [sub-sections 1-8] - Guidance for Staff, External Organisations and Contractors

1. Principles-Guidance to staff

1.1 Guidance on Safeguarding Children and Vulnerable Groups for staff who may come into contact with under-18s or vulnerable groups in the course of their work is set out in the Code of Behaviour and Good Practice [sub-section B2]. The following general principles should be adhered to by all staff:

- Safeguarding issues are to be regarded as top priority and staff are reminded that it is the welfare of the child or vulnerable group which is of a primary concern and it is their duty to report any concerns to a Designated Safeguarding Officer.

- If staff, in the course of their work at the University, have a child or vulnerable group protection issue brought to their notice, observed an incident of abuse themselves, or have cause for concern, they must treat this as a priority over other work and address the issue immediately.

- If staff wishes to seek guidance with regard to a specific incident or area of concern, advice can be sought from the Designated Safeguarding Officers who may refer the matter to the Principal Safeguarding Officer or the local authority's Safeguarding Children Board/Social Care.

Whistleblowers

1.2 In accordance with the *Public Interest Disclosure Act 1988*, the University will support and protect those staff and students who, in good faith and without malicious intent, report suspicions of abuse or concerns about colleagues and their actions. Members of the University are expected to follow the procedures laid out in this policy.

External Contacts List

- The University's Principal Safeguarding Officer is Jilly Court [Secretary to Council and University Secretary] ext 65179.

- Hillingdon Local Safeguarding Children's Board has decided to adopt the "Signs of Safety" (SoS) approach to working with families where there are concerns about children's safety.

This approach aims to work with the strengths and resources that exist within families to build safety for children who have suffered, or are at risk of suffering, significant harm of physical, sexual and emotional abuse and neglect.

A number of tools and resources, including leaflets for children and young people http://hillingdonlscb.org.uk/children-and-young-people/ , parents and carers http://hillingdonlscb.org.uk/parents/ , briefing sheet for professionals and Multi-agency report to conference have been developed and are accessible via this link http://www.hillingdon.gov.uk/article/28746/Signs-of-Safety-approach-to-child-protection

General enquiries regarding arrangements for child protection conferences should be made to: qualityassurancemanagers@hillingdon.gov.uk.

Alternatively, all telephone enquiries should be made to 01895 556714.

- Police Child Abuse Investigation Team: 0208 246 1901
- NSPCC National Child Protection Helpline (24hrs) 0800 800 500
- Childline – 0800 111111

It's never too late
If you have been abused in the past, you can still seek help to deal with how you feel. There are many confidential helplines and organisations that you can talk to. Please find the courage to call, especially if the perpetrator still has access to children.

2. Code of Behaviour and Good Practice

2.1 All members of the University should be encouraged to demonstrate exemplary behaviour when working with children in order to protect children from abuse and themselves from false allegations. The following are common sense examples of how to create a positive culture and climate.

Good practice and How to Minimise Risk

-Maintain a register of children working with you at any given time

-Work in an open environment avoiding private or unobserved situations and encouraging open communication. Avoid spending excessive amounts of time alone with children away from others

-Treat all children, regardless of race, disability, religion or belief, gender, sexual orientation, equally and with respect and dignity

-Always put the welfare of the child first

-Maintain a safe and appropriate distance with children. It is not appropriate for staff, students or volunteers to have an intimate relationship with a child

-Ensure that if any form of manual/physical touching is required, it should be provided openly. In sporting situations this should be according to guidelines provided by the appropriate National Governing Body, and in other instances according to the University's Code of Ethical Conduct.

-Involve parents/carers/teachers wherever possible, e.g. by encouraging them to take responsibility for the children in their care, especially in areas such as changing rooms or laboratories

-Be an excellent role model – this includes not smoking or drinking alcohol in the company of children

-Where required give enthusiastic and constructive feedback rather than negative criticism

-Keep a written record of any injury that occurs, along with the details of any treatment given. Attend relevant training courses that the University provides.

The following should ***never*** be sanctioned. You should never:

-allow allegations made by a child to go unchallenged, unrecorded or not acted upon (this applies to any forms of abuse and bullying);

-reduce a child to tears as a form of control;

-engage in rough, physical or sexually provocative games, including horseplay;

-share a bedroom with a child;

-allow or engage in any form of inappropriate touching;

-allow children to use inappropriate language unchallenged;

-make sexually suggestive comments to a child, even in fun;

-engage in any form of relationship, sexual or otherwise, with a young person in your care, even if the child is over the age of consent (abuse of trust);

-do things of a personal nature for children or disabled adults that they can do for themselves;

-invite or allow children to stay with you at your home unsupervised;

-give a child or a person regarded as vulnerable personal details such as your phone number, email or home address [if it is essential to disclose any such details please ensure that a Designated Safeguarding Officer is aware of this BEFORE you do so];

-take photographs or videos of children unless consent has been obtained [this includes the use of camera phones];

-taking photographs or videos of persons regarded as vulnerable is more problematic even if consent has been obtained, in such circumstances you should ensure that a Designated Safeguarding Officer is aware of this BEFORE you do so and that they are aware what the photo/video is being used for.

NB. It may sometimes be necessary for staff or volunteers to do things of a personal nature for children, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents and the staff involved. There is a need to be responsive to a child's reactions. If a child is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

3. Recognition of Abuse

3.1 Forms of Abuse

3.1.1 There are five main forms of abuse, although there are variations within these. A person may abuse or neglect a child or a person regarded as vulnerable by inflicting harm, or by failing to act to prevent harm. Children and vulnerable groups may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child or vulnerable adult.

Emotional abuse is the persistent emotional ill-treatment of a child or a person regarded as vulnerable such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. This may cause fright and lead to exploitation or corruption.

Sexual abuse involves forcing or enticing a child or a person regarded as vulnerable to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving children or vulnerable adults in looking at, or in the production of, pornographic material, or encouraging them to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet the basic physical and/or psychological needs of a child or a person regarded as vulnerable and is likely to result in the serious impairment of health or development [such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to basic emotional needs].

Bullying [while this is not a legal definition] is the deliberate, hurtful behaviour, direct or indirect, usually repeated over a period of time where it is difficult for those being bullied to defend themselves. Bullying can be verbal, written or physical. Harassment and bullying is not always open, direct and simple to identify. It can be covert and very subtle. Perpetrators may not always be aware that their action(s) have been seen/felt to be offensive.

3.2 Recognising Abuse

3.2.1 Recognition of abuse is not always easy and the University acknowledges that its staff and students may not be experienced in this area and indeed that it is not the place of University members to make such a judgement. It does however recognise that it is the responsibility of all members of the University to act on concerns in order to safeguard children and vulnerable groups.

3.2.2 The following may indicate that a child or a person regarded as vulnerable is being or has been abused:

-Unexplained or suspicious injuries, particularly if the injury is unlikely to have occurred accidentally
-An injury where the explanation appears inconsistent
- Symmetrical injuries
- injuries around ears, face, neck, shoulders, inner arms and inner legs, forearms
-The description given about an abusive act or situation
-Unexplained changes in behaviour
-They appear distrustful of adults
-They behave in an inappropriate way or sexually explicit way
-They withdraw or are withdrawn from social activities
-They become increasingly dirty or shabbily dressed
- Nightmares, sleeping problems
- Seemingly insecure
- Unaccountable fear of certain places or people
- Becoming secretive

- Delayed physical or emotional development
- Shows extremes of passivity or aggression
- Sudden Speech Disorders
- Overreaction to mistakes or continual self-deprecation
- Neurotic behavior [rocking, hair twisting, self-harming]
- Wearing clothes to cover injuries
- Lacks needed dental or medical care
- Often tired

3.3 Incidents that Must be Reported or Recorded

3.3.1 If any of the following occur you should report this immediately to the Principal Safeguarding Officer or Designated Safeguarding Officer:

-If you accidentally hurt a child or a person regarded as vulnerable.

-If he/she seems distressed in any manner.

-If a child or a person regarded as vulnerable appears to be sexually aroused by your actions.

-If you are concerned that a relationship is developing that could represent an abuse of trust.

-If you are concerned that the child or vulnerable adult is becoming attracted to you.

-If you are concerned that a colleague is becoming attracted to someone in his/her care.

-If a child misunderstands or misinterprets something you have done.

-If you have had to use reasonable physical restraint to prevent a child or a person regarded as vulnerable harming themselves, or another, or from causing significant damage to property.

-If a child or a person regarded as vulnerable reports an allegation of abuse by a member of their family or someone involved in their home, school or social life.

-If a child or a person regarded as vulnerable reports an allegation of abuse regarding a member of an external organisation using University facilities.

This list is not exhaustive but provides some examples of incidents that must be reported.

3.4 Dealing with Allegations or Suspicions of Abuse

-What to do if you think abuse might be or is taking place

3.4.1 It is not the responsibility of any member of Brunel University London, in a paid or unpaid capacity, to take responsibility or to decide whether or not abuse has taken place. There is a responsibility to act on any concerns through contact with the appropriate authorities.

3.4.2 Members of the University are encouraged to discuss any concerns with a Designated Safeguarding Officer. If those concerns relate to the Officer, then the matter should be referred to the Principal Safeguarding Officer and Secretary to Council, Jilly Court, or to Hillingdon Children's Social Care Department direct.

3.4.3 Every effort should be made to maintain confidentiality. Suspicions must not be discussed with anyone other than a designated officer **(see flow-chart 1 on page 24 at the end of this section).** If none of the designated officers are available the member should not delay and should contact Hillingdon Children's Social Care Department.

3.4.4 The Principal Safeguarding Officer has the responsibility to act on behalf of the University in dealing with allegations or suspicion of abuse or neglect. This will include collating details of the allegation or suspicion and referring the matter to the appropriate statutory authorities. It is the task of the Social Services, not the University, to investigate the matter under section 47 of the Children Act 1989 or Safeguarding Vulnerable Groups Act 2006. Under no circumstances should a member of the University carry out their own investigation into suspicions or allegations of abuse, neither should they question the child or a person regarded as vulnerable closely, as to do so may interfere with any investigation that may be undertaken subsequently by the Police or Social Services.

3.4.5 If a child or a person regarded as vulnerable says something or acts in such a way that abuse is suspected, the person receiving the information should:

-React in a calm but concerned manner

-Tell the child or a person regarded as vulnerable that s/he is right to share what has happened; and that s/he is not responsible for what has happened

-Take what the child or a person regarded as vulnerable says seriously

-Keep questions to an absolute minimum only to clarify what the child or a person regarded as vulnerable is saying, not to interrogate

-Not interrupt the child or a person regarded as vulnerable when they are recalling significant events

-Reassure the child or a person regarded as vulnerable that the problem can be dealt with

-Not give assurances of confidentiality which cannot be kept but should reassure the child or a person regarded as vulnerable that the information will only be passed on to those people who need to know

-Make a full record of what is said and done, though this should not result in delay in reporting the problem.

NOTE: The University has an an Incident Report Form set out at Appendix A. Staff should either use this or follow the guidance set out in sub-section B3.7

3.4.6 The record should include:

-A verbatim record of the disclosure. This may be used later in a criminal trial and it is vital that what the child or vulnerable adult discloses is recorded as accurately as possible. Therefore, the record must be drafted in the words of the child or the person regarded as vulnerable and should not include the assumptions or opinions of others.

-The nature of the allegation or concern

-A description of any visible physical injury (clothing should not be removed to inspect the child or the person regarded as vulnerable)

-The account of the child/person regarded as vulnerable of what has occurred.

-Any dates, times or places or any other potentially useful information.

3.4.7 The problem should be reported **IMMEDIATELY** to the University's Principal Safeguarding Officer who will take the appropriate action. If the concern arises out of normal office hours (evenings and weekends) and it is clear that the abuse has occurred or there is any suspicion of abuse or concern, contact should be made with Hillingdon Children's Social Care Department Emergency Duty Team on 01895 556644 or the Police Child Abuse Investigation Team: 0208 246 1901. Advice can also be sought from the NSPCC 24 hour helpline on 0800 800 500.

3.4.8 The University recognises that staff/students/volunteers may need support after receiving a disclosure from a child/person regarded as vulnerable and will be offered appropriate counselling. Staff should contact either the Secretary to Council or the HR Department. Students may contact the Brunel Counselling Service – 01895 265070

'Information Sharing: Guidance for practitioners and managers' (DCSF 2008) highlights seven golden rules for information sharing:

1. **Remember that the Data Protection Act is not a barrier to sharing information**, but provides a framework to ensure that personal information about living persons is shared appropriately.
2. **Be open and honest** with the person from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice**. If you are in any doubt, without disclosing the identity of the person where possible.
4. **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. **Consider safety and well-being**. Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. **Necessary, proportionate, relevant, accurate, timely and secure**. Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

If you need more advice on information sharing please discuss with the University Secretary [Jilly Court] or the Information Access Officer [Mary Liddell].

3.5 Unusual incidents

3.5.1 Any unusual incidents, no matter how small, should be reported on either the Incident Report Form [Appendix A] or as detailed in sub-section 3.8. This should include any events that occurred that were not planned for and details of any contact with a child that was not expected to occur [eg one to one contact or contact that the parent has not given consent for]. A written record should be made of what has happened as this will help to protect you if any allegations then arise. Any witnesses to the incident should be asked to sign the form. You should pay particular care to any incidents that could make you vulnerable if they were misinterpreted [eg a child gets wet and you need to change their clothes].

3.6 Procedure for Dealing with Allegations or Suspicions of Abuse Against a Member of the University at Work

3.6.1 This can be an extremely difficult issue to deal with. It can be difficult to accept that a colleague may deliberately harm a child or a person regarded as vulnerable. It may also be that the behaviour that causes concern is bad practice rather than abuse. When a concern arises, there are three processes that may need to take place. These are:

-A child or vulnerable adult protection investigation.

-A criminal investigation.

-Action by the University to discipline or remove the member of the University.

3.6.2 It is important that these are properly co-ordinated and that events are managed in the right order. For this reason, the University will take no direct action against a member of the University without the advice and agreement of the investigating agencies (e.g. the police, NSPCC or Social Services), except where such action is necessary to protect a child or vulnerable adult.

3.6.3 If, following consideration and any consultation, the concern clearly is about bad practice rather than abuse, the University's Principal Safeguarding Officer will take the necessary action to advise, manage or instigate disciplinary action against the member of the University about whom the allegation has been made.

3.6.4 Irrespective of the outcome of the Police and Social Services investigations, the University may consider suspension and/or disciplinary action in accordance with its usual disciplinary procedure.

3.7 Procedure for Dealing with Concerns of Possible Abuse Outside of the University

3.7.1 As a result of their contact with a child or a person regarded as vulnerable, members of the University may become concerned about the welfare of the child or a person regarded as vulnerable and may be concerned that abuse is being perpetrated by someone unconnected with the University. In these circumstances the individual should report their concerns to the Principal Safeguarding Officer or Designated Safeguarding Officer as outlined in the reporting section. Similarly, if members of the University are concerned that abuse is being perpetrated by a student to someone unconnected with the University, the individual should report their concerns to the Principal Safeguarding Officer or Designated Safeguarding Officer.

3.8 Report of a Disclosure from a child or young person or vulnerable adult

3.8.1 In the event of a disclosure a report should be written addressing the following points [an Incident Report Form is available at Appendix A]:

-Name of Child/person regarded as vulnerable

-Age of Child/person regarded as vulnerable

-Date of Birth

-Home address

-Telephone number

-Are you expressing your own concerns? Or those of someone else?

-What is the nature of the allegation? Include dates, times, any special factors and other relevant information.

-Make a clear distinction between what is fact, opinion or hearsay.

-A description of any visible bruising or other injuries. Behavioural signs/indirect signs?

-Witnesses to the incidents.

-The account of the child/person regarded as vulnerable, if it can be given, of what has happened and how any bruising or other injuries occurred.

-Have the parents been contacted? If so what has been said?

-Has anyone else been consulted? If so record details?

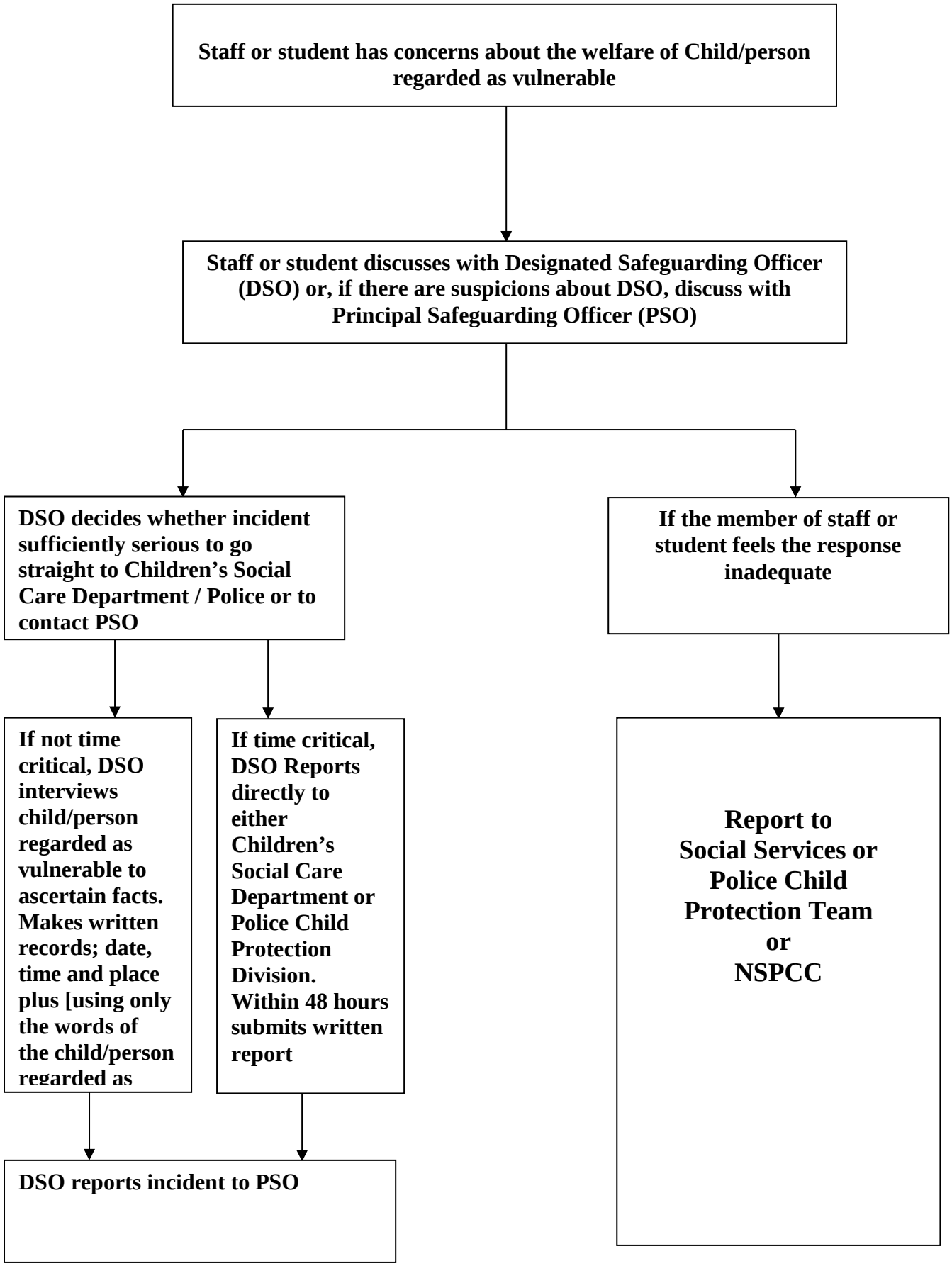
-If it is not the child/person regarded as vulnerable making the report has the child/person regarded as vulnerable concerned been spoken to? If so what was said?

-Has anyone been alleged to be the abuser? Record details.

On completion please discuss this report with the University's Safeguarding Officer and send them a copy.

Attach the original to the Risk Assessment Form.

Flow-chart - ***What to do if you think abuse might be or is taking place***



4. External Organisations Working with Children or Vulnerable Groups using University Facilities

4.1 Procedure for dealing with external organisations using University facilities

4.1.1 Many of the University facilities [particularly sporting facilities] are hired by external organisations, including children's clubs, and under these arrangements the University has no control over, and assumes no liability for, the conduct of individuals from these organisations. However, the University wishes to ensure, as far as it is able, that these organisations are not abusing children or vulnerable groups and that they are able to deal with any such disclosures appropriately.

4.1.2 Therefore, all external organisations requesting use of University facilities for activities with children or vulnerable groups will be required to sign a declaration [see Section 4.3 below]. This will confirm that the organisation has obtained the appropriate checks on their staff and volunteers before permitting such individuals to have access to children or vulnerable groups. In addition, the organisation will be asked to confirm that they have a child protection policy in place. If an organisation that works with children or vulnerable groups does not have an adequate safeguarding policy, then they will not be permitted to use University facilities. This includes existing users of University facilities.

4.1.3 The events run by external organisations may need to be risk-assessed. Details of the risk assessment process are set out in sub-section B5.3 with the Risk Assessment Form available at Appendix B. All Summer Schools using University facilities will need to be risk assessed without exception.

4.2 Procedure for dealing with an allegation of abuse by an individual of an external organisation using University facilities

4.2.1 On occasion, a child/a person regarded as vulnerable who is on campus through an external organisation may make an allegation of abuse to a member of the University about a member of that external organisation. In this situation, the member of the University will report the allegation to the external organisation and will notify the University Principal Safeguarding Officer of their action. The University expects the organisation to follow its own safeguarding policy and will require confirmation that the appropriate action has been taken. In addition, the Principal Safeguarding Officer, in consultation with the Chief Operating Officer, will consider whether it is permissible to allow the external organisation continued use of the facilities during the investigation period and beyond.

4.3 Agreement for External Organisations

Explanation

Any external organisation using University facilities for activities with children or vulnerable groups must confirm that they have a safeguarding children and vulnerable groups policy and that they have conducted the appropriate checks on their staff. The events run by external organisations may also need to be risk-assessed. Below is a form of wording to be used when entering into an agreement with such an organisation. It is imperative that this document is signed by the external organisation in order to make it clear that they are responsible for any safeguarding children and vulnerable groups issues that occur while they are on campus. The position on risk assessment must be cleared and this document signed prior to using any University facility.

Agreement

It is the responsibility of all groups and voluntary organisations accompanying children (i.e. persons under 18) and vulnerable groups using the University's facilities to comply with legislation governing the protection of such persons. It is the policy of Brunel University London to seek assurances of such compliance and accordingly it requires confirmation of the following:

(a) that the organisation has a safeguarding children and vulnerable groups policy;

(b) that appropriate DBS check [formerly CRB checks] have been conducted in relation to all staff and/or volunteers accompanying children or vulnerable groups while on University premises;

(c) that the organisation's employees/volunteers have not incurred any criminal convictions or offences related to abuse or causing harm to children and vulnerable groups and there are no other investigations which may be in progress;

(d) no person whose checks indicate that he/she is unsuitable to work with children or vulnerable groups will be included in any activities taking place on the University's premises;

(e) the organisation is willing to comply with the University's requirements in respect of risk-assessment;

(f) members of the organisation are willing to be checked against police and other records;

(g) Adult/Child Ratio-for an activity with a normal range of hazards [details of the risk assessment process are set out in sub-section B5.3 of the University's Safeguarding Children and Vulnerable Groups – Policy and Guidance] the minimum ratios should be-

-1 adult for every 3 children aged under 5;

-1 adult for every 6 children aged 5 to 7;

-1 adult for every 10-15 children aged 8 to 10;

-1 adult for every 15-20 children aged 11 onward or young people.

There should also be enough additional staff available to help deal with an emergency.

The University cannot be held responsible for the death or personal injury of anyone attending events, unless such death or personal injury occurs as a result of the University's negligence or breach of statutory duty. The University is not responsible for any other loss or damage that may occur while attending the University's premises unless it occurs as a result of the University's negligence or its wilful damage. Groups/voluntary organisations are responsible for the security of all property/valuable possessions brought onto University premises and are advised to arrange separate insurance for such property/valuable possessions.

I/we confirm that I/we have complied with (a) and (b) above and agree to (c-g) above and have given a copy of the ***University's exclusion of liability clause to all persons attending the University*** for whom I/we have responsibility (or to their parent/guardian, where appropriate).

I have read and understood the Agreement for External Organisations and agree to adhere to the University's Safeguarding Policy and follow the Code of Behaviour.

Name:.....

Organisation:.....

Position held: .....

Signed:.....

Date: .....

5. Guidance on Specific University Activities

5.1 Procedure to Follow when Individuals work with Children or Vulnerable Groups in Research

5.1.1 As when working with adults in research, there are important issues to consider. Any research involving children, vulnerable groups or adults must be referred to the College's Research Ethics Committee for approval prior to the commencement of the research. Particular issues to consider when working with children or vulnerable adults include:

-The research supervisor must consider whether anyone working with children or vulnerable groups as part of the research project (whether staff or student) requires an enhanced Criminal Records Bureau disclosure.

-The researcher should ensure that informed consent has been obtained from parents of children under 18. Children or vulnerable groups should be given the opportunity also to consent to participation, but parent/carer/guardian consent is essential.

-The researcher should monitor the effect of the research on the child to ensure that they feel comfortable with continuing with the research.

-Wherever possible, a same sex chaperone should always be present during the research.

-Staff or students who work with children or vulnerable groups should be provided with appropriate training on issues to be aware of when working with participants and how they should deal with any disclosure that a child/person regarded as vulnerable makes to them.

5.1.2 Further advice can be obtained from the Research Ethics Committee's guidance notes for investigators working with children and young people which can be found at:

https://intra.brunel.ac.uk/m/UREC/_layouts/15/WopiFrame.aspx?sourcedoc=/m/UREC/Forms%20Policies%20and%20Procedures/Policies/Resethics_hb.pdf&action=default

5.2 Planning and Supervision of activities

5.2.1 The Planning and Supervision of activities are two of the most important considerations when working with children/those regarded as vulnerable. Both are significant factors in helping to create a safe environment, protect children and others and prevent accidents and incidents.

Planning

5.2.2 All activities involving children and vulnerable groups, regardless of their nature and apparent risk level, should be planned. Part of this involves undertaking a "risk assessment" to consider the dangers and difficulties which may arise and make plans to reduce them (please see subsection B3 for more information on reporting and managing incidents). Appropriate planning also means that you must:

Provide advance written information:

-To the parents/carers/teachers of the children or vulnerable groups.

-give details of all the activities or protocols that you will or might undertake.

-plan for all possibilities so that all parties know what to expect.

-consider whether to have a briefing meeting prior to the activity with the parents/carers and participants.

Obtain a consent form:

-Signed by the parents/carers, which agrees to the child/person regarded as vulnerable participating in the identified activity [if the activity is organised through a school or other organisation, this will normally be administered and undertaken by them];

-the consent form should also provide parent/carer emergency contact and medical information.

Ensure that adequate insurance arrangements are in place:

-Check whether additional cover needs to be arranged;

-remember that insurance policies impose conditions, limit the cover, and exclude certain people or activities. The University's Health, Safety and Environment Adviser or Insurance Officer (Mr Nick Hobbs in the Planning Department) will be able to provide guidance.

Support the special and cultural needs of the group/individuals:

-You must have relevant access to information about individuals;

-consent forms could also form the basis for obtaining details such as special educational, medical, dietary or cultural needs;

-you may also need to consider supervision ratios, additional safety measures, activity venues and access arrangements, additional/different resources and adapting activities to enable all individuals to participate at a suitable level.

Be clear about the suitability of the activity in relation to the objectives:

-Plan activities that consider the participants' age, maturity, competence, fitness, temperament and any special needs;

-you may also need to consider seasonal conditions, weather and timing.

Undertake an exploratory visit to the location of the activity:

-This will enable you to accurately assess the potential areas and level of risk and to ensure that the venue is suitable and can cater for the needs of the group;

-this is particularly important if you are using a location or venue that is unfamiliar to you;

-have in place contingency measures and arrangements to deal with enforced changes of plan and for action in the event of an emergency.

Supervision

5.2.3 If you are leading or supervising an activity involving children you have a legal, professional and moral responsibility to safeguard their welfare. This means that you must endeavour to provide a safe and supportive environment. Failure to take action to prevent harm may result in abuse [physical, sexual, emotional, neglect].

5.2.4 Supervisors working with children are expected to take additional steps to safeguard their welfare and in law, a higher duty of care is expected. Some potentially hazardous activities such as those involving chemicals, use of machinery/equipment or those involving swimming or outdoors and adventurous activities also require a higher standard of care.

5.2.5 The provision of adequate supervision means that you must:

Consider the supervisor to participant ratios:

-These need to take account of the age of the children, any special educational, disability or medical needs and degree of risk involved in the activity;

-where the activity involves mixed gender, consideration must be given to having male/female supervisors available;

-some professional associations and Local Authorities set recommended levels of supervision [where these apply they should be followed].

Be clear about who is in charge:

-Communicate who this is to all those involved;

-in some situations the leadership/supervision of an activity may change [for instance a school teacher may hand over responsibility to a University tutor on arrival, an expert may take over the leadership of a particular element of an activity, or with residential activities supervisory responsibilities may change];

-in all cases, it is important that any transfer of leadership/supervisory responsibility is made explicit to all participants.

Use supervisors who have been carefully selected and vetted [This is particularly important for residential activities or where transport/driving is involved]:

-Anyone without a DBS/CRB Enhanced Disclosure should not be left in sole charge of children.

Ensure that supervisors understand their roles and responsibilities at all times:

-Supervisors need to be aware of any participants who may require closer supervision, such as those with special educational or behavioural needs;

-supervisors also need to know how to manage a situation where a participant becomes unable or unwilling to continue with the activity.

Have a list of the participants involved in the activity:

-Undertake head counts frequently and before moving to another location or area of the campus.

-understand the code of conduct for working with children and vulnerable adults [see sub-section B5.3 on Risk Assessment];

-make sure that all supervisors are familiar with this.

Prepare the participants for the activity:

-Provide information and guidance as to what is expected of them and what the activity will entail.

-identify what standard of behaviour is expected and what rules must be followed;

-where participants are working in small groups, but without direct supervision and out of sight of the supervisor(s) (such as field trips/data collection), clear instructions and ground rules should be set about sticking together and returning at a nominated time;

-it is important that participants are told not to go off on their own.

5.3 Risk Assessment [an introduction to the risk assessment form and further guidance]

5.3.1 The University requires that a written risk assessment be carried out for planned and supervised activities for children and young people. The Risk Assessment Form is available at Appendix B.

5.3.2 Risk assessments are a requirement under health and safety legislation and should be carried out by someone who is both familiar with the concepts of hazard and risk and the activity being assessed. The assessor will normally be the person supervising the children. The assessment should be written and be completed well before the activity takes place. A risk assessment is a legal document representing the opinions of the employer. It should thus be countersigned by a senior member of staff who believes the assessor to be competent to carry out the assessment.

5.3.3 A risk assessment need not be complex but it should be comprehensive. It does not generally require technical formulae or professional health and safety expertise, but specialized information for some activities may be necessary.

5.3.4 The risk assessment should be based on the following considerations:

-what are the hazards?

-who might be affected by them?

-what safety measures need to be in place to reduce risks to an acceptable level?

-can the supervisor put the safety measures in place?

-what steps will be taken in an emergency?

An Introduction to the Risk Assessment Form and Further Guidance

5.3.5 This guidance should be read in conjunction with the Risk Assessment Form set out at Appendix B.

Risk assessment form Section A: Administrative details

Details will be required of both parties; the University and the External Organisation. Both have a responsibility and need to cooperate closely to ensure the health and safety of children/those regarded as vulnerable.

i. Brunel University London

-Head(s) of Institution (Vice Chancellor, COO and Secretary to Council). They have ultimate responsibility for the health and safety of all those in University buildings and property.

-Event Activity Supervisor's name and contact details. This is useful in case of emergency or correspondence before or after the event.

Insurance Details: Stating the Policy Number and End Date will confirm compliance.

- Employer's (Compulsory) Liability Insurance (Policy Number and End Date)
- Public Liability Insurance (Policy Number and End Date)
- Additional Insurance cover (Policy Number(s) and End Date(s))

ii. External Organisation

-School / College /Group etc.

Head(s) of Organisation (e.g. Head Teacher)

-Activity Supervisor name and contact details. This is useful in case of emergency or correspondence before or after the event.

-Insurance Details: Stating the Policy Number and End Date will confirm compliance.

-Employer's (Compulsory) Liability Insurance (Policy Number and End Date)

-Public Liability Insurance (Policy Number and End Date)

-Additional Insurance cover (Policy Number(s) and End Date(s))

Risk assessment form Section B

Description of Activity

-Filling in this section will help to ensure that the activity is properly defined. Areas of hazard and risk should become more obvious.

Number of children/those regarded as vulnerable and the age range of children concerned

The larger the number of children/young people and the younger they are, the greater will be their collective risk. As a consequence, the requirement for control measures such as adequate supervision will be greater.

Risk assessment form Section C: Persons assisting with the activity

Adult / Child Ratio

As a general guide for an activity with a normal range of hazards, the minimum ratios should be:

-1 adult for every 3 children aged under 5;
-1 adult for every 6 children aged 5 to 7;
-1 adult for every 10-15 children aged 8 to 10;
-1 adult for every 15-20 children aged 11 onward or young people.

There should also be enough additional staff available to help deal with an emergency.

Vetting of supervisory staff

University staff

Heads of Colleges/Departments/Units/SRIs etc. will determine, by consideration of the risk assessment, whether members of their staff should be vetted by the Disclosure and Barring Service before they carry out the activity. The vetting process is the responsibility of Human Resources.

External Organisation (School / College /Group etc.)

It is the responsibility of all external organisations to comply with legislation governing the protection of children and vulnerable groups. It is the policy of Brunel University London to seek assurances of such compliance in accordance with its policy governing external organisations set out in sub-section B4.

General Advice

-The DfES recommends that anyone who has not had a criminal conviction check should never be left in sole charge of children or young people.

-For the protection of both parties, all adult supervisors should try to ensure that, wherever possible, they are not alone with a child/young person.

-All adult supervisors, including teachers and University staff, must understand their roles and responsibilities at all times. It may be helpful to put this in writing. In particular, all supervisors should be aware of any children/young people who may require closer supervision, such as those with special needs or those with behavioural issues.

Risk assessment form Section D: Hazards risk and existing control measures

See also Specific Hazards and Control Measures

Hazard – Something which has the potential to cause harm (injury or damage)
Risk – The likelihood that the hazard will cause harm.
Control measure - A practical or physical means of reducing risk (e.g. adequate supervision, personal protective equipment such as safety glasses).

-Taking all the identified hazards into account and the existing risk control measures (e.g. containment of risk, safety equipment, protective clothing) a qualitative assessment is made of risk (e.g. low, medium or high). The only acceptable risk rating for any activity is low risk.

Risk assessment form Section E: Hazards risk and extra control measures

If, with the existing control measures, a **medium** or **high** risk is determined, then extra control measures are required until **low** risk is achieved.

Risk assessment form Section F: validation

Assessors are carrying out the Risk Assessment on behalf of the University and the External Organisation. These bodies must only choose assessors whom they believe to be competent. Competence is gained through knowledge, experience and training. Assessors must be fully conversant with the concept of risk assessment and with the activity being assessed.

A senior representative from both the University and the External Organisation must countersign the assessment indicating validation of the assessor and his/her assessment. The assessment is a legal document indicating compliance with health and safety law. By signing the document the signatories do not incur any extra personal liability, other than that placed on any University or External Organisation employee.

The best form of defence against possible litigation is proactive accident prevention. You may find the following checklist helpful.

Accident Prevention Checklist

-Review of the Assessment

The Risk Assessment must be reviewed if there any significant changes in the activity and on a regular basis (e.g. annually).

-Generic Assessments

Some activities are fairly straight forward and repeated on a regular basis. In these cases it is not necessary to carry out risk assessments for each activity but an encompassing generic assessment which can be adapted and reused.

-General tools of risk control

The key means of reducing risks when dealing with children's activities are to:

-Carry out an exploratory visit to identify hazards;
-employ competent supervisory staff;
-provide adequate supervision throughout the activity;
-provide clear guidance to supervisory staff and the children/young people;
-have in place emergency procedures (e.g. the provision of or access to first aid).

The most senior supervisor will normally be the risk assessor. Supervision may be from both University staff and staff from the External Organisation. The risk assessment needs to take into account both parties.

The risk assessor should take the following factors into account during the assessment:

-The type of activity and the level at which it is being undertaken;
-the location, routes and modes of transport;
-the competence, experience and qualifications of supervisory staff;
-the ratios of supervisory staff to children/young people;

-the group members' age, competence, fitness and temperament and the suitability of the activity;
-the special educational or medical needs of children/young people;
-the quality and suitability of available equipment;
-seasonal conditions, weather and timing;
-emergency procedures;
-how to cope when a child/young person becomes unable or unwilling to continue;
-the need to monitor the risks throughout the activity.

Dangers to Unsupervised Children

Hazard	Outcome	Control Measures
Construction works (and excavations)	Falls from height, slips, trips, falls, entrapment, cuts, contusions and fractures, arson and exposure to chemicals	Secure fencing, good signage, security patrols, lighting, safe storage of materials and chemicals, CCTV
Traffic	Injury, severe injury or death	Observance of speed limits, defensive driving, speed ramps
Slopes, steps, walls (when used for skateboarding, stunt cycling or jumping)	Injury, severe injury or death	Security patrols, calls to security, CCTV
Roofs and high structures (eg trees)	Falls from height	Building security, vigilance, restrict roof access, CCTV
Electricity	Burns, electrocution, death	Restrict unauthorised access
Fire	Burns, smoke inhalation, death	Good campus house-keeping, security of waste containers
Water	Drowning, hypothermia	Life saving devices (ponds), controlled entry and security (swimming pools)

If you are concerned about the behaviour of unsupervised children on campus contact Security on 66943 or 01895 255786 from an outside line or the Police on 999 or 9-999 internally.

5.4 Widening Participation Policy

Note of guidance

5.4.1 Through involvement as a *Student Ambassador/mentor* in Widening Participation work you will regularly undertake positions of responsibility when working with young people. Your input could involve you working with children from primary schools right through to 18 year olds undertaking a course at a Further Education College.

5.4.2 The types of activities you will be involved in could take place on campus such as: HE Awareness visits; campus tours; subject taster days; summer schools, master classes and careers fairs.

5.4.3 While these types of activities are led by a member of staff from the Widening Participation team, you could be working off campus (e.g. as an activity leader or mentor) under the guidance / responsibility of a member of staff from a primary school or secondary school, FE College or another external organisation such as AccessHE.

5.4.4 In all your contact with young people through your Widening Participation work it is vital that you ensure the safety and the well-being of the children you come into contact with as well as looking after yourself.

5.4.5 Brunel University London is committed to ensuring the highest standards and best practice in relation to child protection through our staff and students' work with young people and has developed a Safeguarding Children and Vulnerable Groups Policy that sets out our procedures and practices and provides practical guidance and support to adults involved in Widening Participation work.

5.4.6 Student Ambassadors/mentors are particularly encouraged to read carefully the sections on:

1. University Statement on Safeguarding Children and Vulnerable Groups [Section A.1 on page 5]

2. Scope, Safeguarding Structure and Responsibilities [Section A.3/4 on page 6]

3. Principles - Guidance to Staff [Section B.1 on page 17]

4. Code of behaviour and Good Practice [Section B.2 on pages 18-19]

5. Recognising Abuse [Section B on page 20]

6. External Organisations Working with Children or Vulnerable Groups using University Facilities [Section B.4 on pages 27-29]

7. Guidance on Specific University Activities - Procedures to Follow Working with Children or Vulnerable Groups in Research [Section B.5.1 on page 30]

5.5 Brunel University London Accommodation Office - Under 18's Policy for Resident Students [extracted from the Residence Regulations for Brunel University London Residences]

5.5.1 The under 18's policy covers students applying for University campus accommodation, whose 18th birthday falls after the first day of the Tenancy Agreement of the year of entry to the University. The policy will cease to apply to students once they reach their 18th birthday.

5.5.2 Students under the age of 18 are unable to enter into a Tenancy Agreement with Brunel University London and the University requires a parent or responsible person over the age of 18 to act as guarantor and sign the Tenancy Agreement. This means that the guarantor must pay any sums agreed under the Tenancy Agreement if the student fails to do so.

5.5.3 The University cannot assume parental responsibility for a student under the age of 18. Students and their families should bear in mind that Brunel University London is an adult environment. Students are expected to behave like adults and to assume adult levels of responsibility. Students are expected to have the necessary skills to study and live independently alongside people from a wide variety of backgrounds. Places in halls are offered at Brunel on the understanding that the student will be able to adapt to living away from home and to looking after him or herself in all practical matters.

Arrangements during the Academic year

Our responsibility to under 18 year old students:

5.5.4 Accommodation and Residential Services will:

i. Allocate those students who apply and accept their course offer and have applied for accommodation before 1 September 2012 into University campus accommodation. After 1 September 2012 we will use our best endeavours to offer University campus accommodation subject to availability.

ii. Under 18's details will be highlighted to the Residence Management teams and under 18's should contact them during office hours if necessary.

iii. Integrate students who are under 18 years of age with those who are over 18.

iv. Carry out Disclosure and Barring Service (DBS) checks on Residences Management Staff, Supervisors, Senior Student Mentors and Security staff employed by the University.

v. Provide relevant training for Resident Staff employed by the University and staff with regular access to bedrooms.

vi. Promptly inform the person named as guarantor if we become aware that the student:

a. Is in rent arrears of one term or more;

b. Is in serious breach of the Residences Regulations Terms and Conditions invoking Disciplinary Regulations.

vii. Ensure that students under 18 are aware of whom to contact in case of difficulties.

viii. In all cases we will try to encourage students to involve a parent/guarantor where appropriate but will take a student's request for confidentiality and the student's welfare as paramount, even if this means not telling their parent/guarantor at the student's request.

ix. Send documentation, including a Tenancy Agreement and Regulations Booklet, to the student and guarantor that is required to be accepted/signed and returned to the Accommodation Office by the guarantor before the student can take up residence.

x. Provide the student and guarantor with full details of how to secure a room on campus including what deadlines they are required to meet.

5.5.5 Accommodation and Residential Services will NOT:

i. Carry out DBS checks or provide training for University Contractors (attending to repairs within the residences). All contractors will however, carry identification and will carry out repairs/works between 9.00 am and 5.00 pm except in an emergency situation.

ii. Act in Loco Parentis.

iii. Carry out any checks, other than those mentioned above on under 18's living in University managed accommodation.

iv. Monitor how the student spends their leisure time or manages their finances.

v. Apply this policy to under 18's housed in the private sector.

5.5.6 Students' responsibility to Accommodation and Residential Services
Students will:

i. Provide the name and address of a parent or guarantor who will be the University's point of contact for notification under points 5.5.4 vi, 5.5.4 ix and 5.5.6 ii.

ii. Provide the name of a guarantor in the UK where the student is from overseas.

iii. Be required to enter into a new Tenancy Agreement with the University on their 18th Birthday.

iv. Abide by the Tenancy Agreement terms and conditions from the point of accepting a campus room allocation

5.5.7 Arrangements for Under 18's attending short courses/conferences and using Brunel University London Residences

In addition to the Under 18's Policy for Resident Students set out in Sections 5.5.1-5.5.6 the following shall apply to under 18's attending short courses/conferences and using Brunel University London Residences:

i. Brunel University London is an adult environment geared towards the learning and living needs of students and staff over the age of 18.

ii. All academic and administrative staff organising and supervising the events in overnight accommodation, including student ambassadors, will be DBS checked.

iii. Brunel University London 24 hour security team will be made aware of the names and whereabouts of all registrants for these events, including those under the age of 18.

iv. All registrants' accommodation (single en-suite rooms with own key) are on the Brunel University London campus in the Lancaster Hotel Conferencing Suites

v. Legal Guardian Responsibility-the parent or carer retains responsibility in relation to their child if they are under the age of 18. The University is unable to assume parental rights or responsibilities and cannot be expected to act *in loco parentis*.

vi. Lifestyle Restrictions-Students and their parents or carers need to be aware that there are some legal restrictions placed on the activities of a child living in the United Kingdom, particularly with regards to the consumption of alcohol, tobacco, media access etc. The parents or carers and the young person will be responsible for the students' actions until they reach the age of 18. Consent is required concerning access to the internet via the University network [Appendix C]. The law in the UK prohibits persons under the age of 18 from buying alcohol in licensed premises, or to have alcohol bought for them by another for consumption in a bar. Bar staff in University licensed premises are encouraged to check proof of age where they are not sure.

vii. At the age of 16, patients in the UK are able to give consent for most medical/dental treatment without a parent´s knowledge. Treatment is confidential. The law regarding consent of patients under 18 years is different from that of adults who are 18 years or over. The University has issued guidelines on patients under the age of 18 years consenting to or refusing consent to medical treatment which are set out at Appendix D.

viii. Students are required to understand and agree to the terms of study as outlined by the University. Students under the age of 18 are able to enter into limited educational and residential agreements but parents or carers will retain all responsibility for the student until their 18th birthday.

ix. Other Special Arrangements-apart from those arrangements mentioned above, the University assumes that all students being admitted to study here will have a similar level of educational competence and personal maturity, and that those under the age of 18 will not wish to be singled out for special treatment, unless we are advised otherwise. The University offers a very wide range of excellent support facilities for all its students, and there are many staff members on hand to help should problems arise. If you feel that you may appreciate additional support or if there are any support issues due to age or any other personal circumstance which you would like to bring to our attention, you may notify us in advance by emailing **TBC**

5.6 Children & Young People brought onto Campus by a Parent

Introduction

5.6.1 Many staff and students combine parenting and work or educational responsibilities and this means that there are occasions when they may need to bring their children onto campus (eg sudden and unexpected difficulties with child care arrangements). The University does not wish to unfairly disadvantage or discriminate against these parents but it must be borne in mind that the University is an institute of adult learning and the buildings and grounds of its campuses are not designed with children in mind. However, it is recognised that this is not always practical and it is acknowledged that on occasion bringing a child on to campus is unavoidable. As a consequence there are number of dangers to which unsupervised children may be exposed. In addition, the University has legal duties to ensure that any visitor will be safe whilst using its premises and there is a higher duty of care when the visitor is a child.

5.6.2 The University has no objection to children being brought on to campus for social occasions. However, the parent is expected to assume all responsibility and supervise their child/children at all times.

5.6.3 The following guidance outlines the University's approach to ensuring that staff and students are not unfairly disadvantaged or discriminated against because of their parental responsibilities, while also ensuring that reasonable steps are taken to protect the study and work environment of others at the University.

i. Bringing children onto campus, for non-social occasions, must be considered a last resort when no alternative child care arrangements are practicable. It must never be considered to be anything but a temporary and short term arrangement.

ii. Parents should have formal arrangements for child care while they are at work, attend classes or study etc.

iii. When no alternative child care arrangements are practicable, you are expected to seek and obtain the permission from your line manager or academic supervisor and/or a local manager before you bring in your child. They have delegated authority, from the University, to give or deny permission.

iv. You must closely supervise your child at all times, keeping them in your work area. You are responsible for the behaviour of the child in your care. They must not inconvenience or endanger staff, students or other visitors.

v. Children are forbidden from the following areas of enhanced danger:

-Laboratories and laboratory preparation areas
-Workshops and any area containing equipment other than standard office machinery
-Kitchens and other food preparation areas
-Formal off-campus activities such as field trips, meetings or visits
-Any other area where access is restricted for reasons of health, safety or security which may include-
lecture theatres
multi-user computer rooms
fine or performing arts workshops or studios
construction sites
roofs, balconies and stairwells (except for access and egress)
areas of heavy vehicular movement
sports facilities
any other area that may be identified as unsuitable for children as a result of a risk assessment.

Regarding access to offices, for anything other than a very brief visit to a service area or reception, consent must on each occasion be obtained from the manager on duty and will only be given when the child is accompanied by a responsible adult who him/herself requires access to the office. For more details please see Children on Campus policy available on the Health & Safety website [link below]:

https://intra.brunel.ac.uk/s/operations/hands/Documents/SC_1148_children%20on%20campus.pdf

5.6.4 The University reserves the right (through the authority delegated to the line manager /academic supervisor) to direct that a child be removed from campus where the presence of

the child is causing an unacceptable health and safety risk or an unreasonable level of disruption to others.

5.6.5 Contractors are prohibited from bringing a child onto University premises during their working hours unless justified by a risk assessment and agreed by the University

5.6.6 The University's Principal Safeguarding Officer [Jilly Court] should be consulted over the application of the guidance set out in Section 5.6.3 for any other matter where staff and students may need to bring their children onto campus.

5.7 Volunteering [Brunel Volunteers]

5.7.1 Volunteering at Brunel University London may involve working with children and/or vulnerable groups. The University is committed to a practice which protects volunteers, children, vulnerable groups and staff involved in any volunteer opportunities from harm. In most cases the Safeguarding Policy of the organisation [external partner] where the volunteering activity is taking place will set out the arrangements for working with children and/or vulnerable groups. Staff and students at the University must be committed to accepting and recognising their responsibilities to safeguard children and vulnerable groups and volunteers.

5.7.2 Where a volunteer is volunteering with an external partner, the University/Brunel Volunteers will refer to the organisation's Safeguarding Policy and follow their procedures. The external partner will be expected to ensure that Individual Volunteers involved in working with children and/or vulnerable groups are given an induction, relevant safeguarding training and full information on their role and that volunteers are given a clear outline of the process on how to report an incident.

5.7.3 Where necessary the University or the external partner will provide DBS checks for volunteers and staff. References may also be obtained by the University or the external partner when students are volunteering with children or vulnerable groups.

5.7.4 In turn the University will endeavour to promote safeguarding by:

-Publishing a full copy of the Safeguarding Children and Vulnerable Groups – Policy and Guidance accessible to all on the website:

http://www.brunel.ac.uk/ data/assets/pdf file/0017/133226/SafeguardingChildrenStatement.pdf

-Ensuring that all volunteers are aware of staff support on team projects and supervisors of host organisation for individual volunteers.

-For certain projects where mandatory training may be required, ensuring that this is provided prior to embarking on the volunteering project.

-Requesting that volunteers will not be left unsupervised when volunteering with children and vulnerable groups [unless by prior agreement with the University/Brunel Volunteers].

-Requesting that volunteers are provided with clear role descriptions to ensure that volunteers are aware of their role and responsibilities.

-Regularly reviewing the University's Safeguarding Children and Vulnerable Groups – Policy and Guidance to ensure it is up to date.

5.8 Professional Placements outside of the University

5.8.1 The University also recognises that its students undertaking professional placements or in connection with work experience or outreach activities may come into contact with children or vulnerable groups who are not members of the University. The University wishes to ensure that it maintains the highest possible standards to meet its social, professional and legal responsibilities to protect and safeguard the welfare of children and vulnerable groups with whom the University's work brings it into contact.

5.8.2 While the University's Safeguarding Children and Vulnerable Groups Policy and Guidance is designed to assist the University to achieve the commitments set out above and to take reasonable steps to safeguard those who are vulnerable and who come into contact with the University, it is the employers' or the placement providers' legal responsibility to ensure for welfare of the University's students during such periods of professional or work experience. The University will defer to the organisation's [employer or placement provider] Safeguarding Policy and follow their procedures. The employer or placement provider will be expected to ensure that the University's students involved in working with children and/or vulnerable groups are given an induction, relevant safeguarding training and full information on their role and given a clear outline of the process on how to report an incident.

5.9 Work Experience Placements [within the University for children and vulnerable groups]

5.9.1 All work experience placements must comply with the University's Safeguarding Policy. Before any arrangements are put in place for a person under the age of 18 or a vulnerable adult to undertake a Work Experience Placement at the University a risk assessment must be conducted to cover both the health and safety and safeguarding issues. Please refer to Appendix B of this policy for information on the risk assessment and other relevant health and safety issues.

5.9.2 Attention is also drawn to the University's legal requirements in relation to the Disclosure and Barring Service [see section A8]. It is a criminal offence to knowingly employ an individual barred by the DBS to work in regulated activity with children (under 18) and adults in vulnerable situations. For working with children, this will generally be unsupervised teaching, training, instructing, caring for or supervising, on a frequent (one a week or more) or intensive (4 or more days in a 30 day period). In the majority of cases supervision of young people on a short-term work experience placement will not fall within this definition of regulated activity.

5.10 Film and Photography Guidelines [seeking permission when taking a photograph or filming a child/children on campus].

5.10.1 Before taking photographs or filming children, consent must be obtained from the parent(s) or the responsible adult who is with the child or group of children at the time the photo/film is taken.

5.10.2 If the photograph or film is to be used for publicity purposes, the consent must be in writing using Appendix A of this document. This applies to all University events without exception and all forms of publicity. If consent has not been obtained then the image or film should not be used.

5.10.3 For the purpose of these guidelines, a child is considered to be anyone under the age of 18, unless that person is a student at the University, or at London Brunel International College (LBIC).

5.10.4 Details of the University's Film and Photography Guidelines are available through the following link:

https://www.brunel.ac.uk/about/documents/pdf/FP-Guidelines.pdf

5.11 The Prevent Duty

5.11.1 The Counter Terrorism and Security Act 2015 places an obligation on higher education institutions to have "due regard to the need to prevent individuals from being drawn into terrorism". Compliance with the duty in England is monitored by the Higher Education Funding Council for England (HEFCE). This is known as the Prevent Duty.

5.11.2 Government Guidance requires that the University has in place policies for external speakers and events, the training of staff, welfare and IT usage. It is also requires that the University's approach to Prevent should be reasonable and proportionate in the context of the assessment of risk within the local environment.

5.11.3 The University's approach to Prevent is aimed at safeguarding the welfare our students and staff. We intend to ensure that the Prevent Duty is balanced against our commitment to academic freedom and freedom of speech and other key legislation such as the Equality Act, the Human Rights Act and the Data Protection Act. Matters such as free and open debate, often of controversial subjects, are key to University life. The University will always seek to allow events to go ahead providing that they are within the law. A continuous training plan is in place to ensure that relevant staff are able to understand Prevent and how it impacts on their roles.

5.11.4 The University has developed a Prevent Policy that addresses the key safeguarding issues that may affect staff and students which is available through the following link:

http://www.brunel.ac.uk/

5.12 School Experience Requirements for Staff and Students not involved with courses of Initial Teacher Training

Pre-16 work experience

5.12.1 The statutory obligations regarding Disclosure and Barring Service (DBS) checks are set out in the statutory safeguarding guidance, Keeping Children Safe in Education. The Department for Education (DfE) has published an updated version of the guidance which is in force from 5 September 2016:

https://www.gov.uk/government/publications/keeping-children-safe-in-education--2

5.12.2 Paragraph 140 of the guidance states:

Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work-experience placement.

5.12.3 The School concerned should decides what checks are necessary and makes this decision after considering the circumstances, including the nature of supervision and the frequency of the activity. The school should consider whether the person supervising the child will be:

-Unsupervised;

-Providing the teaching/training/instruction frequently (at least once a week or on more than three days in a 30-day period).

5.12.4 Paragraph 141 adds:

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the school or college could ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

5.12.5 Regulated activity is defined on page 24 of the Keeping Children Safe in Education guidance. Among other things, the definition covers regularly supervising children unsupervised, and driving a vehicle for children only.

Post-16 work experience

5.12.6 Paragraph 142 of Keeping Children Safe in Education states:

Schools and colleges are not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience.

5.12.7 This is reiterated in a DfE advice document about post-16 work experience, published in March 2015. It explains on page 13 that, as of July 2012, work experience providers are no longer required to carry out enhanced DBS checks on staff supervising young people aged 16 to 17

6. Contractors

6.1 The University conducts Disclosure and Barring Service (DBS) checks for its own students and staff. This service does not extend to any of the University's Contractors.

6.2 All contractors are expected to carry identification while carrying out their duties.

6.3 Any contractors who will be working with children or vulnerable groups in a safeguarding capacity will be expected to abide by the procedures set out in Section 4. External Organisations Working with Children or Vulnerable Groups using University Facilities

Section C [sub-sections 1-4] - Information and Records

Creating and Maintaining Information and Records

1.1 Record Keeping

1.1.1 Designated Safeguarding Officers should maintain a written record all safeguarding matters referred to them. Once complete these, with details of the outcomes, should be passed to the Principal Safeguarding Officer for retention in accordance with the Data Protection Act and the University's policies in respect of records retention.

1.2 Conduct of Interview or Investigation

1.2.1 Should a child/person regarded as vulnerable disclose details of abuse bear in mind that this may be the beginning of a legal process, as well as of a process of recovery for the person concerned. Legal action against a perpetrator can be seriously damaged by any suggestion that the child or vulnerable adult has been led in any way.

1.2.2 An interview with a child/person regarded as vulnerable should only be conducted by a Designated Safeguarding Officer (DSO) in the presence of another member of staff (preferably another DSO). If required to conduct such an interview as part of the investigation please bear in mind the following points:

- Rather than directly questioning the child/person regarded as vulnerable just listen and be supportive;
- Never stop a child/person regarded as vulnerable who is freely recalling significant events, but don't push the child/person regarded as vulnerable to tell you more than they wish.

1.2.3 When making a record of the event, please bear in mind the following points:

- Write an account of the conversation immediately;
- Put the date and timings on it and mention anyone else who was present;
- Sign the account and hand it in to the Principal Safeguarding Officer.

1.3 Confidentiality

1.3.1 It should be noted that consent is still required from under 18s in the same way as for adults with regard to matters of data protection. However, in accordance with statutory requirements, where safeguarding or child protection issues are involved, it is not possible to offer confidentiality to a person under 18 as any disclosures must be reported. Staff and students should be advised that it is not possible to offer confidentiality on any matters referred to them as disclosures must be reported.

1.4 Data Protection

1.4.1 Any information regarding child or vulnerable group protection issues will be stored in a secure place and there will be limited access to this by the University Principal Safeguarding Officer.

1.4.2 Information relating to any disclosures will be passed to the local Social Services Department, Police Authority or other relevant agency only. Concerns relating to child or vulnerable adult protection which have not been referred to an external body will be retained in a secure location by the University Principal Safeguarding Officer for a period of one year and then confidentially destroyed.

1.5 Monitoring

1.5.1 The University Principal Safeguarding Officer will record any incidents related to child protection and report them to the appropriate committee anonymously on an annual basis. Confidentiality will be maintained at all times in respect of monitoring. Any concerns or patterns that emerge will be dealt with appropriately.

*2. Job descriptions for Principal and **Designated Safeguarding Officer***

Principal Safeguarding Officer

Responsible for co-ordinating the whole safeguarding practice including:

-Being accountable to Council for the University's safeguarding practice;

-Ensuring there is a staff structure and committee structure in place to fulfil safeguarding responsibilities;

-Liaising with the Human Resources Department about safe recruitment procedures, Disclosure and Barring Service matters, induction of new staff and training;

-Liaising with other University Departments about safe procedures relating to student administration including Disclosure and Barring Service matters and training;

-Ensuring procedures are in place for managing allegations against staff, protection, whistleblowing and safe recruitment practices;

-Ensuring that secure records of protection concerns are stored and shared appropriately;

-Developing University-wide procedures, practice and guidance for safeguarding, taking into account any local safeguarding guidance;

-Creating links with the local Social Services department teams;

-Participating in a network of Principal Safeguarding Officers;

-Ensuring procedures are in place for managing disclosures to a member of Brunel University London staff against someone in the child or vulnerable group's family or someone involved in their home, school or social life;

-Ensuring that monitoring review systems are in place to incorporate new guidance and legislation and to test out existing systems;

-Referring any suspected cases of abuse to the relevant investigating agency;

-In conjunction with HR, ensuring that staff undertake training appropriate to their roles in relation to safeguarding.

Designated Safeguarding Officer

Each College, Department and work area requires its own [or access to] a lead member of staff to take responsibility for implementation of the University policy framework in ways which meet the individual College, Department and work area's circumstances. The position carries the following responsibilities:

-To refer cases of suspected abuse or allegations to the relevant investigating agencies or to the Principal Safeguarding Officer;

-Act as a source of support, advice and expertise within the College/Department/work area when deciding to make a referral by liaising with the relevant agencies;

-Liaise with Principal Safeguarding Officer to inform him/her of any issues and on-going investigations and ensure there is always cover for this role.

-Liaising with the Department for any Disclosure and Barring Service matter (for example, pending arrival of Disclosure and Barring Service checks);

-Assist with the organising of training for staff;

-Acting as a source of support, advice and help to other staff; day-to-day links with external agencies, parents, schools and colleges;

-Keeping detailed, accurate and secure written records of referrals, concerns and incidents and ensuring that these are passed to the Principal Safeguarding Officer as required;

-To assist in the development of University-wide procedures, practice and guidance for safeguarding, taking into account any local safeguarding guidance.

Training for both Principal and Designated Safeguarding Officers

-They should be trained to identify signs of abuse and when it is appropriate to make a referral;

-Be able to implement University policy on Safeguarding and Protection;

-Obtain access to resources and attend any relevant or refresher training courses.

3. The Safeguarding Children and Vulnerable Groups Committee

Membership

All designated Safeguarding Officers and those nominated to represent the interests of Colleges, Institutes and Departments across the University.

Appointment of Chair

Secretary to Council shall Chair the Committee.

Meetings

The Committee shall meet on an *ad hoc* basis

Quorum

The Chair and four members of the Committee shall constitute a quorum.

Procedure

The Committee shall regulate its own procedures for the conduct of its meetings but all matters raised will be treated with the strictest confidence.

POWERS, DUTIES & FUNCTIONS

1. To oversee the development, implementation and monitoring of systems, processes and policies relating to Safeguarding Children and Vulnerable Groups.

2. Ensure members of the University and those entering its premises or using its facilities understand the full scope of their responsibilities concerning Safeguarding Children and Vulnerable Groups.

3. To advise on the implementation of legislation, policy and guidance in relation to Safeguarding Children and Vulnerable Groups and to monitor its effectiveness.

4. To agree quality standards, develop audit tools and develop a training strategy, which supports sound arrangements for Safeguarding Children and Vulnerable Groups.

5. To feedback the outcomes of case reviews following a reported incident concerning a child or vulnerable person.

6. To receive details of the issues raised at the Discussion Forum*.

7. Implement and review recommendations in relation to practice as directed by the University's Health and Safety Committee or the local authority's child/vulnerable protection bodies [such as Hillingdon Social Services].

8. To report regularly to the University's Health and Safety Committee advising on issues relating to Safeguarding Children and Vulnerable Groups and its impact on the responsibilities of Council.

***The Discussion Forum is an informal group that meets to consider issues that are raised and to provide staff and students with a facility to share experience and best practice.**

4. Network of Safeguarding Officers within the University

Advice and enquiries on specific issues concerning safeguarding children or vulnerable groups should only be taken up with the Designated Safeguarding Officers or the Principal Safeguarding Officer. If there is no person designated for your College, Research Area or Administrative Department, or if there is a person designated but that person is unavailable, you should contact one of the people listed in the section 'Staff to Contact for Information on Safeguarding' who will be able to refer your enquiry to a Safeguarding Officer.

Principal Safeguarding Officer

Jilly Court – Secretary to Council and Registrar [GLASS] Executive Suite, ESGW
Should the Secretary to Council not be available please contact Bridget Alabi.

Designated Safeguarding Officers

Bridget Alabi – Office Manager Governance & Secretariat and Asst. Sec. to Council [GLASS]

Vincent King – Assistant Director of Commercial Services [Health, Safety & the Environment]

Barbara Shennan – Associate Director, HR Services & Business Improvement. HR Dept.

Terry Vass – Head of Security and Emergency Planning – Res., Acc., DC, Sec & Reception

Carole Portman-Smith – Director of the Urban Scholars Programme [Education] CBASS

Carol Elliott – College Projects Officer, CEDPS Central Office

Lesley Warren – Senior Recruitment Officer [STEM], CMSR

Sarah Gardner – Head of Customer Services, Information Services Directorate

Sharon Coote – Marketing Officer. Communications, Marketing and Student Recruitment

Anne Chappell – Divisional Lead [Department of Education] CBASS

Pam Alldred – Research Theme *Deputy Leader*: *Welfare, Health and Wellbeing* [CHLS]

Annette Payne – Lecturer [College of Engineering, Design and Physical Sciences]

Achim Schuetzwohl – Lecturer in Psychology [Dept. of Life Sciences] CHLS

Karen Western – Widening Access Officer, Recruitment and Admissions

Helen Blakes – Senior Technician, Biosciences, CHLS

Claire Mazer – Academic Liaison Librarian, Information Services

Sally Trevor - Academic Director [Brunel Language Centre] BEEC

Ranjeet Rathore - President of the Union of Brunel Students.

Edward Walker - Assistant Head of Sport [Sports, Retail, Grounds, Science Park and Hotel]

Barry Harcourt – Main Reception Manager [Res, Accommodation, DC, Security & Reception]

Gwyn Jones – Head of Residences [Res, Accommodation, DC, Security & Reception]

Staff to Contact for Information on Safeguarding

College/Institute Contacts

Paul Worthington – Director of College Operations, CEDPS, Executive Suite, ESGW

Amanda Oliver – Director of College Operations, CBASS, Executive Suite, ESGW

Michael Keighley – Director of College Operations, CHLS, Executive Suite, ESGW

Other Departmental Contacts

Craig Lithgow – Chief Executive Officer, Union of Brunel Students

Anne Smith – Institute Manager, Brunel Research Institutes Office

Michael Jenkins – Chief Information Security Officer [Cyber and Information Services]

Michelle Kavan – Senior Lecturer/Director of Work Placements UG/PGT [CBASS]

Kate Dunbar – Assistant University Secretary – Secretariat and Governance GLASS

General enquiries or for departments/research areas not listed here, please contact Bridget Alabi

INCIDENT REPORT FORM **APPENDIX A**

CHILDREN, YOUNG PEOPLE OR VULNERABLE GROUPS ON CAMPUS POLICY

To report:

☐ **Non-procedural contact** – one-to-one situation or contact with a child, young person or person regarded as vulnerable which you feel you should report.

☐ **Unusual incident** – any other occurrence relating to the child, young person or person regarded as vulnerable which you feel you should report.

Date of incident: _____

Time of incident (if applicable): _____

Place of incident: _____

Children involved: _____

Staff involved: _____

Project/Event: _____

Brief description of what happened:

_____

_____

_____

_____

Other staff present: _____

Signed by reporter: _____

Signed by witnesses: _____

Date: _____

Subsequent Action Taken:

_____

_____

- **On completion please discuss this form with HR or the University's Safeguarding Officer and send them a copy.**
- **Attach the original to the Risk Assessment Form.**

APPENDIX B

RISK ASSESSMENT FORM FOR PLANNED AND SUPERVISED ACTIVITIES FOR CHILDREN AND VULNERABLE GROUPS

A. Administrative Details

(i) Brunel University London

Head(s) of University	Vice Chancellor & President	Secretary	
Contact Details:			
Activity Supervisor(s)	Name:	Name:	
College/Dept//Research Institute etc			
Address 1			
Address 2			
Telephone			
E-mail			
Employee Liability Insurance Cert No / End Date			
Public Liability Insurance Cert No / End Date			
Additional Insurance Type & Cert No / End Date			

(ii) External Organisation

Name of Organisation			
Head(s) of Organisation			
Contact Details:			
Activity Supervisor(s)	Name:	Name:	
Address 1			
Address 2			
E-mail			
Employee Liability Insurance Cert No / End Date			
Public Liability Insurance Cert No / End Date			
Additional Insurance Type & Cert No / End Date			

B. (i) Description of Activity

(ii) Number of Children/people regarded as vulnerable and age range of children

C. Persons assisting with the Activity

Name	Role	Affiliation (Brunel or External Organisation)	DBS* Check Required? (Y or N)	Completed?
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐

*** DISCLOSURE AND BARRING SERVICE [DBS] CHECK [formerly the Criminal Records Bureau Check]; The Dean of College/Director of Research Institute/Head of Department/etc will determine whether a DBS check is required after consideration of this risk assessment and discussing this with the appropriate manager in Human Resources.**

D. Hazards, Risks and Existing Control Measures

Hazard	**Risk** **HIGH MEDIUM LOW** (tick one box)	**Current Control Measures**
i	□ □ □	
ii	□ □ □	
iii	□ □ □	
iv	□ □ □	
v	□ □ □	
vi	□ □ □	
vii	□ □ □	
viii	□ □ □	
ix	□ □ □	
x	□ □ □	

- **If all risks are assessed as LOW, proceed to Section F.**

E. Hazards, Risks and Extra Control Measures

- **For those risks NOT assessed as LOW, state the extra control measures required to achieved a LOW risk assessment**

Hazard (insert roman numeral from Table D)	**Extra Control Measures**	**Risk** **HIGH MEDIUM LOW** (tick one box)
		□ □ □
		□ □ □

		□ □ □
		□ □ □
		□ □ □

CONTROL MEASURES MUST BE IN PLACE TO MAINTAIN ALL RISKS AS LOW AS IS REASONABLY POSSIBLE.

IF A LOW RISK ASSESSMENT CANNOT BE ACHIEVED AFTER THE INCLUSION OF EXTRA CONTROL MEASURES THE ACTIVITY MUST NOT PROCEED.

F. Validation

	Assessors	Supervisors
Brunel University London	**Signature:-**	**Signature:-**
	Name:-	**Name:-**
External Organisation	**Signature:-**	**Signature:-**
	Name:-	**Name:-**

G. Processing

- **If DBS checks are required please discuss with the relevant HR Manager or safeguarding officer and send them a copy of this assessment.**
- **Ensure that all the people supervising and assisting with the activity receive a copy of this assessment.**
- **File this assessment in a secure location in the administrative centre within your College/Institute/Department/etc.**

Appendix C

Consent Form for Access to the Internet via the University Network

This policy statement is subject to the laws of England and Wales.

To be completed by the parent/guardian of the proposed visitor under the age of 18:

1. I confirm that I have read and understand the above policy statement and have read the University's privacy policy *[insert link]* which applies to its collection and use of personal details about me and the proposed visitor named below for whom I am responsible (including details about their internet access and use through University wi-fi and IT systems and equipment).

2. I understand and accept that the University does not accept parental rights or responsibilities or act in loco parentis for persons under the age of 18.

3. I confirm that I have brought to the attention and explained the above policy statement and the University's privacy policy to the proposed visitor named below and will take all reasonable steps to ensure that s/he understands and will comply at all times whilst on University premises [or accessing them from a remote location] and when using University wi-fi and IT systems and equipment with the University's requirements for conduct and internet and IT use. I agree that I may be liable for any breach of those requirements for which I am responsible including breach by the proposed visitor named below.

Name of proposed visitor under 18 years of age: ----------Name

of Parent/Guardian (please delete as relevant): ----------

SIGNATURE: ---------- DATE: ----------

To be completed by the proposed visitor under the age of 18:

1. I confirm that I have read and understand the above policy statement and have read the University's privacy policy.

2. I have read and understand that the University does not accept parental rights or responsibilities or act in loco parentis for persons under the age of 18.

3. I have read the explanation that as I am under 18 years of age I am therefore considered a minor under English law and the University cannot reliably assess the level of my understanding or maturity in advance of my attendance.

4. I confirm that I have discussed the University's requirements for conduct and internet/IT use and its privacy policy with the individual named above and accept that s/he has explained that I will be required to comply at all times whilst on University premises and/or when using University wi-fi and IT systems and equipment with those requirements and that I and/or s/he may be liable for any breach by me of those requirements.

Name of proposed visitor under 18 years of age: ----------

SIGNATURE: ---------- DATE: ----------

Appendix D

Guidelines on patients under the age of 18 years consenting to or refusing consent to medical treatment

The law regarding consent of patients under 18 years is different from that of adults who are 18 years or over. These guidelines are an aid to clearly define the current law of consent in England and Wales.

Children and Consent to Treatment

16 years and over

The Family Law Reform Act 1969 provides that;

-The consent of a minor who has attained the age of 16 years of age to any surgical, medical or dental treatment is valid consent and it shall not be necessary to obtain consent for that treatment from a parent or guardian.

-If the minor does not have capacity to make the decision, then the consent of a parent with parental responsibility or a Court Order is required.

Below 16 years

The general position is that where a minor is under the age of 16, the consent of a person with parental responsibility or a court order is required for the medical treatment of that minor.

-However, a minor who is under the age of 16 but who understands the nature of the advice and medical treatment and has sufficient maturity to understand what is involved, can give consent to treatment in their own right.

-The principles from the case are known as the “Fraser Guidelines” Lord Fraser added that the patient’s best interests require the doctor to act without parental consent if the patient cannot be persuaded to inform the parents or allow the doctor to inform the parents, where the minor has such ability to understand the proposed treatment.

Minors Refusing Consent to Treatment

Doctors must assess whether a minor has the capacity to make their own decision regarding medical treatment, which will depend more on a young person’s ability to understand their options, than on age.

-If a child lacks capacity, doctors must ask for the consent of the person with parental responsibility.

-If the child has capacity to consent, doctors should still encourage them to involve their parents in the decision making process.

However, if a young person with capacity consents to treatment, their parents cannot override the decision.

-You should encourage young people to involve their parents in making important decisions, but you should usually abide by any decision they have the capacity to make themselves.

-You should seek legal advice if you think treatment is in the best interests of a competent young person who refuses.

-You can provide emergency treatment without consent to save the life of, or prevent serious deterioration in the health of, a child or young person.

Parental Responsibility

A mother always has parental responsibility as does the father provided that he was married to the mother at the time of the birth. Unmarried fathers can obtain parental responsibility by court order or formal agreement with the mother which is approved by the court.

The Adoption and Children Act 2003 provides that an unmarried father now has parental responsibility if his name appears on the birth certificate and the child's birth was registered on or after 1st December 2003.

This law is not retrospective and does not apply to children born before this date, even if the father's name appears on the birth certificate. Others e.g. grandparents, may have parental responsibility by way of a residence order made by the Court, if they are legal guardian or social services may on occasion have parental responsibility if the child is in care.

If you are unsure as to whether or not the person has parental responsibility for the child, enquires should be made with them as to their status and advice sought from the Trust's legal department or named doctor if necessary.

Can a Doctor Act Without Parental Consent When a Minor Refuses Treatment?

It is clear from the Fraser Guidelines that the medical profession may act in cases of parental abandonment or abuse.

The common law doctrine of necessity allows not only the doctor but anyone to render first aid or medical aid to the child, subject only to the requirement that what is done to the child must not exceed the exigencies of the situation. Furthermore it is suggested by Lord Brandon in Re F: that the doctor may have a common law duty to act.

Summary

-In law a child has full adult rights on attaining 18 years of age, the age of majority. Children and young persons under the age of 18 years are regarded as minors.

-A minor who has reached the age of 16 years of age has an absolute right to consent to any medical, surgical or dental treatment and that consent cannot be overridden by any other person, not even the courts.

-A minor under 16 years of age can consent to treatment without the parents' consent or knowledge if the doctor is satisfied that the patient understands the nature and purpose of the treatment and has sufficient maturity to understand what is involved.

-The mother always has parental responsibility as do fathers married to the mother at the time of the birth.

-Unmarried fathers must acquire parental responsibility by court order. Unmarried fathers will have parental responsibility for children born on or after 1st December 2003 if their name appears on the birth certificate.

-Only the consent of one parent is required even if the other parent refuses consent. In non-emergency cases legal advice from a defence organisation or Trust Legal Department should be sought if parents disagree.

-In an emergency the common law doctrine of necessity allows a doctor to act without parental consent when a minor is refusing treatment. Only that which is absolutely necessary to preserve life or prevent a condition worsening should be done.

APPENDIX E – LINKS TO RELATED POLICIES

Health and Safety at Work Policy

Chaperone Policy

Public Interest Disclosure [Whistleblowing] Policy

Children on Campus Policy