

SAFEGUARDING FRAMEWORK
September 2020
V5.0



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Revision History

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1.0	1 May 2019	Chris Lindsay	N/A
2.0	June 2019	Chris Lindsay	
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4.0	August 2019	Clare Mackenzie Ross	Changes following Working Group
5.0	September 2020	Chris Lindsay	Changes to reflect the requirements of the UUK code on accommodation

Approval

Version	Approval Board	Date of Approval
1.0	VCEG	11/06/2019
2.0	Senate	26/06/2019
3.0	Council	

SAFEGUARDING FRAMEWORK

1. INTRODUCTION

1.1. Purpose of Policy

1.1.1. The University aims to provide a safe environment for children and young persons (i.e. those aged under 18) and adults in a vulnerable situation. There is no legislation in this area that is directed specifically at Higher Education Institutions but the main legislation is the Children Act 1989, the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

1.2. Scope

1.2.1. This Policy addresses all aspects of child protection and safeguarding within the work of the University.

1.2.2. For the purposes of this Policy, the term “child” or “children” refers to a person or persons under the age of 18 years (as defined in the Children Act, 1989).

1.2.3. For the purposes of this Policy, the term “University Member” is used to describe anyone at the University (or approved by the University to teach on its programmes) who is engaged in working with children, or adults in a vulnerable situation whether as an employee (permanent, honorary, fixed term or temporary), volunteer, or student. It also includes students whose courses may involve access to children and/or adults in a vulnerable situation (which may apply, for example, to certain courses in the Graduate School of Education and the College of Medicine and Health) and to staff/students whose work or study, in the opinion of the University and/or relevant professional bodies, involves contact with children and/or adults in a vulnerable situation. The definition of University Member also includes staff and representatives of the Student’s Guild and FXU.

1.2.4. The definition of regulated activity relating to adults no longer labels adults as vulnerable but defines the activities which might lead to an adult being considered vulnerable at that particular time. The focus is on the activities required by an adult and not on the setting in which the activity is received. The activities which may render an adult vulnerable are the provision of assistance with:

- Healthcare (physical and mental health);
- Personal care;
- General household matters e.g., with cash, bills and/or shopping
- Conducting their own affairs;
- Transport to a place where they will receive healthcare, personal care or social care.

1.2.5. For the purposes of this Policy, a child may be in need of protection when the child is exposed to neglect, physical, sexual and/or emotional abuse such that a child is suffering or is likely to suffer significant harm.

1.2.6. This policy provides generic guidance for all members of the University community and specific guidance for departments which do not have their own specific policy. There are currently department/ area specific policies for:

- Admissions

- Widening Participation
- Sport
- Wellbeing
- Regulated courses - Fitness to Practise: as specified under Regulation E
- Family Centre
- Accommodation
- Students' Guild
- FXU

Procedures already exist in several disciplines where the University or professional bodies require Disclosure and Barring Service (DBS) checks to be carried out in respect of teaching and learning and/or research. The University undertakes to review this policy and keep up to date with new legislation to ensure it is fit for purpose.

- 1.2.7. For guidance in relation to the admission of students under the age of 18 please refer to the University policy: <http://www.exeter.ac.uk/undergraduate/applications/policy/under18/>.
- 1.2.8. Where not undertaken by a placement provider (i.e. where the placement does not involve a school/ NHS trust etc) before a work placement takes place involving those under the age of 18, it is the responsibility of the University Member supervising the placement to ensure that a risk assessment is carried out and provided to the parent / guardian of the children involved. The child should be supervised at all times (except breaks) and parental consent for the work experience placement (including emergency medical permission) must be obtained. One to one supervision should, wherever possible, be avoided.
- 1.2.10. In accordance with The Public Interest Disclosure Act 1998 University Members can raise issues of public concern without threat of reprisal as outlined in the University's "Public Interest Disclosure" Policy as follows:
<http://www.exeter.ac.uk/finance/policies/regulations/governance/whistleblowing/>.
- 1.2.11 The Policy also incorporates the statutory duty imposed upon the University by Section 26(1) of the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent individuals from being drawn into terrorism.
- 1.2.12 Guidance on safeguarding for members of staff and students conducting research with children or adults in a vulnerable situation is attached at **Appendix 5**. It is critical for researchers to recognise that taking part in research can place individuals in a potentially vulnerable situation and to consider any implications and mitigations early in the research planning stage.

1.3. Roles and Responsibilities

- 1.3.1. The University will appoint a Safeguarding Officer who will be responsible for:
- Implementing and promoting this Policy;

- Ensuring that the Policy is monitored and reviewed in accordance with changes in legislation and guidance on the protection of children;
 - Acting as the main contact within the University for the protection of children;
 - Ensuring that appropriate University Members are provided with information, advice and training on the protection of children and adults in a vulnerable situation;
 - Establishing and maintaining contacts with the external agencies including local Children's and Adult Social Care Services departments and Police;
 - Referring concerns to the University Prevent Duty single Points of Contact, where appropriate.
 - Maintaining confidential records of relevant cases and action taken.
- 1.3.2. The University has appointed a Deputy Safeguarding Officer to deputise for the Safeguarding Officer.
- 1.3.3. Where a designated College/ Professional Service Safeguarding policy (Local Safeguarding Policy) exists, a Local Safeguarding Officer (LSO) will be nominated to maintain overall responsibility for implementation (listed in **Appendix 1** to this policy) within the relevant College/ Professional Service. In this instance a member of staff, student or the public should refer to the specific policy in the first instance when dealing with any concerns or procedures. Referrals to statutory authorities would happen via the University Safeguarding Officer or Deputy Safeguarding Officer in all cases; in their absence LSOs will facilitate referrals (and then advise the Safeguarding Officer).
- 1.3.4. College/ Professional Service policies should be reviewed by the relevant team and kept up to date in line with this overarching Policy. A list of the detail which must be included in any Local Safeguarding Policy is set out at **Appendix 2**.
- 1.3.4. Amendments to Local Safeguarding Policies should be approved by the Safeguarding Officer.
- 1.3.5. Local Safeguarding Policies can only be introduced and implemented with the prior agreement of the Safeguarding Officer where there is a clear legitimate interest to have a separate policy.

2. POLICY

2.1. Approach

- 2.1.1. The University wishes to maintain the highest possible standards to meet its social, moral and legal responsibilities to protect and safeguard the welfare of children with whom the University's work brings it into contact.
- 2.1.2. University Members will be expected to observe the guidelines set out in this Policy. The University through the DSO and the LSOs will ensure that University Members are fully briefed and/or trained (as appropriate) on the implications of this Policy.
- 2.1.3. The University will train and supervise appropriate University Members to adopt best practice to safeguard and promote the welfare of children and to protect them from harm. This includes providing adequate information on this Policy as part of the induction process for any new University

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Members. Line Managers and Directors of Service/ College also have a duty to ensure adequate training and information is provided.

- 2.1.4. All incidents of alleged misconduct concerning children, any failure to safeguard and promote their welfare or any act of omission or commission that exposes children to the risk of significant harm will be acted upon by the University.
- 2.1.5. Where appropriate, breaches of this Policy and/or allegations of misconduct concerning children will result in the University invoking its Disciplinary Procedure in respect of staff or students. University Members who are the subject of allegations of misconduct will be entitled to be accompanied at any meetings held by the University whether under the Disciplinary Procedure or otherwise.
- 2.1.6. The University will refer concerns that a child might be at risk of significant harm to Children's Social Care Services and/or the Police.
- 2.1.7. All personal data will be processed by the University in accordance with the requirements of the Data Protection Act 2018.
- 2.1.8. The University is a mainly adult, independent learning environment. The University cannot act "in loco parentis" and the ultimate responsibility for students under the age of 18 rests with those who have parental responsibility.

2.2. Guidelines for Responding to a Suspicion or Allegation of Child Abuse

- 2.2.1. All University Members must seek to actively safeguard and promote the welfare of children and be alert to the possibility that some children may have suffered or be at risk of suffering significant harm, including forms of child abuse. All complaints/allegations of significant harm to children must be taken seriously and dealt with in accordance with the following procedure.
- 2.2.2. Where a Local Safeguarding Policy is in place, staff should refer to the reporting procedure in accordance with that policy. However, should there be any doubt regarding a policy or if no departmental policy exists, the guidance below should be followed.
- 2.2.3. If a University Member has a suspicion that a child is suffering or is likely to suffer significant harm, no matter what the cause, he/she should seek the advice and assistance of the Safeguarding Officer or Deputy Safeguarding Officer, setting out the basis of the suspicion as clearly as possible. This should be done immediately without awaiting confirmation of concerns.
- 2.2.4. If a University Member receives from a child an allegation that that child or another child is being abused, has been abused, or is at risk of abuse he/she should:
 - Listen carefully and stay calm.
 - Ensure that he/she does not 'quiz' the child. However, if necessary, he/she may seek to clarify, using open questions and without putting words into the child's mouth but only to the extent that they understand what the child is telling them.
 - Reassure the child that by telling him/her they have done the right thing.
 - Inform the child that he/she must pass the information on, but that only those that need to know about it will be told.

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- Inform the child to whom he/she will report the matter.
 - Make a detailed note of the date, time, place, what the child said and did and the questions asked of the child etc. The note should be signed and dated by the member of staff who attended the meeting and should include details of any witnesses to the meeting. The note should be made as soon as possible.
- 2.2.5. University Members should not investigate concerns or allegations themselves but should report them immediately to the Safeguarding Officer (or Deputy Safeguarding Officer in the Safeguarding Officer's absence).
- 2.2.6. University Members should not generally make referrals to Children's Social Care Services or other authorities themselves save than in consultation with the Safeguarding Officer.
- 2.2.7. To ensure that all of the details of an allegation are captured for any future investigation, a detailed record should always be made at the time of the matter being raised. The Incident Report form is provided for this purpose.
- 2.2.8 On receipt of a report of a suspicion/allegation of significant harm to a child (which may be contemporary or historical) by a University Member, the Safeguarding Officer (or the Deputy Safeguarding Officer where applicable) will make a referral to the local Children's Social Care Services department and/or the Police where there is a significant risk of harm to a child and take steps to initiate the appropriate staff or student disciplinary procedure when appropriate.
- 2.2.9. Where an allegation of harm to a child is received by the University concerning a University Member the Safeguarding Officer will consult with Children's Social Care Services.
- 2.2.10. In the absence of the Safeguarding Officer and the Deputy Safeguarding Officer, University Members should discuss any suspicion or allegation of child harm with the local Children's Social Care Services department or the Police where there appears to be a significant risk to a child.
- 2.2.11 It is impossible to promise complete confidentiality when a concern is raised or an accusation made. This is because the University owes a duty of care to its staff, students or visitors that cannot be fulfilled unless the University takes action on the basis of information that may have been provided in confidence. The duty of confidentiality must be weighed against the duty of care, in case of potential or actual harm of an individual. However, at all stages, only those people who need to be made aware of an incident or concern, whether internal or external to the University, should be informed.
- 2.2.12 Staff who are worried about sharing concerns about abuse are encouraged to speak with an appropriate agency for further advice (for example, the NSPCC Child Protection Helpline on 0808 800 5000 or Childline on 0800 1111).
- 2.3. Dealing with Reported Suspicions and Allegations**
- 2.3.1 Where a complaint of abuse is reported, the Safeguarding Officer will carefully consider the information available and decide on the appropriate course of action. Such situations may require contact with the relevant external agencies (including social services and the police) for them to investigate the matter and determine any necessary action. Consideration will also be given to whether it is necessary to notify the relevant line manager/ Director of College/ Service and take further action through the relevant internal procedures. This may include invoking the University's employee disciplinary procedures, or in the case of students, the student disciplinary procedures.

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2.3.2 In emergency circumstances (for example, where there is certain immediate and significant danger to an individual or a criminal act has been witnessed), University staff should make referrals to the police, social services or other appropriate authorities themselves prior to consulting with the Safeguarding Officer. Where this is necessary, the Safeguarding Officer should be informed immediately afterwards. In such cases, a criminal investigation may follow.

2.3.3 The University has a legal duty to refer an individual to the DBS if they have been removed from working in regulated activity with children and/or adults because they caused harm to children/adults or posed a risk of causing harm. The duty to refer is absolute and overrides any concerns about data protection.

2.4 Recruitment and Employment of Staff / DBS Checks of Staff and Students

2.4.1. For positions that involve regular contact with children and where University Members have unsupervised access to children and/or vulnerable adults, the following procedures will be completed:

- a) All applicants will complete an application form, and if appropriate, a DBS application and consent form.
- b) References will be sought from all applicants.
- c) If the applicant or an existing University Member who has not previously been required to work with children and/or vulnerable adults in their position has no experience of working with children and/or vulnerable adults the line manager / supervisor will agree specific training requirements with them on appointment.

2.4.2. The University is registered with the Disclosure and Barring Service and will ensure that any University Members who have regular contact with children and/or unsupervised access to children and/or vulnerable adults will be checked for relevant criminal convictions whenever appropriate and possible within the constraints of legislation. An enhanced disclosure will normally be required. A satisfactory check will need to be received by the University before an individual starts work in a post which requires such a check or before a student is involved in activity requiring (in the opinion of either the University or relevant third parties) such a check. For those who are non-UK nationals or who have lived overseas a check may also be required from that country. Only exceptionally where a DBS check had been requested, but not yet received, might an individual be allowed to start when a satisfactory risk assessment had been conducted by the department to enable them to commence work under supervision.

2.4.3 Insert links for admissions/ FTP/ staff statements re: DBS.

2.5. Guidelines for University Members Working with Children

2.5.1. University Members should actively seek to safeguard and promote the welfare of children in their care or for whom they have a responsibility.

2.5.2. To assist in carrying out this duty, University Members should:

- Demonstrate respect for children's' dignity, privacy and right to be protected from harm;
- Maintain age and culturally appropriate relationships with children;
- Work with children in a fair, open and honest way;

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- Respond positively to concerns raised by children without rushing to judgement and always taking advice from those identified in this policy, as appropriate;
- Always working in an open environment with children;
- Avoiding unaccompanied journeys with a child.

2.5.3. University Members must be aware that it is a criminal offence for an adult to engage in sexual activity with a person under the age of 18 when that adult is in a position of trust in relation to that person.

2.5.4. In appropriate cases and in accordance with the law, the University will report to the appropriate authorities any concerns it has that a University Member (or former University Member) ought to be included in any list of people who should be restricted from working with children.

3. CONTACTS

A list of contact names and telephone numbers for use by University Members, which shall be amended and updated by the Safeguarding Officer when necessary, is attached to this Policy at **Appendix 1**.

4. RECORD KEEPING AND DATA PROTECTION

4.1 It is the responsibility of the Safeguarding Officer to maintain records of all concerns raised and actions taken.

4.2 Having regard for the need to maintain appropriate data protection and confidentiality, where a Local Safeguarding Policy exists, information pertaining to any concern which is dealt with under that Local Safeguarding Policy should be provided to the Safeguarding Officer including the following detail:

- Date of report;
- Outline details of the report;
- Action taken.

4.3 The University complies with the principles of the Data Protection Act 2018 and Human Rights Act 1998 in the way it collects, holds and disposes of personal information.

4.4 Information about any allegations or suspicions of abuse must be shared on a need-to-know basis only. Documentation related to allegations or suspicions of must be stored in a secure place which is only accessible to those with appropriate knowledge of the suspicions/allegations.

4.5 Details of Completed risk assessments relating to activities involving children/vulnerable adults must be retained by departments/institutions whilst and activity/event is ongoing and for a minimum of five years after it has ceased (or the risk assessment has been superseded).

4.6 Details of relevant training (such as on safeguarding or working with children or vulnerable adults) must be retained by departments/institutions (for local training) or by the University training provider (for centrally delivered training) for a minimum of five years after the training is completed.

4.7 Where it is necessary for staff, students or volunteers to take photographs or video images of children or vulnerable adults, written consent must be obtained (from parents in the case of children) before these images are taken in order to comply with the Data Protection Act 2018.

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RELATED POLICIES AND PROCEDURES

APPENDICES

Appendix 1 –Senior Nominated Officers

Appendix 2 – Local Safeguarding Policy

Appendix 3 - Making Referrals under this Policy

Appendix 4 – Guidelines for Staff Supervising and Working with those Undertaking Placements

Appendix 5 – Guidance for Researchers

Appendix 6 – References

APPENDIX 1 – SENIOR NOMINATED OFFICERS

Safeguarding Officer	Chris Lindsay Director of Compliance, Governance and Risk	C.A.Lindsay@exeter.ac.uk 01392 72 3016
Deputy Safeguarding Officer	Clare Mackenzie Ross Policy Advisor for Fitness to Practise and Safeguarding	C.L.Mackenzie-Ross@exeter.ac.uk 01392 724836
LOCALSAFEGUARDING OFFICERS		
Admissions	tbc	
Widening Participation	tbc	
Sport	tbc	
Wellbeing	tbc	
Regulated courses - Fitness to Practise: as specified under Regulation E	Clare Mackenzie Ross Policy Advisor for Fitness to Practise and Safeguarding	C.L.Mackenzie-Ross@exeter.ac.uk 01392 724836
Family Centre	tbc	
Accommodation	tbc	
Students' Guild	tbc	
FXU	tbc	

APPENDIX 2 – LOCAL SAFEGUARDING POLICY

Any Local Safeguarding Policy must contain the following arrangements:

- Details of the Local Safeguarding Officer, including their name, email and contact numbers.
- Where this is a College Local Safeguarding Policy (“**CLSP**”) – details of the programmes to which the CLSP covers.
- Details of the potential activities/ environments where a University Member may interact with a child/ vulnerable adult.
- Details of any legislation or professional, statutory or regulatory guidance which specifically relates to the Local Safeguarding Policy.
- Where the Local Safeguarding Policy relate to placement activity, clarification as to which organisation – University or Placement Provider holds primary safeguarding responsibility.
- Details of any training requirements for specific University Members (or specific roles).
- Reporting obligations to the overarching Safeguarding Policy.
- Details of the approach to:
 - Risk assessment;
 - Disclosure and Barring Service; and
 - Process for responding to reports of safeguarding concerns.

APPENDIX 3 - MAKING REFERRALS – INCIDENT REPORT FORM

Your name:	Name of organisation:
Your role:	
Contact information (you):	
<i>Address:</i>	<i>Postcode:</i>
<i>Telephone numbers:</i>	<i>Email address:</i>
Have parent's / carer's been notified of this incident?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If YES please provide details of what was said/action agreed:	
Are you reporting your own concerns or responding to concerns raised by someone else:	
<input type="checkbox"/> Responding to my own concerns <input type="checkbox"/> Responding to concerns raised by someone else	
If responding to concerns raised by someone else: <i>Please provide further information below</i>	
<i>Name:</i>	
<i>Position within the sport or relationship to the child:</i>	
<i>Telephone numbers:</i>	<i>Email address:</i>
Date and times of incident:	
Details of the incident or concerns:	
<i>Include other relevant information, such as description of any injuries and whether you are recording this incident as fact, opinion or hearsay.</i>	
Details of others present/ potential witnesses:	
Details of any action taken	
Details of any other contextual information	

APPENDIX 4 - GUIDELINES FOR STAFF SUPERVISING AND WORKING WITH THOSE UNDERTAKING WORK PLACEMENTS

1. Introduction

This appendix is to guide those members of staff dealing with those aged between 14 and 18 years of age who may spend short periods of time at the University on work experience.

The University has a duty of care to safeguard and promote the welfare of children and to protect all children from harm who are involved in activities run by the University. This guidance relates to children on work experience within the University. As confirmed in the University's Safeguarding Policy ('the Policy'), a child is defined as a person under the age of 18 years (Children Act 1989).

The University requires all staff that come into contact with children on work experience to ensure their safety and protection at all times adhering closely to the Policy and this appendix.

2. Arrangements and responsibilities for those undertaking work experience

- All work experience students must be supervised by an identified member of staff ("the supervisor"). The role of the supervisor of work experience students is an important and highly responsible duty.
- All staff undertaking this role must fully understand and meet all their responsibilities as set out in the Policy and this appendix.
- All staff undertaking this role must complete the Work Experience Induction Checklist for each person undertaking work experience and retain it (with any parental consent) for six months following the end of work experience.
- The supervisor must:
 - ensure the safeguarding and protection of any work experience students under their supervision at all times;
 - obtain an emergency contact number for the work experience student's parents (or carer / guardian);
 - investigate, record and report any concern or incident in line with section 3 of the Policy above;
 - gain parental consent if it is necessary for any work experience student to be taken off campus at any time during their placement;
 - gain parental consent if it is necessary for any work experience student to travel in any University Member's car at any time during their placement;
 - to ensure that all processes are completed for any University Member where it is necessary for them to transport a work experience student under 18. This includes demonstrating they have the necessary appropriate insurance cover to carry this out 'for business'.
- All staff or other University Members who come into contact with those undertaking work experience who are under 18 years old must follow the Policy.

- Where staff or other University Members are required to have a DBS check (as specified in the Policy) they must complete a check.
- All those undertaking work experience should be informed of the health and safety procedures when they first arrive.

3. Further Information

Staff should seek more information and advice from the University's Deputy Safeguarding Officer, where they have any questions or potential concerns. DBS checks will not normally be required for members of staff supervising work experience students over the age of 16. DBS checks may be required for staff who supervise a work experience student under the age of 16 although this will depend on the frequency of contact during the work experience period and whether the person supervising the child will be unsupervised themselves.

APPENDIX 5 – GUIDANCE FOR RESEARCHERS

1. Introduction

This appendix is to guide those members of staff and students (“researchers”) conducting research or carrying out research-related activities including, but not limited to, data gathering, dissemination and public engagement activities.

The University requires all staff and students that come into contact with children or adults in a vulnerable situation while carrying out research and research-related activities to ensure their safety and protection at all times adhering closely to the Policy and this appendix.

As confirmed in the University’s Safeguarding Policy (‘the Policy’), a child is defined as a person under the age of 18 years (Children Act 1989). A definition of adults in a vulnerable situation is given in the Policy at 1.2.4 above, but researchers must also recognise that participants can be placed in a potentially vulnerable situation by taking part in research, particularly where there may be unequal relationships between the researcher and participant by virtue of their location, economic, social or health status.

2. Arrangements and responsibilities for those undertaking research activities

It is essential to consider any safeguarding implications while planning a research project that will involve human participants, identifying any issues that may arise and strategies to deal with them.

The Principal Investigator (PI) or Supervisor is responsible for ensuring that processes are in place to recognise and respond to any safeguarding issues that may arise during the course of the research. They must ensure that all members of the research team are aware of the issues that may arise and the processes that they must follow. The PI or supervisor must either:

- identify whether there are local safeguarding procedures or policies at the research sites (e.g. school, health or social care facility, charity or community setting) and agree how these will be used with the site management organisation, *or*
- implement an established procedure within the research centre or department (e.g. current Standard Operating Procedure to manage disclosure of risk to participant or others), *or*
- plan to use the University of Exeter reporting process as described above

PIs and supervisors must ensure that all members of research team are fully briefed on what action to take if a concern or risk is raised and are aware of sources of support for participants as relevant to the research topic (e.g. helpline, GP or other healthcare professional, support group or charity). PIs and supervisors may also need to consider how members of the research team can access support for themselves if required.

All research involving human participants must be ethically reviewed and safeguarding implications should be addressed during the review process. Information given to participants should clearly explain any limits on participant confidentiality and any reporting arrangements that are in place. This information must be provided for participants, in easily understandable terms, before they consent to take part in the research.

PIs are responsible for meeting the terms and conditions of their funding in relation to duty of care, for example in ensuring that appropriate safeguarding arrangements are in place for research carried out in international development. It should be noted that UK aid’s definition of safeguarding has been updated to “Duty of care to beneficiaries, staff and volunteers, including where down-stream partners are part of delivery. This includes child and vulnerable adults in the community who are not direct beneficiaries but may be vulnerable to abuse.”

3. Further Information

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Staff should seek more information and advice from the University's Deputy Safeguarding Officer, the Research Ethics and Governance Office or their discipline Ethics Officer, where they have any questions or potential concerns.

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APPENDIX 6 – REFERENCES

Children Act 1989

Human Rights Act 1998

Public Interest Disclosure Act 1998

Safeguarding Vulnerable Groups Act 2006

Protection of Freedoms Act 2012

Counter-Terrorism and Security Act 2015

Data Protection Act 2018