



**Leeds Trinity
University**

**Policy for the Protection of Children and Vulnerable Adults
(‘Safeguarding’)**

Contents

- 1.0 Policy principles**
- 2.0 Purpose**
- 3.0 Control measures**
- 4.0 Legislative context**
- 5.0 Review and update**

The Safeguarding Policy

NB For any information on dealing with a safeguarding matter please refer to the 'Safeguarding and Prevent Procedure'.

1. Policy Principles

Leeds Trinity University ('the University') plays host to children and vulnerable adults who come onto University premises to study and to visit. The University also undertakes academic activities which involve staff and students spending time in both internal and external environments within which they have contact with children and/or vulnerable adults.

The University is aware of its legal responsibilities and enhanced duty of care children and vulnerable adults and has developed appropriate policies and arrangements to create an environment which actively promotes their health, safety and welfare.

2. Purpose of Document

2.1 The University is primarily intended for use by adults although it does seek to ensure that, so far as reasonably practicable, the premises to which children and vulnerable adults have access are safe and that activities are subject to risk assessment. In addition, the University takes appropriate steps to ensure that staff who have contact with children and vulnerable adults are subject to appropriate clearance procedures and have received relevant training on both their individual responsibilities and the institutional arrangements in place to protect children and vulnerable adults.

2.2 Definitions

For the purpose of this document the following definitions have been adopted:

- a) "child" or "children" refers to a person or persons under the age of 18.
- b) For the purposes of this Policy a "vulnerable adult" shall be defined as follows in accordance with the Care Act 2014:

Any adult:

- that has needs for care and support.
- is experiencing, or is at risk of abuse or neglect, and;
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Based on scope of Care Act: 2014

2.3 The valid reasons for children being on University premises include:

- as students, who may commence their studies under the age of 18;
- when attending University nursery or related activities;
- when residing in University accommodation; outreach, summer schools
- during University organised family functions (e.g. children's Christmas party);
- during organised visits or planned events (e.g. open days, graduations, summer schools);

- children engaged in planned work experience activities.

2.4 In their dealings and contact with children and vulnerable adults, members of staff must be alert to the possibility that a child or vulnerable adult may be or become the victim of abuse or concerns about grooming or radicalisation and therefore must be familiar with and aware of the University procedures for matters concerned with the protection of children and vulnerable adults.

2.5 A procedure has been developed as a guide for staff working in the University about the acceptable and desirable conduct to protect both children and vulnerable adults who come onto University premises to study and to visit.

2.6 The University has a Senior Designated Person to co-ordinate action within the University and liaise with external organisations. Due to the size of the University it is also appropriate that additional members of staff be identified to work in conjunction with the Senior Designated Person to ensure that procedures are in place and operating effectively. They will also act as a point of contact should the Senior Designated Person be unavailable.

Overall responsibility: Professor Catherine O'Conner (PVC Education and Experience)

Senior Designated Person: Tom Hurst (Director of Student Mental Health & Wellbeing)

Safeguarding and Prevent Group*: will comprise senior representative from key schools and Services across the University, CAWBLS and Partnership.

The Senior Designated Person is responsible for acting as a source of advice on child protection matters, for co-ordinating action within the University and for informing trained staff to pursue appropriate liaison with external agencies about suspected or actual cases of child abuse. They are also responsible for chairing the Safeguarding and Prevent Group and advising the Safeguarding and Prevent Group of any issues requiring attention or action.

3. Control Measures

3.1 The University will make every effort to ensure the safety and wellbeing of all children and vulnerable adults who engage in organised programmes of study, placement, outreach activities and work experience visits. As well as the appropriate levels of Disclosure and Barring Service (DBS) clearances being sought for those roles requiring them, managers will have clear responsibilities for safeguarding issues and relevant codes of conduct will be introduced where appropriate. University staff¹ will have the benefit of attending training programmes and have access to information and guidance.

3.2 The University Ethics Committee will ensure that any employee who requires access to children or vulnerable groups, as part of their research, dissertation supervision responsibilities, or any other related activity, will work with Human Resources to ensure that the appropriate level of DBS clearance has been received.

3.3 Deans of Schools and Directors will undertake periodic review of all activity in order to identify any new area of work or activity which would require any member of staff to receive an appropriate level of DBS clearance.

3.4 All employees have a responsibility to bring to the attention of their line manager and/or

Dean of School or Director any concerns or queries over whether their work would require them to have an appropriate level of DBS clearance.

3.5 Those staff, who as part of their duties, work with, have responsibility for, care for or interact regularly with children and/or vulnerable adults will receive the appropriate induction, instruction, briefing and training in order carry out such duties effectively.

3.6 The Senior Designated Person and members of the Safeguarding and Prevent Group will receive specific training to ensure they are able to fulfil the duties associated with those positions.

3.7 All staff involved with an issue which relates to the protection of children and vulnerable adults, or a matter linked to the prevent agenda including those against whom allegations are made, will be provided with appropriate support by the University and/or external agencies where necessary.

4. Legislative context

Key aspects of relevant legislation and legal obligations have been extended to include the same or similar standards of care and protection to vulnerable adults as for children. This Policy is intended to include our institutional and individual responsibilities to children and vulnerable adults.

The University recognises that in consequence of relevant legislation, including the Sexual Offences Act, 2003, which created a number of offences relating to 'abuse of trust' towards children in an educational institution, it has an obligation to ensure that information, guidance and training is provided to staff where appropriate.

The University seeks to ensure that its procedures and guidelines comply with all relevant legislation and take account of guidance that may from time to time be given, for example, by the Local Safeguarding Children's Board.

5. Review and Update

5.1 The Policy is authorised by the Board of Governors and may only be amended by the Board of Governors, following recommendations made by the Safeguarding and Prevent Group through the Executive. This policy will be reviewed every 3 years.

Relevant Legislation and Guidance

The Children Act 1989

The overriding purpose is to promote and safeguard the welfare of children. The main principles of the Act are:

- provision - of services necessary to safeguard;
- paramountcy – the child’s welfare is the most important consideration;
- partnership – that professionals and families should work together for the welfare of children;
- parental responsibility – the duty of parents to care for their child and meet their needs;
- participation – that the child has a say;
- protection – children must be protected from serious harm. The Local Authority has a duty to investigate any report that a child is suffering or likely to suffer ‘significant harm’.

Health and Safety at Work etc. Act 1974

Education Reform Act 1988 (s. 218 (6), (6ZA), (6A), (6B))

Management of Health and Safety at Work Regulations 1992

Health & Safety (Young Persons) Regulations 1997

Police Act 1997

Teaching and Higher Education Act 1998 (s.15)

The Human Rights Act 1998

This Act, Article 8, covers the family’s right to a private life. The Act states: Disclosure of information to safeguard children will usually be for protection of health or morals, for the protection of rights and freedom of others and the prevention of disorder or crime.

This ensures that a child’s right to protection overrides a family’s right to privacy.

Protection of Children Act 1999

This Act changed the route by which employers check whether a potential or actual employee has committed criminal offences against children, or whether there is a reason for that person to be considered unsuitable to work with children.

Criminal Justice and Court Services Act 2000

Part II of this Act refers to the responsibilities of public bodies within child protection to prevent unsuitable people from working with children.

Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2001

Sexual Offences Act 2003

This provides a comprehensive legislative framework for sexual offences. It covers offences against adults (including people with mental disorders), as well as offences against children and sexual offences within the family.

The Children Act 2004 (adds to 1989 Act)

The Act put into practice the proposals for legislation set out in the Green Paper Every Child Matters (Cm 5860, 2003). It creates a clear accountability for children's social care, to make sure:

- agencies and organisations work together more effectively
- there is a clearer focus on safeguarding children.

Safeguarding Vulnerable Groups Act 2006

The Act establishes the framework for the national vetting and barring scheme to apply to people working with, or having responsibility for, children and vulnerable adults.

It is an offence for a barred person to apply for or be employed in a regulated activity.

Protection of Freedoms Act 2012 (Part 5)

- Chapters 1 and 2 amends the [Safeguarding Vulnerable Groups Act 2006](#) and [Police Act 1997](#) with regards to carers and Criminal Records Bureau checks. The Bill also proposes removing the Controlled Activity and Monitoring sections from the Safeguarding of Vulnerable Groups Act.
- Chapter 3 creates a new body to be known as the "Disclosure and Barring Service", which would adopt some functions currently held by the Independent Safeguarding Authority.

Care Act 2014

The Care Act 2014 came into effect on the 6th April 2015 and reformed the way the adult social care system works in England including how care is delivered.

The changes included a range of new obligations for local authorities around the provision of information and advice, the integration of care and support with health-related services and eligibility assessments. It also strengthens the rights and recognition of carers in the social care system.

The aim of the Care Act 2014 was to bring together a number of separate pieces of health and social care legislation.

Keeping Children Safe in Education (often shortened to KCSiE) sets out the legal duties all staff in education must follow to safeguard and promote the welfare of children and young people aged under 18 years in schools and colleges. Keeping Children Safe in Education is organised into 5 main parts: Safeguarding information for all staff (all staff in all schools must read at least this part); The management of safeguarding; Safer recruitment; Allegations of abuse made against teachers and other staff; Child-on-child

sexual violence and sexual harassment.

The main changes introduced in 2018 include:

- There is clarity on schools having their own safeguarding policy – one that is relevant to specific issues particular to the school such as societal and locational issues
- Schools are now required to have at least two emergency contacts per child
- Schools should carry out a risk assessment to decide if volunteers require an enhanced DBS check
- In regard to children with SEN and disabilities, there needs to be a greater awareness that behaviour, mood, and injury may correlate to abuse not just disability – therefore extra pastoral support is required
- Schools are required to have policies on behaviour and children missing education and these should be included in inductions
- Children missing school should be viewed as a vital warning sign for a potential safeguarding issue, i.e. child sexual exploitation, forced marriage, etc.

There are also some new sections in the updated *Keeping Children Safe in Education 2018* guidance, and these include:

- 'Child criminal exploitation: County lines', which looks at child exploitation in criminal activities such as drug trafficking
- 'Domestic abuse', which looks at the risks to a child's welfare with regard to domestic abuse cases
- An expanded section and definitions of contextual factors surrounding sexual violence and harassment between children
- 'Homelessness', which looks at the risks to a child's welfare with regard to homelessness

Other related sources:

www.everychildmatters.gov.uk

Working Together to Safeguarding Children 2013

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00030-2013>

Disclosure and Barring Service (DBS) <http://www.homeoffice.gov.uk/dba>