**Safeguarding Policy**

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| This Policy has been agreed by: | Student Services Board | 03/06/2015 |
| This Policy will be reviewed by: | Student Services Board | 01/06/2017 |

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**NOTE: If you have a Safeguarding Concern, follow** [**Appendix 1; Procedure**](http://www.calendar.soton.ac.uk/sectionIV/Safeguarding%20Policy%20Appendix%201%20Procedure.docx)**.**

1. **Introduction**

The University of Southampton provides services for a wide range of people. Some of these people are likely to be a) vulnerable adults or b) children. The welfare and protection from abuse of vulnerable adults and children is paramount and central to this policy.

Depending upon the nature and requirements of particular Faculties and/or Professional Services; or the requirements of particular funders and/or partner agencies, this policy should be read in conjunction other relevant policies and procedures.

It is not the University’s responsibility to diagnose, investigate or provide a therapeutic response to abuse. Nevertheless, it has a duty to act if there is a cause for concern and to notify the appropriate agencies.

This policy and related appendices will be freely available on the external University website.

1. **Definition and legislation**

This policy is referenced from [The Safeguarding Vulnerable Groups Act 2006](http://www.legislation.gov.uk/ukpga/2006/47/contents) (c 47).

**1. Children:** In accordance with the Children Act 1989 and 2004, a child is any person who has not yet reached their 18th birthday. The definition of safeguarding for children referenced in ‘Arrangements to Safeguard Children’ (2002) means that:

‘Agencies [and organisations] working with children and young people take all reasonable measures to ensure that the risks of harm to the individual’s welfare are minimised; and where there are concerns about children and young people’s welfare, all agencies [and organisations] take all appropriate actions to address those concerns, working to agreed local policies and procedures, working in partnership with other local agencies’.

Legislation and guidance use two terms which are sometimes differentiated:

* Children - refers to those under the age of eighteen who are still in full-time education.
* Young people - refers to those under the age of eighteen who have left full-time education.

For the purposes of clarity, throughout this policy and related procedures, the University uses the term ‘child’ for any person who has not yet reached their 18th birthday.

**2. Vulnerable Adults**: The legislative provisions that apply directly to the safeguarding of adults are contained in the Mental Capacity Act 2005, and the 2014 Care Act, among others.[[1]](#footnote-1)

. The Care Act (2014) defines a vulnerable adult as one who

* has needs for care and support (whether or not the authority is actually meeting any of those needs),
* 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

Vulnerable adults may be students, members of staff or people that students come into contact with during their programme of activities

Other relevant legislation includes the Equality Act 2010 and associated legislation relating to disability and equality.

A full list of legislation that applies to children in particular and to vulnerable adults to various extents is listed in the DfES (2006) guidance [Safeguarding Children and Safer Recruitment in Education](http://www.education.gov.uk/aboutdfe/statutory/g00213145/safeguarding-children-safer-recruitment) (1.6–1.8).

1. **Scope**
	1. This policy addresses all aspects of child protection and safeguarding within the work of the University.
	2. This policy encompasses all those working on the University’s behalf working with children or those in vulnerable situations be they as employees, volunteers or student. It covers those students who have access to children, for those on an Education course, for instance, working in the Early Years Centre or Outreach activity.
	3. 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.
	4. Where departmental policy exists, or procedures are covered by an external body such as the GTC (General Teaching Council), the individual who is concerned should follow the guidance of the specific departmental policy in the first instance.
	5. Referrals to statutory bodies should happen in consultation with the Principle Safeguarding Officer (PSO), or in their absence their Deputy, in all cases.
	6. Departmental policies should be kept up to date and in line with the University Policy.

1. **Approach**
	1. Institutional Approach

The University takes a risk management approach to safeguarding children and vulnerable adults, in organising learning and teaching, delivery of services to students and University-managed activities involving the wider public.

The University does not consider it practicable to take steps other than those described above, to vet the backgrounds of students who, during the course of learning and teaching activities and administrative activities, come into contact with other students who are children or vulnerable adults.

Safeguarding arrangements are proportionate and based upon common sense. It is not intended that staff or students should be restricted from normal ways of working and studying by application of this policy.

Faculties and Professional Services carry out regular risk assessments and make reasonable, proportionate adaptations to their activities to address areas of concern as appropriate. These adaptations are kept under review by each Safeguarding Lead as part of usual business activity.

**Definition of Roles can be found in** [**Appendix 2**](http://www.calendar.soton.ac.uk/sectionIV/Safeguarding%20Policy%20Appendix%202%20-%20roles%20.docx)**.**

**5 Definition of abuse**

5.1 **(Applying to all persons regardless of age)**

So we can be mindful of safeguarding, it helps to know what can constitute abuse, as well as those clients who are especially vulnerable.

Vulnerability can vary according to things such as time and place, which people are present and what activities are being carried out. So this means safeguarding decisions need to be adaptable too. What does not change is the ethos of wellbeing, safety and security that we offer to everyone we work with, through sensible, balanced judgements that support our work.

* Abuse is a violation of human and civil rights by another person or persons.
* It may consist of a single act or repeated acts.
* It may be planned or unplanned.
* It may be the result of deliberate intent, negligence or ignorance.
* It may happen when an adult at risk is persuaded to enter into a situation that they are unable to consent or have not consented to as a result of a learning or physical disability (not normally to include dyslexia); a physical or mental illness chronic or otherwise (including an addiction to alcohol or drugs); or a reduction in physical or mental capacity.
* It may vary, from treating someone with disrespect in a way that significantly affects the person’s quality of life, to causing actual physical or mental suffering
* Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.
* Abuse is usually carried out by person/s or institution/s that is in a position of power, trust or authority, and can be perpetrated by a wide range of people including relatives and family members, neighbours, friends, professional staff, care workers, volunteers, or other service users.
* Abuse can be in person or online

Abuse can take many forms and includes but is not limited to:

* physical abuse – for example hitting, pushing, shaking, over-medicating or otherwise causing physical harm
* sexual abuse – for example, unwanted touching, kissing or sexual activity, where the adult at risk cannot or does not give their consent
* emotional abuse – including verbal abuse, humiliation, bullying or the use of threats
* financial abuse – the illegal, dishonest or improper use of a person’s money, property, bank account or other belongings
* neglect or acts of omission – the repeated deprivation of help that an adult at risk needs which, if withdrawn, will cause them to suffer
* discriminatory abuse – including racist or sexist abuse, and abuse based on a person's disability, and other forms of harassment, slurs or similar treatment
* honour based violence, human trafficking and radicalisation
* forced marriage
* genital mutilation

5.2 **Applying specifically to Under 18’s**

Abuse is:

"A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.[[2]](#footnote-2)"

All of the above (5.1), information can apply to children, however, for the purposes of clarity there are four defined types of child abuse.

They are defined in the UK Government guidance *Working Together to Safeguard Children 2010* (s1.33 – 1.36) as follows:

1. Physical abuse
2. Emotional abuse
3. Sexual abuse
4. Neglect

All University staff, contractors and volunteers are reminded of the offence of abuse of positions of trust under the Sexual Offences Act 2003 s.16-19, which makes it an offence for a person aged 18 or over intentionally to behave in certain sexual ways in relation to:

* a child (aged under 18), where the person (aged 18 or over) is in a position of trust (defined as looking after a child (aged under 18) who is receiving education at an educational institution, and a person (aged 18 or over) is not receiving, education at that institution).

A person “looks after” a child in this context if he/she is regularly involved in caring for, training, supervising or is in sole charge of a child or children.

Physical contact with children, except for reasons of health and safety, or where physical contact may be a necessary part of learning (e.g. safe manual handling of patients, for health-related study) should be minimised.

1. **Governance**

The role of Student Services is:

* To apply governance and a structural approach to reporting to Executive
* To appoint a Principle Safeguarding Officer (PSO) and provide cover in their absence
* To develop and review the institution’s Safeguarding Policy
* To ensure that decisions which affect the whole organisation take safeguarding into account
* To report on any safeguarding issues on an annual basis to the appropriate Executive body

The role of senior leadership roles within Faculties and Professional Services is to manage their own safeguarding procedures:

* To ensure there are adequate resources available for required safeguarding activities
* To ensure all regulatory requirements with regard to specific programmes are complied with; e.g. (but not limited to) Health Sciences, Medicine and Teaching.
* To ensure safeguarding is embedded in curricula and professional registrations as appropriate
* To nominate a Safeguarding Lead, (see roles)
* To have a procedural process in place to include but not limited to:

Ensuring response processes to safeguarding issues are followed

Procedures for contacting the safeguarding lead

Policy on appropriate and inappropriate physical contact with learners.

The role of the University is:

* To be responsible for the wellbeing of staff, and to ensure appropriate arrangements are in place to ensure compliance with current legislation
* To make arrangements for appropriate members of the Executive to hold overall accountability for safeguarding within the organisation

End.

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1. Also the Counter Terrorism and Security Act of 2015 which has duties for HEI’s with regard to the prevention of radicalisation, The Asylum and Immigration (Treatment

of Claimants, etc.) Act 2004 (deals with human trafficking), The Forced Marriage Act, (Civil Protection) Act 2007, and The Female Genital Mutilation Act, 2003 (largely for children but also can be for adults) [↑](#footnote-ref-1)
2. Working Together to Safeguard Children 2015 [↑](#footnote-ref-2)