

SAFEGUARDING POLICY AND PROCEDURES

1 Introduction

- 1.1 Falmouth University is committed to safeguarding and promoting the health, safety and wellbeing of children and vulnerable adults and takes its legal duties extremely seriously. The University is not however 'in loco parentis' (in the place of the parent) and cannot accept the responsibilities of guardian to any member of its community or user of its amenities.
- 1.2 Whilst the University is predominantly an adult environment, the institution does engage in a range of activities that, from time to time, involve working with children and vulnerable adults. A list of the main activities that may involve children or vulnerable adults are included at Appendix 1.
- 1.3 The University has developed this policy and procedures, and accompanying Guidance to protect and support its staff, students, and visitors, in order that the University continues to be a rewarding, respectful, and safe environment in which to work, study, and visit.

2 Purpose

- 2.1 The purpose of the policy is to assist the University in discharging its duties and commitments in respect of safeguarding children and vulnerable adults in University-led activities fully, effectively and in accordance with statutory guidance.
- 2.2 Together with its related Guidance the policy aims to:
- provide a safe environment for all during University-led activities;
 - raise awareness of issues relating to the welfare of children and vulnerable adults and promote their welfare;
 - provide staff, students, governors, volunteers, and third parties working for or with the University (or undertaking activity on its premises) with procedures they should follow, including those they should adopt in the event of incidents involving children and/or vulnerable adults and/or if they suspect that a member of one of these groups may be experiencing, or is at risk of, harm;
 - provide guidance on good practice for working with children and vulnerable adults.

3 Scope and Definitions

- 3.1 This policy and procedures, and accompanying Guidance applies to all:
- students, staff and governors of the University;
 - consultants, contractors and contracted representatives of the University including FXPlus (e.g. recruitment agents, ambassadors, other service providers);
 - University collaborative partners (except where their existing policies apply and are deemed to be acceptable);

- visitors/external organisations engaged with the University, including those contracted to conduct their own business on University premises (e.g. building contractors);
 - activities at external location(s) where staff and students are involved in University-led activity; and
 - those hiring University facilities for the provision of services or activities that may involve children or vulnerable adults (e.g. hire of the cinema, performance centre studios/theatre).
- 3.2 All individuals covered by this policy should ensure that they read the policy and understand the standards expected of them and their responsibilities. All individuals have a responsibility to ensure the health, safety and wellbeing of children and vulnerable adults and to take appropriate steps (including those set out in this policy) to ensure that suspicions and allegations of abuse are taken seriously and responded to swiftly and appropriately.
- 3.3 The University may require any external organisation (whether as contractor or partner) to have appropriate safeguarding policies and procedures in place as a condition of its engagement with that external organisation.
- 3.4 For the purpose of this policy and procedure, the following definitions apply:
- **'child'** means anyone under the age of 18;
 - **'vulnerable adult'** refers to a person over the age of 18 who is or may be in need of services by reason of mental or other disability, age or illness; or 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;
 - **'abuse'** is defined by way of the examples included at Appendix 2.

4 Management roles and responsibilities

This section summarises the members of staff and committees which have particular responsibility for safeguarding children and vulnerable adults. The contact details of each individual are included in Appendix 3.

4.1 Health & Safety Committee (H&SC)

The Safeguarding Policy is approved by the H&SC which will review and monitor the implementation, including:

- reviewing this policy on an annual basis to ensure that it continues to accord with statutory requirements and local authority guidance
- consider all breaches of this policy to inform future; and
- provide assurance to the Board of Governors that the University's statutory duties are being discharged.

4.2 Lead Safeguarding Officer (LSgO)

The University's LSgO is the Chief Operating Officer. In the absence of the COO, the Head of Student Administration will act as the LSgO.

The LSgO is the strategic lead on the University's safeguarding duties, and is responsible for:

- the implementation, monitoring, and review of the University's safeguarding policy, procedure and guidance;
- ensuring that the operation of the University's approach to safeguarding is sufficiently resourced in order that the University may fulfill its statutory obligations and the requirements of this policy; and
- ensuring that the University engages with the Local Safeguarding Children Board (LSCB) and any other appropriate professional Child Protection fora, as appropriate.

4.3 **Principal Safeguarding Officer (PSO)**

The University's PSO for **staff-related** incidents and allegations is the Director of Human Resources (or, exceptionally, the Head of Employee Relations and Business Partnering).

The University's PSO for **student-related** incidents and allegations is the Director of Student Services (or, exceptionally deputised to an appropriately trained colleague in Student Services).

The PSO is an operational role, responsible for:

- reviewing reports of safeguarding concerns and, as appropriate, referring incidents/allegations/disclosures involving children or vulnerable adults to the appropriate support services and/or external agencies;
- where required, liaising with and assisting support services and/or external agencies in their investigations;
- ensuring that incidents/allegations/disclosures are recorded and archived accordingly; and
- maintaining a log of all reported breaches of this policy and actions/outcomes.

4.4 **Nominated Safeguarding Officers (NSO)**

Where there are activities where staff and students work with children, young people or vulnerable adults **as part of their roles**, one or more Nominated Safeguarding Officers (NSO) may be appointed to take responsibility for safeguarding within that activity. The NSO will normally be the organiser or coordinator of the activity.

All NSOs will be DBS checked at a level appropriate to the type of activity and engagement in which they are involved.

4.5 **Other responsibilities**

The University's Staff Development Officer is responsible for:

- establishing an appropriate training matrix; and

- coordinating and monitoring relevant training for PSOs, NSOs and staff or students who take part in, or intend to take part in, regulated activity as workers and/or supervisors.

The University's Health & Safety Advisor is responsible for:

- providing high level advice and guidance supporting staff and students in the completion of risk assessments.

Directors of academic departments will be responsible for:

- determining the number of NSOs appropriate to the Departmental activity; with a minimum of one NSO in each Department; and
- maintaining a log of all risk assessments within their Department

5 Training

- 5.1 All University staff undertake mandatory Safeguarding Awareness e-training. Records of completion are maintained by the University's Human Resources department.
- 5.2 PSOs and NSOs must attend appropriate in-house training and additional appropriate higher level certificated training as required by the University.
- 5.3 Additional training needs will be identified through the PDR process and/or through role analysis (including additional responsibilities), with regular reviews.

6 DBS Checks for Staff and Students

- 6.1 Any member of staff or student who undertakes 'regulated activity' (as defined in the Safeguarding Vulnerable Groups Act 2006) with children or vulnerable adults as part of their role will be checked for relevant criminal convictions in line with governmental guidance, prior to that work taking place. The University will cover the costs associated with gaining a DBS (standard or enhanced) check for those staff roles requiring one, which have been identified through the University's DBS flowchart. Human Resources will provide advice and assistance as to how, when and whom this would apply.
- 6.2 Some students undertake activities as part of their accredited studies which may necessitate the completion of a DBS check, as per the guidance of the partner organisation or external agency with whom the students is working (e.g. a school). In these instances financial responsibility for payment for a DBS check will lie with the individual student, although voluntary roles may not be charged.
- 6.3 The University may require a DBS check as a result of a risk assessment on any activity as part of additional identified controls.

7. Record Keeping

- 7.1 The University uses Penhells Community Care to undertake Disclosure & Barring Service (DBS) checks on its behalf.

7.2 The University's Human Resources department will keep accurate records of checks and outcomes.

7.3 All records are maintained in compliance with the Data Protection Act 1998.

8 Risk Assessments and Safeguarding Arrangements

8.1 All staff and students should be aware that the University strictly prohibits any member of staff from engaging in any sexual activity with someone under the age of 18 who is a student at the University.

8.2 A risk-based approach should be taken to ensure any potential safeguarding issues are considered in the planning of courses, modules and related activity.

9 Recruitment of staff and students

9.1 The University will take appropriate steps in relation to the recruitment of staff (through conducting appropriate recruitment checks), to ensure that unsuitable people are prevented from working with children and vulnerable adults.

9.2 Applicants and students are required to disclose relevant convictions under the provisions of the Criminal Convictions Policy.

10 Procedures for admission and enrolment of students who are under 18

10.1 Students under the age of 18 who are enrolled and registered on courses at the University are accepted on the basis that they, for all practical purposes, will be treated as if they are 18. Additional risk assessments, beyond what is reasonably required for standard student activity, may be required. However, if staff are concerned about the suitability of content for a lesson and/or activity involving a student under 18, then the Personal Tutor assigned to that student should, with the student's consent, make appropriate contact the student's parent(s)/guardian(s) for their consent.

10.2 The Admissions Team undertake applicant screening and consent requests as per the University's Admissions Procedures.

10.3 Prior to enrolment, Student Administration will make available enrolment lists of all students under the age of 18 who intend to enrol to the following personnel:

- a) Directors of Department
- b) Heads of Subject
- c) Course Coordinators
- d) Departmental Administrators
- e) Health & Safety Advisor
- f) Information Officer
- g) FXU Welfare President
- h) Student Services (including the PSO)

- i) Human Resources (including the PSO)
 - j) Technical & Facilities Managers
- 10.4 Departments must identify the Personal Tutor(s) for underage students and determine whether the Personal Tutor should have an enhanced DBS check prior to the arrival of the underage student.
- 10.5 Living Support contacts all students who are under 18 at the point of entry with regard to support and concern, including licensing issues on campus.
- 11 Procedures for University staff and students: planning and managing activity involving children and vulnerable adults who are students**
- 11.1 The Director of the department must ensure a risk assessment has been undertaken prior to the activity taking place and appropriate records are kept.
- 11.2 Where an under 18 student is undertaking a work placement, the Placements Coordinator or Placements Manager must ensure that a risk assessment is undertaken to ensure the work environment is safe and appropriate prior to the commencement of their placement.
- 11.3 In addition to mandatory 'Awareness E-training', staff and/or students involved in the activity must be familiar with the following policies, procedures, and guidance:
- Safeguarding Policy
 - Guidance on working with children and vulnerable adults
 - Falmouth University Codes of Conduct
 - Procedures for reporting an incident, allegation, or disclosure (sections 13-16)
- 12 Safeguarding arrangements for children and vulnerable adults who are not students**
- 12.1 The safeguarding of children or vulnerable adults visiting the University is the responsibility of the organiser of the activities in which the children or vulnerable adults are participating. This includes Summer Schools and organised visits.
- 12.2 Where the University is not formally the organiser of the activities, it accepts no liability related to safeguarding matters.
- 12.3 It is the responsibility of the organiser of activities to ensure that appropriate staff and volunteers are DBS checked and comprehensive risk assessments are undertaken in relation to the health, safety and wellbeing of children participating in activities on the University campus.
- 12.4 Where the University is the not the organiser of the activities, fully completed risk assessment documentation and assurances regarding completion of DBS checking procedures may be required before any booking may be confirmed.

- 13 Procedures for dealing with incidents, allegations or suspicions of abuse and procedures for reporting concerns**
- 13.1 If an individual is alerted to concerns or receives an allegation of abuse regarding another individual studying or working for or with the University they should report this immediately to the designated member of staff as described in this section. They should not investigate concerns or allegations of abuse, but should report them immediately to the designated member of staff.
- 13.2 The definition of abuse for the purposes of this policy (which is consistent with the definitions included in Working Together to Safeguard Children (HM Government, March 2015) is included in Appendix 2.
- 13.3 If an individual is informed by a child or vulnerable adult about possible abuse or receives a disclosure of issues which indicate potential abuse, they should:
- listen carefully and stay calm;
 - not interview the child or vulnerable adult, but question normally and without pressure, in order to be sure that they understand what the child or vulnerable adult is telling them;
 - not put words into the child's or vulnerable adult's mouth;
 - reassure the child or vulnerable adult that by telling them they have done the right thing;
 - inform the child or vulnerable adult that they must pass the information on, but that only those that need to know about it will be told;
 - inform them of to whom they will report the matter;
 - note the main points carefully;
 - make a detailed note of the date, time, place, what the child said, did and their questions.
- 14 Procedures for dealing with incidents, allegations or suspicions of abuse regarding an employee or governor of the University**
- 14.1 The person(s) who has witnessed or suspects abuse by an employee, or to whom the allegation has been disclosed, should notify the relevant PSO/NSO immediately.
- 14.2 The person(s) concerned must write a report to be sent to the PSO (Director of Human Resources) as soon after the incident, suspicion or allegation as is practicable (where there is an allegation against the PSO, the report should be sent to the Head of Employee Relations and Business Partnering).
- 14.3 The PSO will contact the Multi-Agency Referral Unit to establish whether the case requires further investigation and at what level.
- 14.4 The outcome of 14.3 may include:
- a) No further action necessary.
 - b) Further investigation by child protection agencies and/or internal University procedures.

c) Immediate referral to child protection agencies

- 14.5 Where an immediate referral to child protection agencies is made, the PSO is not required to be part of the investigating team, but will normally be expected to contribute to discussions on how the investigation will be conducted. The PSO will, as appropriate, keep relevant line managers and HR Business Partners informed on the progress of the investigation throughout.

Depending on the circumstances, it may be necessary for the University to stay the investigation or consideration of matters under the University's internal procedures pending the completion of an investigation and/or action by the child protection agencies and/or police.

15 Procedures for dealing with incidents, allegations or suspicions of abuse regarding a student of the University

- 15.1 The person(s) who has witnessed or suspects abuse by a student, or to whom the allegation has been disclosed, should notify the PSO/NSO immediately.
- 15.2 The person(s) concerned should write a report as per the guidance on reporting, which should be sent to the PSO (Head of Student Support Services) as soon after the incident, suspicion or allegation as is practicable (where there is an allegation against the PSO, the report should be sent to the Head of Student Administration).
- 15.3 The PSO will contact the Multi-Agency Referral Unit to establish whether the case requires further investigation and at what level.
- 15.4 The outcome of 15.3 may include:
- a) No further action necessary.
 - b) Further investigation by child protection agencies and/or internal University procedures.
 - c) Immediate referral to child protection agencies.
- 15.5 Where an immediate referral to child protection agencies is made, the PSO is not required to be part of the investigating team, but will normally be expected to contribute to discussions on how the investigation will be conducted. The PSO will, as appropriate, keep relevant members of staff, including Directors of Department, Personal Tutors, and Student Administration informed on the progress of the investigation throughout.

Depending on the circumstances, it may be necessary for the University to stay the investigation or consideration of matters under the University's internal procedures pending the completion of an investigation and/or action by the child protection agencies and/or police.

16 Procedures for dealing with incidents, allegations or suspicions of abuse involving a visitor/external organisation using the University's facilities

- 16.1 The person(s) who has witnessed or suspects abuse, or to whom the allegation has been disclosed, should notify the PSO/NSO immediately.
- 16.2 The person(s) concerned should write a report as per the guidance on reporting, which should be sent to the PSO (Director of Human Resources) as soon after the incident, suspicion or allegation as is practicable
- 16.3 The PSO will contact the Multi-Agency Referral Unit to establish whether the case requires further investigation and at what level.
- 16.4 Following the completion of child protection agency procedures, the PSO, in consultation with the LSgO, will determine whether the visitor/external organisation will be permitted to continue using Falmouth University facilities.

17 Procedures for staff, students, and external parties conducting research under the auspices of the University and/or on University premises that involves working with children and vulnerable adults.

- 17.1 Incidents, allegations, or suspicions of abuse that arise from activity undertaken as part of research commissioned by, or facilitated through, the University are subject to the relevant procedure cited above.
- 17.2 Additionally, all research activity is governed by the University's **Research Ethics Policy**, which may, through its associated procedures, determine that an activity or proposal cannot be approved/remain in approval following the reporting and investigation of a case.

18 Confidentiality

All individuals covered by this policy must be mindful, and remain mindful, of the importance of ensuring that confidentiality is, where possible, maintained for all concerned. Information should be handled and disseminated on a need to know basis only.

19 Related Policies and Procedures and Monitoring and Review

- 19.1 The University policies listed below are also relevant in seeking to ensure the health, safety and wellbeing of children and vulnerable adults:
- Data Protection Policy
 - Recruitment Policy (HR)
 - Code of Conduct (section 14, consensual relations) (HR)
 - Criminal Records Check Policy (HR)
 - Admissions Policy (Student Admin)
 - Criminal Convictions Policy (Student Admin)

19.2 The University shall review this policy and procedure regularly to ensure that it continues to meets legal requirements and reflects best practice.

Appendix 1

List of Activities

Activities that may involve children or adults at risk, and should be risk assessed, include, but are not limited to:

- teaching, supervision, and support of enrolled students who are under 18;
- summer schools/short courses organized by the University;
- research undertaken as part of a studentship with the University and/or by a member of staff under the auspices of the University;
- work experience, internships, and employment of under 18s by the University;
- students on work placements in schools and colleges;
- school and college pupils visiting the University for events/open days;
- enhancement, outreach, and recruitment activity with schools and colleges;
- use of University facilities by external organisations such as the cinema, studios, and performance spaces.

Any online engagement with children and adults at risk is also included within the scope of this policy.

Appendix 2

Definitions of Abuse

The definition of abuse for the purposes of this policy and procedure (which is consistent with the definitions in Working Together to Safeguard Children (HM Government, March 2015) includes:

- Physical abuse - a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. It may be caused when an individual fabricates the symptoms of, or deliberately induces, illness in a child or vulnerable adult.
- Neglect - the persistent failure to meet the basic physical and/or psychological needs of a child or vulnerable adult, likely to result in the serious impairment of their health or development. Neglect may involve failing to:
 - provide adequate food, clothing and shelter (including exclusion from home or abandonment);
 - protect a child or vulnerable adult from physical and emotional harm or danger
 - ensure adequate supervision (including the use of inadequate care-givers); or
 - ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, the basic emotional needs of a child or vulnerable adult.

- Sexual abuse – involves forcing or enticing a child, young person or vulnerable adult to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving the individual in looking at, or in the production of, sexual images, watching sexual activities, encouraging them to behave in sexually inappropriate ways, or grooming an individual in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can children.
- Emotional abuse – the persistent emotional maltreatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the individual's emotional development. It may involve conveying to a child or vulnerable adult that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the individual opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed. These may

include interactions that are beyond a child's or vulnerable adult's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the individual participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child or vulnerable adult, though it may occur alone.

The above is a non-exhaustive list and there may be other forms of abuse, or examples of abuse, which require action under this policy and procedure.

Appendix 3

Contact Details of Individuals with Specific Safeguarding Duties

Lead Safeguarding Officer	Peter Cox: x 3773 Anne Louise McNamara (deputy): x3776
Principal Safeguarding Officer – staff	Daniel Jones Charles Marson (deputy): x5708
Principal Safeguarding Officer – students	David Dickinson: x259173 Michelle Lewis (deputy): x259348

VERSION CONTROL

PURPOSE/CHANGE	AUTHOR	DATE
Original document for approved at H&SC.	Student Services/QAE	December 2015
Updates to the clause below following approval at Academic Board: 4.2	Student Services/QAE	12/07/2017