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# Cardiff University Safeguarding Children and Adults at Risk: Policy and Guidance

Revised May 2017 v1

## 1. Scope

- 1.1 This policy sets out the University's duty to safeguard all children and adults at risk<sup>1</sup> who are part of the University or who come into contact with its staff or students in the course of their work. Safeguarding is everybody's business and therefore the policy applies broadly to all staff, students and volunteers, although specific responsibilities fall to certain roles and individuals. For staff (which may include volunteers and students in training, placement or in roles of responsibility), this policy sets out the University structures, guidance and procedures for identifying potential risk, abuse, harm or neglect, and for reporting concerns, internally and, where required, beyond the University.
- 1.2 The University is committed to providing a safe environment for all children and adults at risk who may be encountered through teaching, research, outreach, or other activities. All University staff and volunteers have a duty of care towards the student body and should always operate under the safeguarding policies of the University thereby remaining appropriate in their conduct towards, and in the company of, children and adults at risk.
- 1.3 The University cannot act "*in loco parentis*" and ultimate responsibility for children rests with those who do have parental responsibility. The University recognises that some adults at risk may have an appointed representative e.g. mental health advocate, legal/enduring power of attorney.
- 1.4 This policy seeks to support activities involving children and adults at risk and to provide an assurance to all students, staff, volunteers and visitors that safeguarding is treated seriously by the University and the requirements of this policy will be undertaken / discharged in an effective and timely manner.
- 1.5 The University has a Lead Safeguarding Officer, two Principal Safeguarding Officers and a network of Designated Safeguarding Officers where required. These Officers will work with other agencies where appropriate to ensure legal and regulatory compliance and to achieve the aims of this policy. Current post holders' details can be found on the Safeguarding Policy page on the Public Information Policies and procedures pages University website [here](#) .

## 2. Aims

- 2.1 This policy and guidance aims to:
  - Provide a definition of 'Children' and 'Adults at risk' in the context of the safeguarding duty
  - Provide a clear procure to follow if a safeguarding concern arises
  - Provide a framework for carrying out the relevant legal checks in relation to the Disclosure and Barring Service where these are required
  - Provide guidance and procedures that promote safe practice and challenge poor and unsafe practice across all university activities and premises

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<sup>1</sup> As defined in appendix 1

- 2.2 The policy provides information to enable staff to identify instances in which there are grounds for concern about the welfare of a child or adult at risk, whether arising from home, community or the university environment, and to understand the appropriate actions to take, to keep them safe.
- 2.3 The University Day Care Centre is covered by a separate Child Protection policy and relevant regulatory requirements. In clinical settings appropriate NHS safeguarding procedures apply.
- 2.4 The Students' Union has its own safeguarding policy which covers their activities that relate to safeguarding children and adults at risk. Where issues arise that are relevant both to the Students' Union and to the University, the organisations will work together to address these issues.
- 2.5 The University has a separate policy for circumstances where children accompany their parent(s)/guardian(s) onto any part of the University campus. Further information can be found on the staff safety and wellbeing web pages.
- 2.6 This policy is also supports and interacts with the University's policies and guidance in relation to its 'Prevent duty' - supporting and safeguarding students who may be at risk of being drawn into terrorism or into extremist ideologies which place students at risk of being drawn into terrorism ("radicalisation") (Counter-Terrorism and Security Act 2015).  
*See: Cardiff University's Prevent Policy for further information*
- 2.7 This Policy should be read in conjunction with the University's policies, procedures and guidelines referred to within the policy.

### **3. Why is Safeguarding Necessary in Higher Education?**

- 3.1 The Lord Laming Report, 2003 stated that safeguarding is everyone's responsibility. This means that in an educational setting, including a university, everyone should know who to contact if they have concerns about a child or adult at risk.
- 3.2 The Social Service and Well-being (Wales) Act 2014 established the National Independent Safeguarding Board for Wales to provide support and advice to the new Regional Children's Safeguarding Boards and newly established Regional Adult Safeguarding Boards (these may join together as one board in defined areas).
- 3.3 Universities have a common law duty to take the necessary steps that are reasonable to ensure that children and adults at risk are safe and that reasonably foreseeable harm does not occur as a result of careless acts or omissions of the institution. These measures are in addition to those required under general Health and Safety requirements. Universities are not however named under the Children's Act 1989 as having a duty to safeguard and protect children and young people since their core client group is over eighteen years old.
- 3.4 Cardiff University is committed to increasing awareness of safeguarding issues relating to children and adults at risk, promoting good practice and assisting members of staff to make informed and confident responses in relation to safeguarding issues for children and adults at risk. This policy is designed to safeguard children and adults at risk who come into contact with the University community, and the staff working with

children and adults at risk, to ensure that there are clear guidelines and procedures for identifying risk and reporting concerns<sup>2</sup>.

#### **4. Legal framework for safeguarding**

##### **4.1 Children Act 1989 (and subsequent relevant legislation)**

Established the principles:

- That the welfare of the child is paramount;
- Parental responsibility applies until the child acquires 18 years of age;
- All other adults supplying services to children are under a duty of care to maintain their safety and wellbeing.

##### **(Working together under the) Children Act 2004**

The interest of the child is paramount in all considerations of welfare and safeguarding. Safeguarding children is everyone's responsibility and there is a duty to report concerns regarding safeguarding.

##### **Social Services and Well-Being Act (Wales) 2014 (SSWBA, the Act)**

Reinforces the rights of children and adults as detailed in the United Nations Convention of the Rights of the Child (including article 19, the right to protection from violence, abuse or neglect) and the Human Rights Act 1998 (including articles 2, 3, 4, the right to life, freedom from torture and inhuman or degrading treatment and freedom from slavery and forced labour).

4.2 Details of other relevant legislation are provided in Supporting Compliance and Practice Guidance Note 8: Relevant Legislation.

#### **5. Allegations and Concerns**

5.1 Staff, students and volunteers working in direct contact with children or adults at risk may come across possible signs of harm and/or abuse. In each circumstance the individual needs to ensure that any concerns for the wellbeing of a child or adult at risk are reported to the appropriate person as quickly as possible and, at most, within 24 hours. The reporting procedure is found in Supporting Guidance and Practice Guidance Note 1: Reporting Concerns.

#### **6. Allegations relating to staff, volunteers, students**

6.1 The University has a duty of care to its staff as an employer, to its students and to those engaged in a voluntary capacity and will seek to manage and minimise the stress inherent in circumstances where an allegation is made against a member of staff, student or volunteer. Support for the individual is key to fulfilling this duty<sup>3</sup>. It is essential that any allegation of abuse made against a member of staff, student or volunteer is dealt with fairly, quickly and consistently, in a way that provides effective protection for the child/adult at risk, and at the same time supports the person who is the subject of the allegation. The quick resolution of allegations of abuse should be a clear priority to the benefit of all concerned.

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<sup>2</sup> (*Codes of Practice for Working with Children and Adults at risk*)

<sup>3</sup> Safeguarding Children in Education, Welsh Government 2014

- 6.2 The University recognises its responsibility for the wellbeing of staff. Any employee who considers that they themselves may be an adult at risk, can seek support from line management. The staff member may also seek additional help and guidance from his/her trade union. These sources of support are available equally to a member of staff who faces allegations of inappropriate behaviour, abuse and/or neglect. Any staff member who considers that they have been subject to inappropriate behaviour or abuse will also have access to the Dignity at Work and Study Policy. The University also has a policy in relation to Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015<sup>4</sup>.

## **7. Safeguarding in relation to Students**

- 7.1 The University takes a risk management approach to safeguarding in organising learning and teaching and delivery of services to students and the public. Professional Services, College and Schools are required to carry out risk assessments in respect of activities that involve children or adults at risk, and make reasonable, proportionate adaptations to those activities. Further advice is available from the Safety and Wellbeing Department.
- 7.2 Where students are under the age of 18 years when they begin a course of study provided by the University, appropriate safeguards will be applied. These may include a red flag system attached to their file, particular attention to choice and role of personal tutor and a level of risk assessment commensurate with their circumstances; e.g. whether living with parents or in University residence.
- 7.3 Where adaptations are reasonable and proportionate, the University will put in place measures in order to control risks and ensure safeguarding and wellbeing.
- 7.4 The University reserves the right to refuse to admit a child or adult at risk to a programme of study, or other University managed activities, if it judges that the adaptations necessary to safeguard that individual's wellbeing go beyond what is reasonable and proportionate.
- 7.5 An application to study at the University from applicants who will be aged under 18 years at the commencement of their programme of study will trigger a risk assessment which requires the approval of the Academic Registrar.
- 7.6 The University will provide particular guidance for applicants who will be aged under 18 years at the commencement of their programme of study about the nature of the University environment, which will include links to the University's broader safeguarding policy and contacts. Applicants may request that this guidance also be copied to the applicant's guardian(s) / parent(s) for information, both at the point of offer and prior to enrolment.

## **8. Students - Criminal convictions and risk**

- 8.1 The University acknowledges that some applicants may have criminal conviction(s) or be subject to police investigation prior to making an application to the University. Equally students may be subject to a criminal investigation, charged with an offence or convicted of a criminal offence during their time at the University.

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<sup>4</sup> <http://gov.wales/docs/dsjlg/publications/commsafety/150501-explanatory-memorandum-vawdasv-en.pdf>

- 8.2 The University requires applicants to declare all relevant criminal convictions or conditional cautions, pending police investigations or charges on application. If an applicant is convicted of a relevant criminal offence after submission of their application they must inform the University at the earliest opportunity.
- 8.3 Applicants on non- professional programmes do not need to declare spent convictions or simple cautions, reprimands or final warnings<sup>5</sup>.
- 8.4 If the programme or module requires contact with children or adults at risk then applicants and students are required to declare **all** unprotected convictions and cautions and a disclosure may be required from the Disclosure and Barring Service (DBS). Further advice can be sought from the University's Admission's Team (for applicants) or the Registry Support service (for current students). Such programmes would include for example health, social work, pharmacy and other courses involving work with children or adults at risk.
- 8.5 A number of programmes may be exempt from requiring a DBS Disclosure but may still be subject to requirements of a professional validating body in relating to working in a chosen profession. Applicants for such programmes are advised to seek advice from such professional bodies, regarding the impact of criminal conviction(s) on their chosen career.
- 8.6 Any information provided will be treated in line with University Policy and the Data Protection Act 1998.
- 8.7 Where a conviction is disclosed which indicates that the individual poses a risk to children or adults at risk, the University has the right to deny admission to a student. Relevant offences include one or more of the following:
- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
  - Sexual offences, including those listed in the Sexual Offences Act 2003.
  - The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
  - Offences involving firearms.
  - Offences involving arson.
  - Offences involving terrorism.
- 8.8 If a student were to be convicted outside the United Kingdom for an offence listed above, this is also considered a relevant offence.

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<sup>5</sup> see Supporting Compliance and Practice Guidance Note 8: Relevant Legislation.

## 9. Recruiting students

- 9.1 The safeguarding and conduct policies of Cardiff University apply to staff and agents of the University as *a minimum standard*, wherever and whenever they are acting on behalf of the University. When visiting schools and colleges, staff should ensure they are aware of the local safeguarding policies and procedures for the premises and the point of contact for raising safeguarding concerns within the setting. In England, social services offer a point of contact in the Local Authority Designated Officer (LADO) for each county/region for this purpose, should it be necessary to report beyond the specific school.
- 9.2 University staff are not expected to take responsibility for students in other educational establishments. Students remain the responsibility of their regular staff members. University staff should avoid situations where they might be left alone with students from other establishments, should ensure that the room/space is appropriate to the situation, and should always offer the student the choice to be accompanied by a person of their choosing.

## 10. Safeguarding in relation to international activities– working, studying or volunteering overseas

- 10.1 The safeguarding and conduct policies of Cardiff University apply to staff, students and recruiting agents of the University as *a minimum standard*, wherever and whenever they are acting on behalf of the University. International Safeguarding Standards also set a basic benchmark for organisations working and volunteering with children across the world. These include; a policy for safeguarding, the people to implement safeguarding and procedures to follow:  
<https://www.keepingchildrensafe.org.uk/international-child-safeguarding-standards>
- 10.2 In each setting they visit, University staff, students and volunteers should make themselves aware of the local safeguarding policies, procedures and point of contact for raising concerns.
- 10.3 Amongst the areas of guidance which are universally accepted, those that are most widely respected are the United Nations rights agenda which apply to children, older people and disabled people.

## 11. Safeguarding in relation to Staff

- 11.1 The University has a responsibility for the safety of its students and therefore reserves the right to deny employment to individuals where permitted Disclosure and Barring Service (DBS)<sup>6</sup> suggest that they might pose a danger to that community.
- 11.2 The University reserves the right, in accordance with its employment procedures, to suspend and/or dismiss staff members from employment or from undertaking a specific role with respect to that employment (e.g. academic staff acting as personal tutor). This may be in circumstances where the individual acquires or extends a relevant criminal record, or where they have withheld information about their criminal record at the point of employment. Disciplinary action may also be taken against staff,

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<sup>6</sup> See definition in appendix 1 and process in Supporting Guidance and Practice Guidance Note 1: Reporting Concerns

in accordance with the University's employment procedures for a failure to comply with the requirement to declare criminal convictions.

- 11.3 All staff, students, and volunteers are reminded of the offence of abuse of positions of trust under sections 16 to 19 of the Sexual Offences Act 2003. This 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) 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.
- 11.4 The University obtains enhanced DBS disclosures for all staff, students or volunteers working in 'regulated activity'<sup>7</sup>. The University has procedures to evaluate information about an individual's criminal record, and make sensible, fair and consistent judgements about whether the individual is safe to engage (or remain engaged) in the employment, role or office.
- 11.5 Many staff, students and volunteers are engaged in roles that are not 'regulated activity', yet are involved in activities that may also involve children or adults at risk. As outlined above, the University takes a risk management approach to the delivery of learning and teaching and University-managed activities involving the wider public. All staff, students and volunteers are expected to follow the code of practice and maintain standards of conduct befitting those who are role models and influential figures in the lives of others.

## **12. Contractors' staff working on University premises**

- 12.1 It is the responsibility of the contractor as the employer of staff working on the University's premises to ensure that each individual has been recruited appropriately to the role they are undertaking, and that DBS checks have been acquired for all appropriate roles in accordance with the eligibility criteria. In line with the University's duty of care, Cardiff University will request confirmation from the employer that each worker requiring a DBS check has had a check at the appropriate level.
- 12.2 Any staff of a contractor whose roles give them contact with children or adults at risk in the course of their duties for the University will abide by the safeguarding and practice policies of the University, and may be required to attend appropriate training.

## **13. Safeguarding - Other groups**

- 13.1 Where children of students, staff members or visitors are present on the University estate or premises used by the University, they remain the responsibility of their parent/guardian or teachers, unless they are enrolled as students, or are otherwise involved in a University-managed activity (see below).
- 13.2 Safeguarding the wellbeing of children visiting the University estate or premises used by the University (without their parent/guardian) is the responsibility of the organiser of the activities in which the child is participating.

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<sup>7</sup> any work which is currently defined as regulated activity relating to children and adults within the meaning of Schedule 4 Part 1 of the Safeguarding Vulnerable Groups Act 2006

13.3 Safeguarding the wellbeing of service users of the University is the responsibility of the organiser of the service they are accessing within the overall remit of this policy.

## **14. Working with vulnerable groups in research**

14.1 There are important issues to consider when working with vulnerable groups on a research project:

- The School Research Ethics Committee ("SREC") or the /University Research Integrity and Ethics Committee ("URIEC") with the Lead DBS Counter signatory must consider whether anyone working with vulnerable groups as part of a research project (whether staff or student within the University) requires a DBS disclosure.
- All research involving vulnerable groups must obtain approval from the relevant SREC (or URIEC) and be consistent with the University's policy on research ethics and the University's Research Integrity and Governance Code of Practice.
- Unless otherwise approved by an SREC or URIEC, the researcher should ensure that informed consent has been obtained from parents of children under 18. Children should be given the opportunity also to consent to participation, but parental consent is essential.
- Any research activity will respect the person's right to confidentiality and comply with any relevant code of ethics applicable to the type of research being conducted.
- The researcher should monitor the effect of the research on the person to ensure that they feel comfortable with continuing with the research.
- Wherever possible, a same sex chaperone should always be present during the research.

Further detailed guidance can be found in Activity Specific Guidance Note 4: Responsibilities of Researchers.

## **15. Developing Local Procedures**

Any local procedures and codes of practice developed by a specific research group, School or Service will be subject to approval by the Safeguarding Steering Group.

15.1 The following general principles must apply to all local procedures and codes of practice.

## **16. Planning an activity**

Any member of the University who has responsibility for organising an activity involving children or adults at risk must nominate an individual to act as the Designated Safeguarding Officer for the activity.

Activities should:

- be designed so that appropriate training and supervision is available to those working with children or adults at risk;

- minimise occasions on which members of the University will need to work alone in an unsupervised way with children or adults at risk ; and
  - be appropriately risk assessed.
- 16.1 Every activity which involves children or adults at risk should be risk assessed and the assessment should consider how the risks identified can be minimised and should also outline the local processes for reporting concerns, as well as taking account of Health and Safety considerations. This may form a part of an application for ethics approval.
- 16.2 Training requirements and records of training undertaken should be recorded in the risk assessment. (*see Supporting Compliance and Practice Guidance Note 5: Training Requirements*)
- 16.3 Completed risk assessments must then be made available to all staff or volunteers involved in the activity.
- 16.4 Any pre-employment or pre-activity checks (including DBS checks) should be carried out in accordance with the University's guidance (*Supporting Compliance and Practice Guidance Note 2: Disclosure Barring Service Checks*).
- 16.5 Children and adults at risk who are participating in a University activity must, as part of their induction to the activity, be given clear information about how, and to whom, they can report concerns about any member of the University with whom they will be interacting. More than one point of contact should always be given and the details of the University's Safeguarding Officers included (in addition to the contact details of the Designated and Deputy Designated Safeguarding Officer(s) for the activity) so that complaints can be made directly to these officers, where appropriate.
- 17. Training**
- 17.1 Any member of the University who will be planning activities with/for children or adults at risk is required to undertake appropriate training. Information on training can be found in the Staff Development programme and for those with identified safeguarding roles, training is mandatory.
- 17.2 Training for all categories of Safeguarding Officers is required on a regular basis and when policies and procedures substantially change.
- 17.3 Activity organisers for regulated activities (e.g. residential courses for young people including supervision between the hours of 2am and 6) are highly recommended to access relevant training.
- 17.4 A recommendation to attend safeguarding training should be triggered by the line manager following a requirement for the post-holder of any role to be subject to an enhanced DBS check / with barring list check.
- 17.5 An outline of training requirements is identified in *Supporting Compliance and Practice Guidance Note 5: Training Requirements*. Staff training will be recorded and monitored via the Core HR system. A record of safeguarding training undertaken by students and

volunteers should be kept on the training log (see *Supporting Compliance and Practice Guidance Note 5: Training Requirements*).

## 18. Whistleblowing

- 18.1 Whistleblowing is an important aspect of a safeguarded institution whereby staff, students and volunteers are encouraged to share genuine concerns about a colleague's behaviour, in confidence, with the relevant Principal Safeguarding Officer.
- 18.2 There may be situations whereby staff, students or volunteers have genuine concerns about the conduct of a colleague towards a child or adult. All members of the University have the right and the responsibility to raise concerns, without prejudice to their own position, about the behaviour of staff, students, volunteers, or others, which may be harmful to those in their care and will receive appropriate support when doing so.
- 18.3 In accordance with legislation and its policy<sup>8</sup>, the University will support and protect those staff, students, volunteers and others who, in good faith and without malicious intent, report suspicions of abuse or concerns about colleagues and their actions. Whistleblowing should be part of transparent work practices and is not intended to set up mistrust or suspicion among staff and volunteers.
- 18.4 Staff who want access to free confidential advice about whistleblowing can contact Public Concern at Work <http://www.pcaaw.co.uk/>

## 19. Policy Implementation and Review

- 19.1 This policy document constitutes the general policy that applies to all areas of activity in the University.
- 19.2 It is the responsibility of the Safeguarding Steering Group to review this policy annually. All versions will be dated and approved versions signed by the Chair of the Safeguarding Steering Group (See *Activity Specific Guidance Note 4 Responsibilities of Safeguarding Officers*).
- 19.3 The University will further develop the policy where necessary in line with changes in legislation and best practice guidance and following internal review of the effectiveness of existing procedures (see *Supporting Practice and Guidance Note 1 Reporting Concerns*).

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<sup>8</sup> the Public Interest Disclosure Act 1988 and the All Wales Whistleblowing – Right to Raise Concerns 2012 and Cardiff University's Whistleblowing Policy

## Appendix 1 - Definitions/terminology

For the purposes of this policy and appendix, the following definitions will apply:

### 1. Definition of 'Children' and 'Adults at Risk':

Children:

The Children Act 1989 defines a 'child' as a person under the age of 18. The Health and Safety at Work Regulations 1999 (Reg 19) defines the term "children/child" to apply to persons between birth and 16 years. Individuals of 16 and 17 years are 'young persons', anyone over 18 is considered an adult.

The term 'child' is used within this document to refer to anyone under the age of 18., "Young person" is used in this document to refer to someone who might not perceive themselves as a child, but who is still legally defined as a child being under 18.

There is no requirement to gain consent before reporting concerns about a child to the relevant statutory authorities (police, social service or the NSPCC), nor to determine their mental capacity.

Adults at risk

The broad definition of an adult at risk is:<sup>9</sup>

'A person who is 18 years of age or over, and who is experiencing or is at risk of abuse or neglect, has needs for care and support (whether or not the local authority is meeting any of those needs), *and* as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

People with learning disabilities, mental health problems, older people and disabled people may fall within this definition. Other legislation such as that governing DBS checks may give different variations of the definition and are applied accordingly. Adults will be deemed as 'at risk' or 'vulnerable' at the point at which they receiving regulated activity as defined under the Safeguarding Vulnerable Groups Act 2006 (amended by the Protection of Freedoms Act 2012).

Students with additional learning needs may also be adults at risk. Where an accepted applicant has disclosed an appropriate condition, the Disability and Dyslexia Service will request additional information for the purposes of risk assessment to include any safeguarding needs, identifying additional support and reasonable adjustments. They will have access to independent advocacy and advice.

In law an adult is deemed to have capacity to give or withhold consent to social services referrals, medical examinations, etc. If it is believed that an adult is at risk of harm and may need protection, a responsible person must consider if the individual is capable of giving consent<sup>10</sup>. If this is so determined, a professional acting on behalf of the organisation must

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<sup>9</sup> Social Services and Well-Being (Wales) Act 2014

<sup>10</sup>Under the Mental Capacity Act - see Supporting Compliance and Practice Guidance Note 8: Relevant Legislation

seek the individual's consent before taking any action, such as a referral to social services or the police.

There are some exceptions to this rule where consent is not required, these are

- Where there is a duty to act (e.g. a crime may have taken place); or
- When it is in the public interest to act (e.g. another person or people, child or adult, is/are put at risk); or
- When it is suspected that the individual may be under the undue influence of someone else.

Information sharing protocols (see Supporting Guidance and Practice Guidance Note 1: Reporting Concerns) will evidence that consideration of capacity to consent has taken place, that consent has been given or withheld or the decision-making process to judge that this is not required.

## 2. Definition of Regulated activity:

Regulated activity with a **child** includes:

- Unsupervised teaching, training or instruction of children (teaching/training provided wholly or mainly for children *not courses aimed at/delivered to students who are mainly over the age of 18*), carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period, or overnight (2am - 6am);
- Care (personal and health care) or supervision of children;
- Advice or guidance provided wholly or mainly for children relating to their physical, emotional or educational wellbeing if carried out by the same person frequently (as above);
- Moderating a public electronic interactive communication service likely to be used wholly or mainly by children, carried out by the same person frequently (as above);
- Driving a vehicle being used to convey children.

Further information is available at: [www.gov.uk/disclosure-barring-service-check/overview](http://www.gov.uk/disclosure-barring-service-check/overview)

Where a role has some limited, short-term or supervised contact with children or adults in a vulnerable situation (for instance for work experience placements, summer schools, undertaking normal teaching duties or carrying out standard out-reach activities) this is unlikely to meet the definition of regulated activity and so would not be subject to a DBS check with a barring list check. Consideration will be given to roles which meet eligibility for an enhanced DBS check without the barring list check.

Regulated activity with **adults at risk** includes

- personal care (physical assistance with eating or drinking, toileting, washing or bathing, dressing, oral care or care of the skin, hair or nails provided for reasons of age, illness or disability),
- healthcare (by a health care professional or a person acting under the direction or supervision of a healthcare professional),
- social work,
- assistance in day-to-day matters including handling cash,

- driving the adult to appointments for the purposes of: health care, personal care or social work required due to age, illness or disability,
- people who hold a lasting or enduring power of attorney under the Mental Capacity Act 2005 (MCA), a deputy under the MCA, an Independent Mental Health/Capacity Advocate in respect of the individual.

In the University context, many posts will not require a Disclosure and Barring Service check as University activities are often not provided wholly or mainly for children. All those who regularly work with children or Adults at Risk should however be made aware of this policy and associated guidance and should attend relevant training (please contact Human Resources for further information about training available).

### 3. Disclosure and Barring Service (DBS) Checks:

Disclosure and Barring Service (DBS) Checks are a search of an individual's criminal record in order to ascertain if they are barred from working in any roles that involve Regulated Activity (and therefore require a DBS check).

### 4. Designated Safeguarding Officers:

**Lead Safeguarding Officer (LSO):** The LSO is the Academic Registrar, who has overall accountability and strategic responsibility for safeguarding children and adults at risk within the University.

**Principal Safeguarding Officers:** have responsibility for overseeing the implementation of the safeguarding policy within the University and provide leadership and support to Designated Safeguarding Officer. These are the **Director of Human Resources** in respect of staff, and the **Director of Student Support and Wellbeing** in respect of University students.

**Designated Safeguarding Officers (DSO):** These are officers appointed in Academic Schools and Professional Service departments where there are programmes or activities where staff and/or students work with children, and 'at risk' adults as part of their roles. One or more **DSO** will be appointed to take responsibility for safeguarding within that programme or activity. The DSO will normally be the organiser or coordinator of the programme or activity. Depending on the scale of activity there may be one or more nominated.

**Deputy Designated Safeguarding Officer (DDSO):** Is appointed to support the DSO and may be the first point of contact for the activity involving children/adults at risk.

**Research DSO:** For Research activities it will be the responsibility of the Head of School to ensure that a Designated Officer is appointed for any research activities involving children or adults at risk. The Designated Officer will usually be the person with overall responsibility for the activity (e.g. Principal Officer). The Designated Officer may appoint a Deputy Designated Safeguarding Officer (DDSO) who is involved in day-to-day activity to support the DSO.

The responsibilities of all Safeguarding Officers can be found in *Supporting Compliance and Practice Guidance Note 6: Responsibilities of Safeguarding Officers*.

## 5. Definition of Abuse:

Section 197(1) of the Social Services and Well-Being (Wales) Act 2014 provides definitions of “abuse” and “neglect”: “abuse” means physical, sexual, psychological, emotional or financial abuse (and includes abuse taking place in any setting, whether in a private dwelling, an institution or any other place).

The following is a non-exhaustive list of examples for each of the categories of abuse and neglect:

Financial abuse includes:-

- having money or other property stolen;
- being defrauded;
- being put under pressure in relation to money or other property;
- having money or other property misused.

Financial abuse in relation to people who may have needs for care and support - Possible indicators of this may include:

- unexpected change to their will.;
- sudden sale or transfer of the home;
- unusual activity in a bank account;
- sudden inclusion of additional names on a bank account;
- signature does not resemble the person’s normal signature;
- reluctance or anxiety by the person when discussing their financial affairs;
- giving a substantial gift to a carer or other third party;
- a sudden interest by a relative or other third party in the welfare of the person;
- bills remaining unpaid;
- complaints that personal property is missing;
- deliberate isolation from friends and family giving another person total control of their decision-making.

Neglect means a failure to meet a person’s basic physical, emotional, social or psychological needs, which is likely to result in an impairment of the person’s wellbeing (for example, an impairment of the person’s health or, in the case of a child, an impairment of the child’s development). This may include:

- The failure to access medical care or services;
- negligence in the face of risk-taking;
- failure to give prescribed medication;
- failure to assist in personal hygiene or the provision of food, shelter, clothing;
- emotional neglect.

Possible indicators of neglect may include decline in personal appearance that may indicate that diet and personal requirements are being ignored.

Physical abuse - hitting, slapping, over or misuse of medication, acts of undue restraint, or inappropriate sanctions.

Psychological abuse - threats of harm or abandonment, coercive control, humiliation, verbal or racial abuse, isolation or withdrawal from services or supportive networks

(coercive control is an act or pattern of acts of assault, threats, humiliation, intimidation or other abuse that is used to harm, punish or frighten the victim).

Sexual abuse - rape and sexual assault or sexual acts to which the vulnerable adult has not or could not consent and/or was pressured into consenting. In addition: No child under the age of 13 years is able to consent to sexual activity. Sexually active young people in peer-to-peer relationships where both participants are under the age of 18 should be consensual e.g. without coercion, exploitation, manipulation or the use of drugs or intoxicants to lower resistance. Intimate relationships between adults (aged over 18 years) who are in a position of trust and young people under the age of 18 years in their care are considered to be an abuse of a position of trust and a crime under the Sexual Offences Act 2003.

Domestic Violence: The Domestic Violence, Crime and Victims Act 2004 closed a loophole for murder/manslaughter and the 2012 Amendment includes "causing child or vulnerable adult to suffer physical harm"

Grooming: Under the Sexual Offences Act 2003, grooming of young people under the age of 18 became a statutory offence.

Online Abuse: Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and adults at risk may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse. Children and adults at risk can be at risk of online abuse from people they know, as well as from strangers. Online abuse may be part of abuse that is taking place in the real world (for example bullying or grooming) or it may be that the abuse only happens online (for example persuading children or adults at risk to take part in sexual activity online).

Modern Slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Radicalisation - the aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.