

Safeguarding Policy

June 2024

Introduction

Many of the contexts in which Federation students may encounter Safeguarding concerns fall under the policies of other institutions, principally their Federation House.

Activities that are **within** the scope of this policy include:

- Teaching and learning provided by Federation academic staff leading to an award from one of the Federation's partner universities.
- Federation worship.
- Events arranged by Federation employees, academic staff, directors or members specifically as Federation events.

Activities that are **not within** the scope of this policy and which are governed by other institutions' safeguarding policies include:

- Events arranged by Member Institutions or their students which are not events arranged on behalf of the Federation.¹
- Domestic and social facilities and activities provided by a student's Member Institution ("House").
- Pastoral placements and work experience arranged by a student's House.

The Federation does not teach anyone under 18 and does not provide unsupervised activities for children, including at Federation worship or other events.

The Federation does not provide any regulated activities, as defined in Safeguarding legislation, that could cause an adult to be at risk.

The following policy applies if and when the Federation undertakes any activities that are regulated either for children or adults at risk.

If anyone is in doubt which Safeguarding policy covers an activity they are undertaking they should ask a Safeguarding Officer at their House or at the Federation.

Disclosure and Barring Service

The Federation is not a registered DBS organisation.

¹ Inviting other students to join events does not necessarily make them Federation events.

1. Aims

- 1.1. The Federation aims to adopt the highest standards and take all reasonable steps in relation to the safety and welfare of children and adults at risk.
- 1.2. This policy does not discourage such activities in any way. Instead, it aims to support them and to offer assurances to those engaged in the work of the Federation that, through its implementation, the Federation seeks to protect children and adults at risk and keep them safe from harm when in contact with the Federation's employees, academic staff, directors, members, volunteers, students and anyone who works on behalf of the Federation and who comes into contact with children or adults at risk (together "Applicable Persons"). It is also intended to safeguard the interests of Applicable Persons.
- 1.3. This policy seeks to:
 - a) promote and prioritise the safety and wellbeing of everyone, particularly children and adults who may be at risk;
 - b) ensure that roles and responsibilities are made clear in respect of safeguarding matters and that an appropriate level of information, training and support is provided to those within the Federation for whom it is necessary;
 - c) offer assurances to staff, students, parents, carers, volunteers and visitors that safeguarding concerns will be dealt with effectively and in a timely manner;
 - d) prevent the employment of individuals to work with children or adults at risk where they have been barred by the Disclosure and Barring Service (DBS) or are deemed by the Federation to pose an unacceptable risk; and
 - e) manage effectively the risks associated with activities and events involving children and adults at risk.

2. Scope

- 2.1. This policy applies to all Applicable Persons.
- 2.2. The policy covers all events and activities organized by Applicable Persons, as well as Federation events and activities organised by students.
- 2.3. It is expected that external bodies using the Federation's premises or facilities for external events will have their own safeguarding policies and procedures in place and will take full responsibility for the safeguarding of individuals involved in any related activities.

3. Definitions

- 3.1. *Applicable Persons*: refers to activities undertaken on behalf of the Federation by employees, academic staff, directors, members, volunteers, students and anyone who works on behalf of the Federation and who comes into contact with children or adults at risk (whether acting in a paid or unpaid capacity).
- 3.2. *Safeguarding*: describes arrangements in place to protect children and adults at risk in vulnerable circumstances from abuse or neglect.
- 3.3. *Child / Children*: For this policy's purposes, a 'child' refers to anyone under the age of 18

and therefore not legally an independent adult. Particular care should be afforded to a child under the age of 16.

3.4. *Adult at Risk*: The definition of regulated activity for adults changed in 2012 and now identifies activities, which, if provided to any person aged 18 or over (an adult) who *needs* to be the recipient of the provision of that activity, will mean that the adult will be considered at risk at that particular time. It is therefore the activity and the need for it, rather than the setting or the adult's particular personal characteristics, which determines whether an adult is at risk at any given time. These activities are summarized in 3.7.1.

3.5. *Abuse*: can be physical, sexual, psychological, emotional, financial, material or professional. It can also arise from neglect.

3.6. *Regulated activities in relation to children*:

3.6.1. Regulated activities are those activities which people who have been barred by the DBS are prohibited from undertaking.

3.6.2. A regulated activity in relation to children comprises:

- a) unsupervised activities: teaching, training, instructing, caring for or supervising, or providing advice/guidance on wellbeing, provide personal care, or driving a vehicle only for children;
- b) working for a limited range of establishments, with opportunity for contact e.g. schools, children's homes, childcare premises;
- c) relevant personal care; or
- d) registered childminding and foster-caring.

3.6.3. Work under (a) or (b) is considered regulated activity only if done *regularly*.

3.6.4. The roles of Applicable Persons are not considered to involve engaging in regulated activity with children under 18 regularly as defined by the relevant legislation.

3.6.5. Full definitions of regulated activity in relation to children, including definitions of regularity, can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

3.7. *Regulated activity in relation to adults at risk*:

3.7.1. Regulated activity in relation to adults identifies activities provided to any adult which, if any adult needs them, will mean that the adult will be considered at risk at that particular time. There is no longer a requirement for a person to carry out regulated activities a certain number of times before they are deemed to be engaging in regulated activity in relation to adults. Any time a person engages in one or more of the activities set out below in relation to any adult, they are deemed to be engaging in regulated activity and that adult is deemed to be at risk at that time:

- a) providing health care (whether physical or mental, including palliative) provision by any health care professional who is regulated by General Medical Council, General

Dental Council, Nursing and Midwifery Council, Health Professions Council;

- b) providing psychotherapy and counselling of a professional nature which is related to health care the adult is receiving from, or under the direction or supervision of a health care professional;
- c) providing first aid, when any person administering it is doing so on behalf of an organization established for the purpose of providing first aid (e.g. Red Cross);
- d) providing personal care as a result of physical or mental illness, including physical assistance with eating or drinking, going to the toilet, washing, bathing, dressing etc., or supervising, training or providing advice/guidance to an adult to undertake these activities themselves where they cannot make the decision to do so unprompted;
- e) providing social work;
- f) assisting with general household matters (e.g. managing a person's money, paying their bills, shopping on their behalf);
- g) assisting in the conduct of a person's affairs (e.g. undertaking lasting or enduring power of attorney for an adult under the Mental Capacity Act 2005, being an independent mental health advocate etc.); or
- h) conveying (e.g. driving a person specifically for the purpose of conveying them to and from places to receive care as detailed above).

3.7.2. The roles of Applicable Persons are not considered to involve engaging in regulated activity with adults as defined by the relevant legislation.

3.7.3. Full definitions of regulated activity in relation to adults can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf

4. Roles

- 4.1. The Head of Central Services is the Federation's designated Safeguarding Officer who shall take responsibility for the policy and will promote the importance of safeguarding within the Federation. The responsibilities of the Safeguarding Officer are outlined in Annex B.
- 4.2. Given the complexity of safeguarding matters, it is essential that any concerns be reported to the Safeguarding Officer to ensure that one person has access to all the relevant information. This is particularly important where a number of seemingly minor issues may collectively give rise to a more substantial concern.
- 4.3. Any complaint or accusation made about the Safeguarding Officer will be considered independently by the Chair of the Board.

5. Planning activities

- 5.1. No high-risk activities are anticipated.
- 5.2. It is the responsibility of the Safeguarding Officer to retain oversight of regulated activities within the Federation and to ensure that:

- 5.2.1. appropriate training and supervision is available to those Applicable Persons engaging in regulated activities;
- 5.2.2. occasions in which those engaged in regulated activities will need to work alone in an unsupervised way are minimised;
- 5.2.3. regulated activities are appropriately risk assessed; and
- 5.2.4. children and adults receiving the provision of regulated activities are given clear information about how, and to whom, they can report any safeguarding concerns.

6. Risk Assessment

6.1. It is the responsibility of the Safeguarding Officer to ensure that:

- 6.1.1. a risk assessment is undertaken for regulated activities (the assessment should consider how the risks identified can be minimised or eliminated, outline the local processes for reporting concerns, take account of health and safety considerations and record training requirements);
- 6.1.2. completed risk assessments are made available to Applicable Persons who are engaged in the activity; and
- 6.1.3. the implementation and review of actions identified within a risk assessment are undertaken in a timely manner.

7. Induction and training

7.1. It is the responsibility of the Safeguarding Officer to ensure that:

- 7.1.1. any Applicable Person working on behalf of the Federation within their area is made aware of the existence of this policy and asked to familiarize themselves with the contents as part of their induction;
- 7.1.2. any Applicable Person working on behalf of the Federation within their area who engages in a regulated activity completes safeguarding training, together with any additional training that may have been identified by any relevant risk assessment processes; and
- 7.1.3. record and monitor the safeguarding training undertaken by Applicable Persons working on behalf of the Federation in their area.

8. Disclosure and Debaring Service (DBS) checks

- 8.1. The Federation will not normally undertake DBS checks on Applicable Persons. Checks will be required for Applicable Persons undertaking any Regulated Activity in relation to children or adults.
- 8.2. It is the responsibility of the Safeguarding Officer to ensure a satisfactory DBS check is received before any Applicable Person undertakes Regulated Activity.

9. Arrangements for supporting students under the age of 18

- 9.1. The Federation does not support students under the age of 18.

10. Raising a concern or allegation of abuse

- 10.1. Any person involved in the work of the Federation is encouraged to raise a concern or make an allegation of abuse by speaking to the Safeguarding Officer as a matter of course.

11. Procedure for dealing with suspicions or allegations of abuse

- 11.1. Those working with children and engaged in regulated activities may:
 - 11.1.1. have alleged abuse disclosed to them;
 - 11.1.2. suspect abuse is being carried out; or
 - 11.1.3. be accused of abusing those in their charge.
- 11.2. Whilst these issues may require very different courses of action, it is essential that the safety and welfare of the child or adult at risk are prioritised.
- 11.3. The Safeguarding Officer has responsibility for ensuring that they (or a nominated deputy) are available during normal working hours to respond to allegations without delay, and for procedures to be in place should issues arise outside of normal working hours.
- 11.4. In the event there is a risk of immediate serious harm to a child or adult at risk, the emergency services should be contacted without delay. The Safeguarding Officer should then be notified of the case.
- 11.5. Where a child or adult at risk discloses alleged abuse, or a member of the Federation suspects abuse which is not deemed to be an emergency, this should be referred immediately to the Safeguarding Officer who will consider what action is required. Such a referral should be made even where concerns are seemingly minor; in some instances it is a pattern or range of minor incidents which, when taken together, might amount to a more significant concern requiring investigation. It is therefore vital that the Safeguarding Officer is privy to all concerns as they arise.
- 11.6. Appropriate records will be retained by the Safeguarding Officer in accordance with the Federation's Data Protection Policy. Where the matter relates to both staff and students, the Safeguarding Officer will determine where the file should be kept.
- 11.7. In consultation with the Chair of the Board the Safeguarding Officer will be responsible for contacting any relevant statutory agencies or the police, if necessary. The Safeguarding Officer will also have responsibility for fulfilling any legal obligations to report an individual to the DBS.
- 11.8. The Federation is not expected and should not attempt to investigate allegations of abuse independently.
- 11.9. Where a suspicion needs to be investigated by the relevant authority, it may be necessary for the Federation to do one or more of the following:
 - 11.9.1. move the victim of an alleged safeguarding breach to a safe place;
 - 11.9.2. suspend the individual(s) about whom an allegation or suspicion has arisen;
 - 11.9.3. prevent the individual(s) about whom an allegation or suspicion has arisen from

engaging in any regulated activities.

11.10. Serious safeguarding breaches may constitute gross misconduct under the Federation's disciplinary policy and may lead to summary dismissal.

12. Relevant legislation

The following legislation and statutory guidance is relevant to this policy because it has influenced its introduction and/or its content:

- Health and Safety at Work Act 1974
- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Police Act 1997
- Protection of Children Act 1999
- Management of Health and Safety at Work Regulations 1999
- Human Rights Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Protection of Freedoms Act 2012
- Working Together to Safeguard Children (DfE, 2015).

The Protection of Freedoms Act 2012 is of particular importance as all decisions made to bar individuals from working with children or adults at risk are now made by the Disclosure and Barring Service (DBS).

Safeguarding Policy, Annex A

Guidance for those acting on behalf of the Federation carrying out activities involving children or adults at risk.

This guidance should be read in conjunction with the Federation's Safeguarding Policy.

General considerations

If you are acting in a position of trust with children or adults at risk, you are expected to be mindful that you are acting as a role model and therefore should behave accordingly.

Care should be taken to ensure that your conduct is appropriate to each circumstance and environment as well-intentioned actions can be misinterpreted.

All regulated activities should have undergone a risk assessment process, and you should have a copy of the relevant risk assessment which will identify the person to whom any concerns should be addressed promptly.

In your role you may become aware of, or suspect another person of abusing a child or adult at risk or they may disclose an allegation of abuse to you. You should raise any concerns with the Safeguarding Officer directly.

Allegations of inappropriate behaviour may also be made against you, and such allegations will need to be investigated, and may result in referral to external agencies.

Safeguarding of children and adults at risk

You should:

- treat everyone within the Federation community with respect;
- provide an example of good conduct you would wish others to follow;
- ensure you have completed any required training and that you know what you should do if a child or adult at risk makes a disclosure to you;
- ensure you are familiar with any relevant risk assessment(s) and understand who the key contact is for the activity you are engaged in;
- give due regard to cultural difference;
- be alert to and tackle inappropriate behaviour in others, including peer-to-peer behaviours. Abusive behaviour such as bullying (including cyber-bullying), ridiculing or aggression should not go unchallenged;
- if you have to give feedback, take care that it is not unnecessarily negative;
- avoid being in a situation where you are alone with a child and make sure that others can clearly observe you;

- take care that your language is not phrased so as to be open to inappropriate connotation;
- report any suspicions promptly and confidentially to the Safeguarding Officer, or in the event that the suspicions/allegations involve that person, to the Chair of the Board; and
- deal with information sensitively and be aware that special caution may be required in moments when discussing sensitive issues with children and adults at risk.

You should not:

- engage in, or allow, any form of unnecessary physical contact. This would include doing personal things for a child or an adult at risk that they can do for themselves. Where the person is disabled, tasks should only be carried out with the full consent of the individual, (or, if a child, their parent);
- use inappropriate language, or allow others to use it without challenging it;
- allow yourself to be drawn into inappropriate attention-seeking behaviour;
- show favouritism to any individual;
- rely on the Federation's good name to protect you;
- engage in any physical sexual relationship with a person to whom you are in a position of trust, even if they give their consent;
- normally give your personal contact details (such as personal phone number, home address, email, or other communication routes) to a child or adult at risk, or use any unofficial route to communicate with a child or adult at risk. There may be occasions where, for overwhelming pastoral reasons such information could be shared;
- interact in a personal capacity with children or adults at risk outside of the regulated activity, including through any form of social media, for example, by becoming 'friends' on Facebook;
- allow allegations of inappropriate behaviour to go unchallenged, recorded or acted on;
- allow personal preconceptions about people to prevent appropriate action being taken;
- accept gifts which could in anyway be considered a bribe or inducement to enter into a relationship or give rise to an allegation of improper conduct against you; or
- take photographs, or make other recordings of at children or adults at risk without specific written consent of the individual, or someone with parental responsibility for that individual.

You should seek advice from the Safeguarding Officer if:

- you suspect a relationship is developing which may be an abuse of trust;
- you are worried that a child or adult at risk is becoming attracted to you or a colleague;
- you think a child or adult at risk has misinterpreted something you have done or said;

- you have had to physically restrain a child or adult at risk to prevent them from harming themselves, another person or causing significant damage to property;
- a child or adult at risk tells you that they are being abused, or describes experiences that you consider may be abuse;
- you see suspicious or unexplained marks on a child or adult at risk or witness behaviours which are unusual or inappropriate.

Disclosures of allegations, or suspicions, of inappropriate behaviour

Consider the urgency of the situation: in the event there is a risk of immediate serious harm to a child or adult at risk, the emergency services should be contacted via 999. Anybody can make a referral in these circumstances. The relevant Safeguarding Officer should then be notified of the case and will need to determine whether to refer serious cases to the relevant authorities within one working day;

Remain calm, avoid expressions of anger or upset and ensure that the person knows you are taking them seriously. Reassure them that they are right to have told someone, but do not touch them (for example by putting an arm round them).

Do not try to investigate or act on the matter yourself: doing so may seriously compromise an investigation by the relevant authorities. You need only clarify what is being said to you (in order to establish that there is a suspicion of harm), and then refer the matter to the appropriate individual as set out in the policy.

Be supportive but do not promise absolute confidentiality. A duty of care obliges the Federation to act on information where a safeguarding issue has been identified and this takes precedence over the need for confidentiality. Explain that, in order that the allegation can be addressed you will have to talk to other people about it. Explain who you will talk to.

Avoid 'leading' questions, or expressing a view about what you have been told.

Use clear language, appropriate to the person you are dealing with.

Do not talk to anyone else about the matter; if you need to seek support for yourself you should speak to the Safeguarding Officer.

Write down what you have been told as soon as possible. In all events this must be done on the same day but this should not delay prompt action. Write down exactly what was said in the person's own words as far as possible, include the time, place, and as much detail as you can remember, but ensure that the note is as factual as possible and avoid assumption, speculation or opinion. Sign and date the note. Bear in mind that the note will be disclosable to both internal and external agencies.

Safeguarding Policy, Annex B

Role of Safeguarding Officer

This guidance should be read in conjunction with the Federation's Safeguarding Policy.

The role of the Safeguarding Officer is as follows:

1. To raise awareness by:
 - reviewing on a regular basis the activities of the Federation's involving children or adults at risk;
 - acting as a senior strategic figurehead for Safeguarding issues at the Federation;
 - ensuring that the Safeguarding Policy is implemented, and promulgated;
 - ensuring regular review of the Safeguarding Policy, at least annually, including making recommendations for the amendment of the Policy in line with changes to legislation, when required.

2. To manage referrals by:
 - keeping an accurate record of any incidents or matters that raise issues concerning the protection of children or adults at risk, in line with the Federation's policy on data protection and retention;
 - advising and taking appropriate action in the event that allegations of abuse are made in the contexts set out in the policy;
 - liaising with external agencies where appropriate; and
 - ensuring that those involved in any case are appropriately supported.

3. To undertake and promote appropriate training by:
 - engaging in training to ensure that knowledge is kept up to date;
 - ensuring that appropriate information and training are available to members of the Federation who in the nature of their role will come into contact with adults at risk and children.

The Safeguarding Officer will be responsible for identifying roles within the Federation for which a DBS check is required.

The Safeguarding Officer will report annually to the Board on matters concerning the protection of children and adults at risk and on the operation of the Federation's Safeguarding Policy.