

Safeguarding Children and Young People

1 INTRODUCTION

This Introduction is taken from the Executive Summary of *Safeguarding Children: Guidance for English Higher Education Institutions (HEIs), DIUS 2007*:

The Government's Every Child Matters agenda aims to ensure that every child attains their full potential. Safeguarding children from harm plays an important part in meeting this goal. Safeguarding is also relevant to meeting any duty of care that the Higher Education Institution (HEI) may owe towards children (i.e. those aged under 18) with whom it has contact. The term safeguarding is outlined as putting in place 'arrangements to take all reasonable measures to ensure that risks of harm to children's welfare are minimised'.

Legislation

There is no legislation in the area of safeguarding that is directed specifically at HEIs. However, some pieces of legislation and, in some circumstances, the common law, place responsibilities on organisations in general, and the forthcoming Independent Safeguarding Authority Scheme will have an impact on HEIs. It is for HEIs to make sure that they know about their legal responsibilities and how to comply with them, and to ensure that they are doing so.

Roles and Responsibilities

Effective safeguarding practice starts with having in place effective procedures. Lines of responsibility should be clear, with leadership from the highest level. Representatives from across the HEI should be involved in implementation and in contributing to a culture in which safeguarding is discussed openly. Staff with particular responsibilities will need appropriate training, and all staff need to be aware of the HEI's policies and procedures.

2 PURPOSE

The University of Chichester seeks to ensure that its duty of care towards all its staff, students and visitors is fully and effectively discharged, particularly in respect of those regarded in law as more vulnerable. Anyone under 18 years of age is, as a matter of law, defined as a child; and the University recognises it has an enhanced duty towards children. The University has agreed a set of guidelines to work towards ensuring fulfilment of duty of care towards under 18-year-olds, which all members of staff who come into contact with children are responsible for complying with.

These guidelines are supplemented by other University policies and procedures which should be read with this document, and some are listed at the end of the document. These guidelines are also underpinned by detailed procedures which are, or will be, developed by those areas in which under 18s regularly or routinely come into contact with staff who, in the course of their duties, have the potential to be placed in a relationship of trust.

3 BACKGROUND: LEGAL CONTEXT AND GENERAL PRINCIPLES

UK Statute Law defines a child as a person under 18 years of age. The traditional view of duty of care towards children, the *in loco parentis* duty, has been changed and the professional duty must be towards 'safeguarding'. Safeguarding means that agencies – such as the University - working with children should take all reasonable measures to ensure that risks of harm to children's welfare are minimised. It also means that everyone should be clear about responsibilities including:

- The parents or guardians of students of the University who are under 18 years of age
- The parents or guardians of children who come onto the University's campuses as visitors (including the children of staff or students)
- Third parties who may use University facilities for under 18s such as Summer Schools

Where there are concerns, all agencies should take appropriate action to address those concerns.

The responsibility for safeguarding rests with all those who come into contact with children and families in their everyday work.

Safeguarding within the University context includes:

- ensuring a safe and secure environment
- enabling parents/carers to have confidence in the institution's care for under 18-year-olds
- ensuring a quick and appropriate response to any child suffering from or who has suffered from significant harm as a consequence of their interaction with the University
- preventing anyone who is unsuitable to work with children from doing so; and

- working cooperatively with other agencies that provide services for children

It should be noted that whilst universities are not included specifically in some elements of the existing legislation, courts may use guidance issued within the secondary and further education sectors as an indication of good practice to assess whether there has been a breach of the duty of care to children by universities.

4 POLICY STATEMENT

The University does not accept an *in loco parentis* responsibility for children.

The University does however recognise that it has special duties of care towards children. It is committed to practice that protects children, young people and vulnerable adults from harm and that helps ensure that members of its community who work directly with children or young people are not placed in situations where abuse might be alleged.

The University seeks to take every reasonable step to safeguard children by:

- Identifying a Lead Safeguarding Officer (Director of Student and Academic Services) and an Under 18s Coordinator (Head of Student Support Services); Departmental/Faculty Officers are also identified in relevant areas such as Business Services
- Adopting and publicising child protection guidelines through a set of staff protocols (below)
- Vetting and training people who work directly with children and young people:
 - All University staff are subject to a CRB check on appointment
 - Contractors are asked to ensure that their staff are CRB checked or that they work only where an appropriate risk assessment has been made, and to University guidelines
 - The Students' Union takes responsibility for staff employed by the SU who may come into contact with children and young people
- Ensuring that the University's Admission Policy has clear procedures for the admission of any person under 18:
 - The attention of parents/guardians will be drawn to this Policy on Safeguarding Children and Young People and the University's responsibilities
 - The parent/guardian will agree that they:
 - Understand the nature of the University environment and the nature of study to be pursued
 - Will take responsibility for the debts of applicant/student until such time as they reach the age of 18
 - Will provide clear contact details to the University
 - The Subject Leader will review, and keep under active review, the content of the programme of study to ensure that there is no inappropriate material, placement or other activity for a person under 18
 - Arrangements can be made (if necessary) to administer any non-prescription drugs brought onto campus by a student under the age of 18
- Putting in place appropriate procedures and guidelines for students under 18 accommodated in halls, in non-University managed residences or on campus through third-party use of University facilities
- Ensuring that any student under 18 can be identified and prevented from buying alcohol on campus
- Reviewing and publicising the University's regulations governing student discipline and its expectations of the behaviour of all students

Where University facilities are used by a third party for Under 18s, such as for Summer Schools, the University will ensure that organisers are clear about their responsibilities for safeguarding children in their care.

Where children of students or staff members are present on the University campus, they remain the responsibility of their parent(s)/guardian(s), unless they have been placed in a childcare, playscheme or similar facility.

Where children of visitors are present on the University campus, they remain the responsibility of their parent(s)/guardian(s), unless they have been placed in a childcare, playscheme or similar facility.

5 PROTOCOLS FOR THE MANAGEMENT OF UNDER 18s ON CAMPUS

- Situations where there is only one staff member present with a child should be avoided. On the occasions when a confidential interview or one to one meeting is necessary, these should be conducted in a room where the exit is clearly visible and, where possible, the door to the room is left open
- Meetings with any student under the age of 18 outside the normal teaching environment/ institution should be avoided. Where such meetings cannot be avoided, inform another staff member that they are taking place (see *the University's policy on Consensual relationships*)
- Intimate or sexual relationships between staff and students under the age of 18 are an abuse of trust which may constitute a criminal offence

- In situations where young students may be providing information of a particularly sensitive nature, for example to staff with pastoral responsibility, staff should be careful not to probe for details which could be construed as unjustified intrusion
- Unnecessary physical contact with young people/children should be avoided, for example, gestures such as regularly putting a hand on the shoulder or arm. Whilst these gestures may be well intentioned, such acts could be misinterpreted
- In situations where it is necessary for staff to restrain a young person/child in order to prevent self-injury, injury to others or damage to property, only the minimum force necessary must be used and any action taken must be only to restrain
- Staff required to administer first aid (normally a trained first aider) should ensure, wherever possible, that another member of staff is present if they are in any doubt as to whether necessary physical contact could be misconstrued
- Staff should be careful in their use of language/terminology and must not make unnecessary comments which could be interpreted as having a sexual connotation
- There will be occasions when younger students are placed in settings outside their normal place of study. This may be a professional placement, field trip, summer school, masterclass or 'taster' event. Organisers must therefore ensure that policies and procedures are in place to protect young people/children from harm, focusing greatest protection on settings in which they may be at most risk (see separate Health and Safety *Guidance on placements and field trips*)
- The personal telephone number, personal email or home address of any staff member should not be given to young students
- In the case of any student making a disclosure or where there is cause for concern, explain to the student that this information will have to be referred on and follow the guidance in the following section. Do not attempt to resolve any complaints alone and report all allegations or suspicions of abuse (see *Student Services policy on confidentiality*)
- If a member of staff feels that they or other members of the University may be at risk from being the subject of or exposed to unwarranted accusations in connection with younger students, they should alert their line manager

6 RESPONDING TO CONCERNS ABOUT A CHILD OR YOUNG PERSON'S WELFARE

Categories of concern about a young person's welfare

A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Some children or young people may be more vulnerable than others, and this can influence how the University will respond to concerns about their welfare. Abuse may be physical, emotional, or sexual. Neglect is also abuse.

Process for reporting concerns about a child's welfare

Concern may arise because:

- a young person discloses abuse,
- a young person abuses another young person
- the behaviour of a member of staff towards a young person causes concern or there is suspicion that a member of staff is harming a child
- there are suspicions or indicators that a young person is being abused. It is important to be aware that indicators of abuse can be very difficult to recognise and the list below is not exhaustive. It is also very important to note that the presence of one or more of the indicators is not proof that abuse is taking or has taken place. It is not an individual staff member's responsibility to decide whether a child has been abused, but only to raise concerns that they may have. Indicators of abuse may include the following:
 - unexplained or suspicious injuries (such as bruising, fractures, scalds, pinch marks, or bites - particularly if situated on a part of the body not normally prone to such injuries)
 - unexplained behaviour changes (e.g. becoming withdrawn or aggressive)
 - inappropriate sexual awareness, sexually precocious behaviour or pregnancy
 - distrust of adults, particularly those with whom a close relationship would normally be expected
 - self harm or mutilation or suicide attempts
 - eating problems
 - depression
 - becoming increasingly dirty or unkempt

Staff members should stay calm, listen, be reassuring, record information and seek support.

Any concerns about a child's welfare should be reported (see flowchart).

7 OTHER RELEVANT UNIVERSITY POLICIES AND PROCEDURES

- Admissions
- Consensual Relations
- Drugs and Alcohol (under development)
- Equality and Diversity
- Harassment
- Health and Safety
- Data Protection
- Risk Management

Published at <http://www.chiuni.ac.uk/governors/Policies.cfm>

WHAT TO DO IF YOU ARE WORRIED ABOUT A CHILD OR YOUNG PERSON UNDER 18

