

## THE UNIVERSITY OF LEEDS

### **Policy on safeguarding children, young persons and adults in vulnerable circumstances**

*This policy has been formulated for the protection of any children, young persons or adults in vulnerable circumstances who come into contact with the University, but it is also intended to safeguard the interests of staff and students who work or come into contact with vulnerable persons. Procedural guidance is to be<sup>1</sup> set out in associated protocols.*

#### **Introduction**

1. The University is committed to ensuring so far as is reasonably practicable the safety of children<sup>2</sup>, young persons<sup>3</sup> and adults in vulnerable circumstances<sup>4</sup> who are on its property or who are engaged in University activities at any location. In particular, the University requires that an appropriate risk assessment is completed for all activities organised for children, young persons and adults in vulnerable circumstances, or before any young person or child is admitted as a student of the University.

#### **Activities organised for children, young persons or adults in vulnerable circumstances**

2. No activity may be organised for children, young persons or adults in vulnerable circumstances (or for groups which might reasonably be expected to include some such persons) without the prior permission of the head of the school or service organising the activity. Such activity must be organised in accordance with the University Risk Management of Events Protocol ([http://www.leeds.ac.uk/safety/events/events\\_intro.htm](http://www.leeds.ac.uk/safety/events/events_intro.htm)) or other approved local procedures.
3. All University activities should be subject to risk assessment under the University's health and safety policy. The head of the school or service organising an activity (or other event) specifically for children, young persons or adults in vulnerable circumstances (or for groups which reasonably be expected to include some such persons) must ensure
  - (a) that the risk assessment is carried out in accordance with the guidance set out in the *protocol on organising activities for children, young persons or adults in vulnerable circumstances*, taking into account risks to staff as well as to children, young persons or adults in vulnerable circumstances;
  - (b) that responsibilities for controlling any identified risks are set out clearly in writing and made available to staff and to any others assisting in the activity (for example, students or other volunteers); and, in particular,
  - (c) that appropriate training is provided;
  - (d) that Disclosure and Barring Service (DBS) checks are carried out in accordance with 9 below.

#### **Admission of young persons or children as students of the University**

4. No child or young person may be registered as a student of the University unless and until an individual risk assessment has been completed in accordance with the *protocol on the admission of young persons or children*, this assessment to include
  - (a) details of any training to be provided to those coming into contact with the student
  - (b) the delineation of responsibilities for control measures.

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<sup>1</sup> These will be available in late spring, but in the meantime all enquiries relating to operation of the Policy should be directed to Caroline Coulesy in the Legal Adviser's Office

<sup>2</sup> For the purposes of this policy, a **child** is any person under the age of 16 years but under the Children Act 1989 is anyone under 18

<sup>3</sup> For the purposes of this policy, a **young person** is a person aged 16 or 17 but under the Children Act 2004 is defined as a child

<sup>4</sup> As defined in the Safeguarding Vulnerable Groups Order 2007 and as amended by the Protection of Freedoms Act 2012  
<http://www.dhsspsni.gov.uk/regulated-activity-adults.pdf>

5. In the case of a child, the risk assessment must be completed to the satisfaction of the University Secretary. In the case of a young person, the risk assessment must be completed to the satisfaction of the admissions officer responsible for the school concerned, with advice as appropriate from the Equality Service.
6. Any child or young person admitted as a student shall be assigned a personal tutor who shall meet the student at least as often as specified in the risk assessment and in the *protocol on the admission of young persons or children*.
7. Unless she or he is resident with her or his parents, any child or young person admitted as a student shall be required to live in such hall of residence as may be specified in accordance with the *protocol on the admission of young persons or children*.

### **Employment of young persons, and work experience**

8. A written risk assessment shall be completed by the head of the relevant school or service before any young person is employed by the University or any child or young person is offered 'work experience' in accordance with the provisions of the relevant HR policies.

### **Disclosure and Barring Service (DBS) checks**

9. The University will take all reasonable steps to ensure that persons who are unsuitable to work with children, young persons and adults in vulnerable circumstances are prevented from doing so. The University is registered with the DBS and will conduct checks as appropriate in accordance with relevant legislation. For UK nationals who have lived overseas and those who are non-UK nationals, a suitable check will also be required from each country of residence in addition to the DBS check. Any role which involves Regulated Activity<sup>3+5</sup> and/or significant contact with children, young persons or adults in vulnerable circumstances must be assessed by the person authorising such work or employing new members of staff (or volunteers acting as agents of the University) to carry out such work. The purpose is to determine whether, and at what level, such checks should be carried out. A satisfactory check must be received by the University before any work deemed to require a check is carried out.
10. Roles which may be defined as Regulated Activity in relation to children or young persons include unsupervised<sup>6</sup> teaching, training, instruction, care for or supervision of a child or driving a vehicle only for children. Several factors need to be taken into account in order to determine eligibility for a DBS check, and the appropriate level and type, including the frequency and level of supervision of the activity in question. In addition, other roles involving significant contact with Children may be eligible for a check. Examples include (but are not limited to):
  - (a) Personal Tutor of a child or young person;
  - (b) Supervision of a child engaged in outreach activities; Summer camp staff ;
  - (c) Link tutors in schools; PhD students conducting research in schools;
  - (d) Appointment as warden, sub-warden, hall manager or equivalent and night porters in a hall of residence designated for accommodating children or young persons; Certain security roles
  - (e) Disability advisers, mentors and personal assistants;
  - (f) Managers of staff who are in Regulated Activity;
  - (g) Swimming instructors and climbing wall tutors involved in provision of children's clubs;
  - (h) Students on various programmes including nursing, medicine, social work, dental, PGCE.

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<sup>5</sup> <http://www.dhsspsni.gov.uk/regulated-activity-children.pdf>

<sup>6</sup> <http://media.education.gov.uk/assets/files/pdf/s/supervision%20guidance%20revised%20sos%20sept%202012.pdf>

11. If there is any doubt as to whether a DBS check is to be made or the appropriate level of check, guidance must be sought from relevant Countersignatories or the University Lead Countersignatory, as appropriate.
12. The definition of Regulated Activity relating to adults<sup>3</sup> now focuses on the activities required by the adult which may make them vulnerable. Roles include provision of healthcare, personal care, social work, assistance with general household matters and conduct of a person's own affairs and transportation in certain situations.
13. In certain circumstances described below at (a) and (b), the University is under an obligation to notify the DBS. Any staff with knowledge of the circumstances at (a) or (b) below must report the facts to the nominated senior officer detailed at 18 below. The nominated senior officer shall then notify the DBS. The circumstances are
  - (a) in the event of terminating a member of staff's involvement in activities involving children, young persons or adults in vulnerable circumstances, as a result of suspected abuse, harm or risk thereof OR
  - (b) where such action would have been taken had the member of staff not voluntarily ceased to participate in such activity.
14. DBS checks are only one method of promoting safeguarding and fulfilling the aims of this Policy. They should not be considered as a substitute for, but rather an enhancement to, the measures set out in the respective associated protocols and guidance notes.

### **Research engaging children, young persons or adults in vulnerable circumstances**

15. No research using (or otherwise engaging) children, young persons or adults in vulnerable circumstances may be carried out without the permission of the relevant faculty ethics committee and the head of the school concerned. The head of the school concerned shall be responsible for ensuring that a satisfactory written risk assessment is completed and that control measures specified therein are effected.

### **Notification of incidents**

16. Any unusual incident involving a child, young person or adult in vulnerable circumstances must be reported immediately to the head of the school or service concerned (or the person to whom such role has been delegated in accordance with 2 or 4(b) above) who will then report in accordance with the procedures set out in the relevant protocol. An 'unusual incident' is one which might reasonably give grounds for concern about the health, safety or welfare of the individual concerned, or which entails a departure from the control measures specified in the relevant risk assessment, or which is an event not foreseen in the risk assessment.

### **Corporate responsibilities**

17. Faculty deans and heads of service groups must ensure that staff are aware of this policy.
18. The nominated senior officer with responsibility for safeguarding children and adults in vulnerable circumstances is Roger Gair, the University Secretary