UNIVERSITY OF HUDDERSFIELD

POLICY & PROCEDURE
FOR THE SAFEGUARDING OF CHILDREN AND VULNERABLE ADULTS

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<th>Version:</th>
<th>Rev 12</th>
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<tbody>
<tr>
<td>Policy Owner(s)</td>
<td>University Secretary (VCO)</td>
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<td>Policy Approved by</td>
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<td>Date of Approval</td>
<td>19.11.15</td>
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<td>Date for review</td>
<td>19.11.17</td>
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1.0 POLICY STATEMENT

1.1 In accordance with the Safeguarding Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012 and associated legislation, the University of Huddersfield has a statutory duty to safeguard and promote the welfare of children and vulnerable adults and recognises that:

- The safety and welfare of children and vulnerable adults is of paramount importance.
- Everyone who works with children and vulnerable adults has a responsibility to safeguard their welfare and report any concerns through appropriate channels.
- The University should respond quickly and appropriately to allegations of abuse.
- Staff, students and volunteers must be protected from unsubstantiated allegations of abuse.
- Anyone who is unsuitable to work with children and/or vulnerable adults should be identified by whatever legal means is available to the University and prevented from doing so.
- The University has a responsibility to work with other agencies providing services for vulnerable individuals to combat and prevent abuse.

1.2 This policy and code of practice will be regularly reviewed and updated to take account of changes in legislation and applicable case law.

2.0 SCOPE AND DEFINITIONS

2.1 This document applies to all staff, students and volunteers whether or not they have regular contact with vulnerable groups.

2.2 This document has been formulated with the primary purpose of ensuring that vulnerable people can disclose incidents of abuse in the knowledge that they will be taken seriously and treated in a sensitive and confidential manner by the University.

2.3 This policy sets out the procedure to follow in where abuse is disclosed by, or about a member of the University or where the disclosure takes place whilst involved in University activities as described in clause 3.2. Details of the appropriate contacts are set out at Appendix H.

2.4 It is recognised that some members of the University will have a duty to report incidents of abuse outside the scope of this policy and this policy should be read in conjunction with any professional guidelines or additional requirements laid down by a particular school or service.
2.5 If you become aware of abuse which is outside the scope of this policy, you should refer this to social services or, if in doubt, discuss the issue with the Vulnerable Groups Safety Officer.

2.6 In addition to professional responsibilities, members of the University who go on a placement will become subject to the placement provider’s vulnerable groups policy and the placement provider’s policy will take priority. If the placement provider doesn’t have a policy, or you are concerned or unsure of who to report to, discuss any issues with the Vulnerable Groups Safety Officer.

2.7 The purpose of this policy is to set out the procedures to follow when reporting allegations of abuse in relation to children and vulnerable adults. It is not intended to cover concerns about individuals who may be being drawn into extremism or terrorism, which is covered by a separate policy, the Prevent Policy. The University recognises that occasionally concerns may arise about a situation which falls under both policies. In such case, a person should report under the policy they feel is most suitable and note their concerns in that report. The Vulnerable Groups Safety Officer and Prevent Co-ordinator will then notify each other of the concerns and jointly agree a course of action.

2.8 The majority of the University’s staff, students, contractors and volunteers are not trained or qualified in issues relating to vulnerable groups and, for this reason, the main aim of the procedure set out in this Policy is to ensure that disclosures of abuse are passed without unnecessary delay to trained professionals external to the University who are qualified to assess and manage such situations. In addition, it necessarily touches on the internal procedures which must be followed to ensure that any disclosure which raises issues specific to the University, its staff, students or volunteers is appropriately dealt with.

2.9 In this policy the following terms have the following meanings unless the context otherwise requires.

"abuse" see procedural guidance on relevant government websites for the most up to date information on what might constitute abuse. Examples of different types of abuse are provided at Appendix C.

"children" anyone who has not reached the age of 18.

"frequent" frequent, for the purpose of this legislation, means once a week or more on an on-going basis.

"period condition" the period condition is satisfied if the person carrying out the activity does so at any time on more than 3 days in any 30 day period or, in relation to the provision of teaching, training or instruction, care or supervision or advice and guidance, the person carrying out the activity does so at any time between 2am-6am and the activity gives the person the opportunity to have face-to-face contact with children or vulnerable adults.

"poor practice" behaviour falling short of abuse but giving cause for concern.

"regulated activity" for children, regulated activity refers to an activity of a specified nature that involves regular or close contact with children as further explained in Appendix B.
for adults, regulated activity is defined as work providing health care, personal care or providing assistance with money for adults or work which involves making welfare decisions on behalf of adults as further explained in Appendix A. where there is concern relating to harm, or the risk of harm to vulnerable groups.

"relevant information"

"staff" any person working for or on behalf of the University in an employed (or quasi-employed) capacity including full and part-time employees, agency workers etc but excluding volunteers.

"student" any student enrolled at the University or any visiting student.

"unsuitable" on DBS inspection, persons with their name included on the Disclosure and Barring Service barred lists will be deemed to be unsuitable to work with children and vulnerable adults.

"volunteers" any person working with or under the direction of University staff or otherwise working on a project or exercise for which the University is responsible

"vulnerable adult" a person who is over 18 years of age and is the subject of regulated activity as defined above.

"vulnerable groups, vulnerable person and vulnerable people" terms referring individually and collectively to children and vulnerable adults according to context.

3.0 CODE OF PRACTICE

3.1 This Code of Practice sets out the procedures to be followed to maintain the safety and welfare of vulnerable groups and to provide guidance when there is an allegation or suspicion of abuse whilst they are involved in University related activities

3.2 The requirement to report allegations of abuse of vulnerable persons under these procedures extends to allegations made or discovered during activities such as research, professional placements (where no clear placement policy is in place), widening participation and marketing activities in schools or FE colleges.

3.3 Recognising Abuse

3.3.1 Abuse is manifested in a variety of ways such as:

- Physical abuse
- Psychological abuse
- Sexual abuse
- Neglect
- Bullying
- Financial or material abuse
- Economic abuse
- Exploitation
3.3.2 Abuse might be perpetrated, for example, by family members, other children or adults in a position of authority. Further guidance on types of behaviour which might constitute abuse can be found in Appendix C to this policy.

3.3.3 The following may indicate that a child or vulnerable adult has been or is being abused:

- Unexplained or suspicious injuries
- An injury where the explanation for which appears contradictory
- A child or vulnerable adult describes an abusive act or situation
- Unexplained changes in behaviour
- A child or vulnerable adult appears distrustful of adults.
- A child or vulnerable adult behaves in an inappropriate or sexually explicit way
- A vulnerable person is withdrawn
- A child or vulnerable adult takes less care with their appearance

The Kirklees Safeguarding Children Board & Safeguarding Adults Board provide detailed information on the safety and welfare of children via their websites:

www.kirkleessafeguardingchildren.co.uk/
http://www.kirklees.gov.uk/community/careInKirklees/safeguardingAdultsBoard.aspx

3.4 Employees, Students and Volunteers etc.

3.4.1 The Disclosure and Barring Service (DBS) was established in December 2012 under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

3.4.2 When a member of staff, volunteer or student is involved in regulated activity with children and/or working in a regulated activity with adults, the University will seek an enhanced disclosure for regulated activity (with barred list check) from the DBS. Those having less contact with children will be subject to a standard disclosure. For further information on the definitions of regulated activity relating to children and adults please refer to Appendices A and B. The above will be undertaken in accordance with the University’s usual policies and procedures for recruitment and selection and any other relevant policies such as the Policy Statement on Staff Recruitment where Applicants are Ex-Offenders (see Appendix D of this policy and the Guide to the Disclosure and Barring Service – available to staff on the University’s website). Judgement on the suitability of persons will be made with information received and unsuitable persons will be prevented from attaining such a position.

3.4.3 All staff, students and volunteers who work closely with vulnerable people must be alert to the possibility that a vulnerable person may have been, or
may be at risk of being, abused. The University will offer appropriate training and guidance to such staff, students and volunteers. Such training may be given by agencies external to the University. All other staff will be made aware of the existence of University policies and procedures relating to vulnerable person protection issues.

3.5 Good Practice Guidelines

3.5.1 The following is a non-exhaustive list of examples which, if followed, will help staff, volunteers and students to avoid allegations being raised against them.

- Treat vulnerable people equally and with respect and dignity reflecting their age, background, experience and individual abilities and having regard to gender, ethnicity, culture and religion.
- Make activities enjoyable but promote mutual trust and respect and encourage the acceptance of responsibility by vulnerable people for their own behaviour.
- Work in an open environment, avoiding private or unobserved situations and avoid spending time alone with vulnerable people or groups.
- Maintain a professional approach ensuring the avoidance of inappropriate familiarity, touching and exchange of personal information. Do not smoke or consume alcohol in front of or whilst in a position of responsibility for vulnerable people.
- Where manual or physical support is required, parental/carer consent should be sought beforehand and the vulnerable person should be consulted throughout the giving of that support. Where this is not possible (for example emergency first aid) contact should be made openly and, preferably, in the presence of an adult witness.
- Keep accident/incident reports and details of any treatment administered.

3.5.2 Do not under any circumstances:

- do things of a personal nature for a vulnerable person which they can do for themselves
- ignore allegations made by a vulnerable person – act on and record them
- allow or engage in horseplay or sexually provocative games or inappropriate touching
- induce fear or behave in an oppressive manner with a vulnerable person
- Abuse your position of trust by engaging in a non-professional form of relationship, sexual or otherwise, even if the vulnerable person is over the age of consent.
- Disclose to a vulnerable person your personal details such as your home phone number or address (if it is necessary to provide such details, the Vulnerable Groups Safety Officer must be informed beforehand).
• use or allow inappropriate language/behaviour (including suggestions of a sexual nature) to go unchallenged.

3.5.3 Where appropriate, a risk assessment should be completed before any new activity is embarked upon that involves any form of contact with children or vulnerable adults.

3.6 Dealing with suspicions and allegations of abuse

3.6.1 To ensure that the University responds consistently and effectively to allegations or suspicions of abuse this procedure must be followed in each instance.

3.6.2 It is not the responsibility of any member of the University to decide whether or not abuse has taken place. It is however the responsibility of staff, students, contractors, volunteers and visitors to the University to report any concerns they may have to the Vulnerable Groups Safety Officer.

3.6.3 If the concerns relate to the Vulnerable Groups Safety Officer, then the matter should be referred to a designated person listed in appendix H, who will refer the matter to the local Social Care team.

3.6.4 The following list provides examples of incidents that must always be reported:

• A vulnerable person reports an allegation of abuse regarding a member of their family or someone involved in their home, school or social life
• A vulnerable person reports an allegation of abuse regarding a member of either the University or an external organisation using the University’s facilities
• A vulnerable person reports that they have had an accident or they have an accident whilst under your supervision
• You accidentally hurt a vulnerable person
• A vulnerable person appears to be sexually aroused by your actions or you are concerned that they are becoming attracted to you
• Concerns that a relationship is developing that could represent an abuse of trust
• Concerns that a colleague is becoming attracted to a vulnerable person
• A child or vulnerable adult seriously misunderstands or misinterprets your actions

3.6.5 If the process begins by a vulnerable person making a disclosure of abuse, ideally details should be taken in an open space, in the presence of another person, but having regard to the sensitive nature of the allegation and to the guidance in paragraph 3.6.6 below. Disclosure may not always occur in the circumstances or surroundings described above. In such cases the wishes and feelings of the vulnerable person should be ascertained as far as is reasonable and given due consideration before attempting to change
surroundings or personnel. Give consideration to whether anyone else should be present (for instance where the gender of the person receiving the complaint is different to that of the vulnerable person). If you do not feel comfortable taking details yourself, then contact the Vulnerable Groups Safety Officer.

3.6.6 When taking details from a vulnerable person about their concerns you should:

- Listen carefully and stay calm
- Clarify points raised using open questions (such as “who”, “what”, “when”, “where”) and do not put words into the person’s mouth
- Tell the vulnerable person that they are right to share what has happened
- Not interrupt the person when they are recalling significant events.
- Make a detailed note of the date, time and place that the conversation took place, what the vulnerable person said and did and the questions asked of the vulnerable person.

Reassure the vulnerable person and explain as soon as possible that the information may need to be shared. Promises of confidentiality must not be given but you should explain that the information will only be passed to those who need to know.

3.6.7 The person to whom a disclosure of abuse is made by a vulnerable person or who suspects that abuse is taking (or has taken) place should record details on form UOH/VGS/1 (see Appendix E). It is important that the matter is well documented (verbatim notes if possible) to avoid later confusion.

3.6.8 On completing form UOH/VGS/1 tell the vulnerable person what will happen next and with whom the information will be shared. Then take the form immediately (within 1 hour of the disclosure of abuse) to the Vulnerable Groups Safety Officer or in their absence to one of the designated people listed in Appendix H. Do not discuss the matter with anyone who does not strictly need to know unless instructed to do so by the Vulnerable Groups Safety Officer. In the event of uncertainty the Vulnerable Groups Safety Officer should be consulted before discussions take place.

3.6.9 If the concern arises out of hours, you should contact the Kirklees Emergency Duty Service on 01484 414933 and ensure the concern is reported to the Vulnerable Groups Officer by 9.30am the next working day.

3.6.10 Where there is an immediate risk of harm or need for medical treatment, call the police and ambulance and advise the attending officers/paramedics of your concerns. Then contact the Vulnerable Groups Safety Officer who will refer the matter to Social Services.

3.6.11 It is acknowledged that a person to whom a disclosure of abuse is made or who suspects that abuse is taking (or has taken) place might have professional/legal responsibilities which go beyond the requirements of this
policy. That person should adhere to the legal/professional procedures applicable to them but must still fill out form UOH/VGS/1 and report to the Vulnerable Groups Safety Officer no less than 1 hour after the disclosure of abuse has been made.

3.7 Role of the Vulnerable Groups Safety Officer

3.7.1 Within 1 hour of receiving details of a disclosure of abuse (either through receipt of form UOH/VGS/1, or verbal report in the case of emergencies), the Vulnerable Groups Safety Officer will make a telephone report to the duty Social Worker at the appropriate local branch of Social Services (or as required by the relevant Local Safeguarding Board Procedures for Children or Adults (as applicable)).

3.7.2 The Vulnerable Groups Safety Officer will make a written record of the telephone report on form UOH/VGS/2 (see Appendix F) and then send the form to Social Services within 24 hours (by e-mail as well as post), keeping a copy for University records which will be stored in accordance with the University’s retention policy.

3.7.3 It is not the responsibility of the University or any of its staff, students, contractors or volunteers to contact the parents or carers of the vulnerable person concerned. Enquiries from parents and carers should be directed to the Vulnerable Groups Safety Officer who will, unless otherwise instructed by the relevant authorities (police/NSPCC etc), refer these on to Social Services for a response.

3.7.4 The Vulnerable Groups Safety Officer is responsible for making reports of relevant information.

3.8 Allegations against a Member of Staff

3.8.1 On receipt of an allegation disclosed against a member of staff, the Vulnerable Groups Safety Officer will report the matter to the Human Resources Director (or nominee). This should occur as soon as possible.

3.8.2 In the event that an allegation is made outside this procedure, the Human Resources Director (or nominee) will advise the Vulnerable Groups Safety Officer using form UOH/VGS/1 as soon as possible (and in any event the same day) after the disclosure of abuse has been made.

3.8.3 The allegation will be investigated in accordance with the University’s disciplinary procedure.

3.8.4 In instances where the staff member is also a student, the guidance from section 3.9 below will be implemented in conjunction with this section.

3.8.5 In all cases in which it is alleged that a person who works with vulnerable groups has:

• behaved in a way that has harmed, or may have harmed, a vulnerable person
• possibly committed a criminal offence against, or related to, a vulnerable person; or
• behaved towards a vulnerable person or vulnerable people in a way that indicates s/he is unsuitable to work with children

the Human Resources Director (or nominee) shall liaise with the Local Authority Designated Officer (LADO) in accordance with statutory guidance in the government publications "Working Together to Safeguard Children" and "Care & Support Statutory Guidance" and shall take account of that guidance when implementing the staff disciplinary procedure in connection with such an allegation. If the allegations are founded, this will also result in a referral by the Vulnerable Groups Safety Officer to the DBS.

### 3.9 Allegations against a Student

3.9.1 On receipt of such an allegation, the Vulnerable Groups Safety Officer will report the matter to the appropriate Dean. This should occur as soon as possible (and in any event the same day) after form UOH/VGS/1 has been received.

3.9.2 The Dean will investigate the allegation under the disciplinary procedure set out in the Students' Handbook of Regulations applicable to the academic year in question.

3.9.3 If the allegations are founded, taking into account information received as a result of a police and/or children’s services/adult safeguarding investigation, the student will be subject to an appropriate sanction which may result in their permanent withdrawal from the course. This will also result in a referral by the Vulnerable Groups Safety Officer to the DBS.

3.9.4 In instances where students are employed by the University of Huddersfield, the guidance from section 3.8 above will be used in conjunction with this section.

### 3.10 Allegations against a Volunteer/Contractor/Visitor

3.10.1 On receipt of such an allegation the Vulnerable Groups Safety Officer will report the matter to the staff member responsible for the volunteer/contractor/visitor. This should occur as soon as possible (and in any event the same day) after form UOH/VGS/1 has been received.

3.10.2 The staff member responsible for the volunteer etc. will take appropriate action, pending an investigation which might include suspension of the volunteer, termination of the contractor and/or a prohibition on entering University of Huddersfield premises if appropriate and contacting any organisation responsible for placing the volunteer or contractor with the University.

3.10.3 If the allegations are founded, taking into account any information received as a result of a police and/or children’s services/adult services investigation, the volunteer or contractor may be banned from University of Huddersfield
premises permanently. This will also result in a referral by the Vulnerable Groups Safety Officer to the DBS.

3.10.4 Allegations against volunteers who are also University staff or students will also be subject to the relevant procedures in Sections 3.8 and/or 3.9.

3.11 Referrals

3.11.1 The Vulnerable Groups Safety Officer must refer relevant information to the DBS as soon as it becomes available. Failure to refer, without a reasonable excuse, is punishable by a fine. The Safeguarding Vulnerable Groups Act 2006 requires a report to be made in the following circumstances:

- Employers and service providers of regulated and controlled activity have a legal obligation to refer relevant information where there is concern relating to harm or the risk of harm to children or vulnerable adults, to the DBS.
- Employers and service providers must refer information to the DBS when they have dismissed an individual, or an individual resigns, because they harmed, or may harm, a child or vulnerable adult.
- If the employee would or could have been sacked on grounds that could lead to barring, the employer must refer the employee to the DBS even if the employee has stopped working for them.

Guidelines for such referrals and the appeals process can be found at Appendix G

3.11.2 It is a serious offence to make a malicious referral with an intention to mislead. A person found guilty of this may be subject to defamation and damages claims. Criminal sanctions, which include offences relating wasting police time, perverting or attempting to pervert the course of justice, conspiracy and perjury, could also apply.
Appendix A

**Definition of Regulated Activity Relating to Adults**


A vulnerable adult is a person who is 18 years old or over and is the subject of regulated activity as described below. The definition no longer refers to the word 'vulnerable' for regulated activity relating to adults. The new definition focuses on the following six activities which, should they be needed by any adult, mean that an adult is considered vulnerable at the point of receiving them.

- Healthcare for adults provided by, or under the direction or supervision of a regulated healthcare professional.
- Personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks.
- Social work – provision by a social care worker of social work which is required in connection with any health services or social services.
- Assistance with an adult’s cash, bills or shopping because of their age, illness or disability arranged via a third party.
- Assisting in the conduct of an adult’s own affairs under a formal appointment.
- Conveying adults for reasons of age, illness or disability to, from or between places where they received healthcare, personal care or social work arranged via a third party.

The frequency test has been removed – an individual only needs to engage in the activities above once to be carrying out regulated activity relating to adults.

The above definition is used by the Disclosure and Barring Service to determine when an enhanced disclosure for regulated activity should be required.
Definition of Regulated Activity relating to Children

The definition of regulated activity relating to children is set out in Part 1 of Schedule 4 to the Safeguarding Vulnerable Groups Act 2006. Since September 2012, the definition has been reduced in scope by the Protection of Freedoms Act 2012.

Regulated activity relating to children must now fall into one of the following 4 groups of activity:

- 5 specified types of activity:
  - teaching, training or instruction;
  - care or supervision;
  - advice or guidance;
  - Moderation of a public electronic interactive communication service;
  - conveying children.

The above activities will automatically be regulated if they take the form of relevant personal care or health care provided by, or under the supervision of a health care professional. Otherwise, to be a regulated, the activity must be carried out frequently by the same person or the ‘period condition’ must be satisfied.

- Work activities at certain establishments:
  - an educational institution exclusively or mainly for the provision of full-time education for children;
  - a pupil referral unit which does not fall into the above definition
  - an alternative provision academy which does not fall within the definition of an educational establishment above;
  - an establishment which is exclusively or mainly for the provision of nursery education;
  - an institution which is exclusively or mainly for the detention of children.
  - a children’s home;
  - a children’s centre;
  - relevant childcare premises.

To be regulated, the activity must be carried out for the purposes of the establishment on a frequent basis or the period condition must be satisfied and the activity must provide the opportunity for contact with children.

- Certain childminding activities. In England, the provision of the following childminding activities is regulated activity relating to children:
  - early years or later years childminding for which there is a requirement to register or for which a person is voluntarily registered;
  - later years childminding for a child who is at least 8 years old if a requirement to register would rise under section 52(1) of the Childcare Act 2006 if the child was not that age.

- Inspecting the provision of childcare, education and social services in Wales.
Appendix C

1. Definitions of Harm and Abuse in Relation to Children

The following definitions are reproduced from the government publication Working Together to Safeguard Children” (2015)

**Abuse**
A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.

**Physical abuse**
A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse**
The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children 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 child 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 on children. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child 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 children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Sexual abuse**
Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. 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 children in looking at, or in the production of, sexual online images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women also commit acts of sexual abuse, as can other children.

**Neglect**
Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:
- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate caregivers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.
2. **Definitions of Harm and Abuse in Relation to Vulnerable Adults**

The government publication "No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse" (2000) defines abuse as "a violation of an individual's human and civil rights by any other person or persons".

The list below, although not exhaustive, indicates the types of abuse that can occur. A person may be abused in more than one way, or one type of abuse may indicate that another is happening.

- **Physical abuse**
  - including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions

- **Sexual abuse**
  - including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting

- **Psychological abuse**
  - including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks

- **Exploitation**
  - Either opportunistically or premeditated, unfairly manipulating someone for profit or personal gain

- **Financial or material abuse**
  - including theft, fraud, exploitation, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits

- **Neglect and acts of omission**
  - including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating

- **Discriminatory abuse**
  - including discrimination on grounds of race, gender and gender identity, disability, sexual orientation, religion, and other forms of harassment, slurs or similar treatment

- **Institutional abuse**
  - including neglect and poor care practice within an institution or specific care setting like a hospital or care home, for example. This may range from isolated incidents to continuing ill-treatment

Any or all of these types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance

The Care Standards Act 2000, section 121 defines "harm" as:

- in relation to an adult who is not mentally impaired, means ill treatment or the impairment of health; and
- in relation to an adult who is mentally impaired, or a child, means ill treatment or the impairment of health or development."
POLICY STATEMENT ON STAFF RECRUITMENT & STUDENT ADMISSIONS
WHERE APPLICANTS ARE EX-OFFENDERS

This policy should be read in conjunction with:

The Recruitment and Selection Procedure and Guidance
The Admissions Policy
The Policy on the Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information

1. As an organisation using the Disclosure & Barring Service (DBS) to assess applicants’ suitability for positions of trust, the University of Huddersfield complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

2. The University of Huddersfield is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, nationality, ethnic or national origins, gender, sexual orientation, marital status, family responsibilities, trade union activity, political or religious belief, age, disability or offending background.

3. This written policy on applicants to the University who are ex-offenders is made available to all Disclosure applicants at as early a time as is reasonably appropriate in the recruitment, admission or similar relevant process and is available on our website at: https://www.hud.ac.uk/policies

4. We promote equality of opportunity for all with the right mix of talent, skills, knowledge and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview for employment or admission as a student based on their skills, qualifications, experience and potential.

5. (a) **Staff Recruitment:** We will only request a Disclosure after a thorough risk assessment has indicated that it is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

5. (b) **Student Admissions:** We will only require a Disclosure where the course applied for contains elements subject to statutory requirements for Disclosure. The University prospectus, website and associated admissions material will indicate that applicants to such courses are subject to a satisfactory DBS Disclosure being obtained.

6. Where a Disclosure is part of the staff recruitment or student admissions process, we encourage applicants called for interview to provide details of their criminal record at an early stage in each respective process. The exact process involved may vary according to the school or service to whom the application is made.
made. However, in all cases we guarantee that this information will only be seen by those who need to see it as part of the recruitment or admissions process and will be dealt with under confidential cover by a designated person or office within the University. The University will only accept Disclosures from other organisations if the applicant subscribes to the DBS online update service and consents to the University carrying out a status check.

7. Unless the nature of the position or course allows the University to ask questions about an individual's entire criminal record, for example those involving contact with children or vulnerable adults, we only ask about convictions that are not “protected” as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). From 29 May 2013 the DBS began filtering old and minor convictions and cautions, reprimands and warnings from DBS Certificates. The filtering rules are available on the [www.gov.uk](http://www.gov.uk) website.

8. We ensure that those in the University who are involved in the recruitment and admissions processes have suitable guidance to identify and assess the relevance and circumstances of offences. The University also informs those who are involved in the recruitment and admissions processes of the need to comply with the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and the Safeguarding Vulnerable Groups Act 2006, and of the need to comply with the University’s published policies and procedures relating to this.

9. At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the staff post or student place. Failure to reveal information that is directly relevant to the post or place sought could lead to withdrawal of an offer of employment or of a place on a course.

10. We undertake to discuss any matter revealed in a Disclosure with the Disclosure applicant before withdrawing a conditional offer of employment or a place on a course. In some instances it may be possible to offer student applicants a place on another course which is subject to a lesser or no DBS Disclosure requirement.

11. We make every subject of a DBS Check aware of the existence of the DBS Code of Practice and will make a copy of the Code available on request.

HAVING A CRIMINAL RECORD WILL NOT NECESSARILY BAR YOU FROM WORKING OR STUDYING WITH US. This will depend on the nature of the post or course applied for and the circumstances and background of your offence(s). The factors taken into account may include, but are not limited to, the responsibilities of the position, the vulnerability of the customer group, the nature of the offence(s), the number and pattern of the offences (if there is more than one), how long ago the offence(s) occurred and the ages of the offender when they occurred.

December 2013
FORM UOH/VGS/1
ABUSE ALLEGATION/SUSPICION
REPORTING FORM

Name of : ...........................................................................................................
Vulnerable person

School or Address ..............................................................................................
..............................................................................................................................
..............................................................................................................................

Course Information (if relevant): .................................................................

Name of Person Reporting Allegation/
Suspicion (if not the person named above) ..............................................................

Names of anyone else present when allegation made ............................................

Details of allegation/suspicion (include • date and time of incident and complaint
• persons involved and witnesses
• what was said and done (including and visible injuries)

..............................................................................................................................
..............................................................................................................................
..............................................................................................................................
..............................................................................................................................
..............................................................................................................................

Is this on-going: YES/NO

If no, does the alleged perpetrator continue to have access to the vulnerable person: YES/NO

Name of person making this report: ...............................................................

Contact Details: ...............................................................................................
..............................................................................................................................

NOW TAKE THIS FORM TO THE VULNERABLE GROUPS SAFETY OFFICER
Appendix F

FORM UOH/VGS/2
RECORD OF REFERRAL TO SOCIAL SERVICES

Date ………………………………..   Time ………………………………..

To:
Social Worker: ……………………………………………………………

Name of Vulnerable Person: …………………………………………………

School or Address: ……………………………………………………………
…………………………………………………………
…………………………………………………………
…………………………………………………………

Course information (if relevant) …………………………………………………

Reason for referral: (attached copy of relevant for UOH/CP/2)

Child Protection Officer/
Designated Person ………………………………………………………
(Print Name)

Signed: ……………………………………………………………

Designation: ……………………………………………………………

Address: ……………………………………………………………
…………………………………………………………
…………………………………………………………

Telephone: ……………………………………………………………

Email: ……………………………………………………………

Keep a copy of this form and send the original to Social Services within 24 hours of initial telephone contact.
Appendix G

Referring Persons to the DBS for inclusion on the DBS barred lists

The DBS will consider a range of information from the police and referrals from employers, regulatory bodies and other agencies as part of its decision-making process.

The DBS will consider:

- Offences- convictions or cautions;
- Evidence of inappropriate behaviour; and
- Evidence of behaviour that is likely to harm a child or vulnerable adult.

Referral information, such as allegations, will never lead to automatic inclusion on the DBS Barred lists. Before a barring decision is made, the individual will be given the information on which the decision is based and the opportunity to explain their case.

Appeals - for someone who has been barred the Care Standards Tribunal will hear the appeal. This can be based only on either points of law or findings of facts that the DBS has made and on which it had based its decision to bar. No appeal can be made against the decision-making process.
Appendix H

**List of designated people dealing with suspicions and allegations of abuse**

Once an allegation has been made and reported on Form UOH/VGS/1 (Appendix E), this form should be taken immediately to the Vulnerable Groups Safety Officer.

| Vulnerable Groups Safety Officers | Lynsey Gray, Mental Health Advisor  
| In the absence of a Vulnerable Groups Safety Officer, please contact the appropriate member of staff as outlined below. | Zoe Mitton, Career and Employer Engagement Manager  
| | x1001 (Student Services) |
| Matters concerning staff should be reported to the Director of Human Resources. | Siobhan Campbell x2471 |
| Matters concerning students should be reported to the Head of Student Support.  
If this is not possible the matter should be reported to the Director of Student Services. | David Keegan x3270  
Matt Mills x3270 |
| Matters concerning external affairs should be reported to the Schools & Colleges Liaison Officer.  
If this is not possible the matter should be reported to the Head of Schools and Colleges Liaison Service. | Amanda Kenningley x1654  
Julie Pink x2993 |
| Out of hours contact number | Kirklees Emergency Duty Service  
01484 414933 |