

CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

SUMMARY OF PRINCIPAL CHANGES

General changes	
None.	
Section	
3.1.4	Refer to text

(Amendments to version 02.0, UPR HS07 are shown in italics italics.)

1 INTRODUCTION

This document sets out the University's policy for the safeguarding of children, young people and vulnerable adults which has been approved by the Secretary and Registrar.

2 SCOPE

Unless indicated otherwise in the text, this policy applies to all staff, students and other individuals working with children, young people and vulnerable adults.

3 DEFINITIONS

3.1 For the purposes of this document the following definitions will apply:

3.1.1 'child':

a person under 16 years' of age;

3.1.2 'young person':

a person aged 16 – 17;

3.1.3 'vulnerable adult':

a student or member of staff or visitor or external user of University services or facilities, who:

- i is in University student residential accommodation and receiving domiciliary care for health or disability reasons; or
- ii receives a health, social care or other service or participates in activities specifically for people with those disabilities or health conditions.

People with physical or mental health conditions or learning difficulties are not considered vulnerable adults unless the criteria set out in section 3.1.3, i or ii are also applicable.

3.1.4 'Social Media/Social Networking':

any on-line tool, such as a website, *which allows people to interact with each other in some way – by sharing information, opinions, knowledge and interests. Social networking websites such as Facebook or LinkedIn are perhaps the most well-known examples of social media but for the purposes of this policy, the term also means, but is not necessarily limited to, other web-based services such as blogs, video and audio podcasts, wikis, message boards, photo document and video sharing websites such as Tumblr or YouTube; micro blogging services such as Twitter; communication technologies such as mobile phones, cameras, PDAs, Tablets, Portable Handheld Consoles, Games Consoles or other hand-held devices and any other emerging forms of communications technologies;*

3.1.5 **'Parent':**

parent, guardian or foster parent.

4 **POLICY**

4.1 The University:

4.1.1 will comply with the Safeguarding Vulnerable Group Act 2006 (section 4.2, refers), the requirements of the Disclosure and Barring Service (DBS) (section 4.3, refers) and with its duty to refer unsuitable staff or students to the Independent Safety Authority (ISA);

4.1.2 will take reasonable steps to safeguard and promote the welfare of children, young people and vulnerable adults;

4.1.3 aims to maintain the highest possible standards to meet its social and legal responsibilities but cannot act 'in loco parentis'. Therefore, ultimate responsibility will continue to rest with parents and guardians.

4.2 **Safeguarding Vulnerable Group Act 2006**

4.2.1 The University has a duty to comply with the Safeguarding Vulnerable Group Act 2006 and will ensure that any member of staff or any student who is to participate in a Regulated Activity¹ will be checked under the Disclosure and Barring Service (DBS).

4.2.2 The University will also comply with its on-going duty to refer relevant information about Disclosure and Barring Scheme members to the Disclosure and Barring Service.

(Note for guidance:

Following a review into the Vetting and Barring Scheme in February 2011, recommendations were made for the merger of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) into one, non-departmental, public body, responsible for barring individuals and completing criminal record checks.

From 1 December 2012, the ISA merged with the CRB to form the Disclosure and Barring Service (DBS).)

4.3 **Disclosure and Barring Service (formerly Criminal Records Bureau)**

The University carries out Disclosure and Barring Service checks (formerly Criminal Records Bureau checks) on staff and students who, by virtue of their role in the University or study programme, are known to be working directly with children, young people and vulnerable adults. The University is committed to ensuring that such staff and students have DBS checks in compliance with UK law, and good Human Resources practice, in order to ensure that their suitability to work with children and young people is confirmed.

¹ Regulated activity includes: (1) Any activity which involves contact with under 18s or vulnerable adults (as defined by section 59 of the Safeguarding Vulnerable Groups Act 2006) and is of a specified nature (e.g. teaching, training, care, supervision, advice, treatment, or transport), frequently (i.e. once a month or more often), intensively (i.e. taking place on more than two days in any 30-day period) and/or overnight (i.e. activity that occurs at any time between 2am and 6am and the activity gives the person the opportunity to have face-to-face contact with under 18s or vulnerable adults); and/or (2) Any activity allowing contact with under 18s or vulnerable adults (as defined by section 59 of the Safeguarding Vulnerable Groups Act 2006) and is in a specified place (e.g. schools, care homes, etc), frequently, intensively and/or overnight. Regulated activity also includes any activity that involves, on a regular basis, the day-to-day management or supervision of a person carrying out regulated activity.

(Note for guidance:

Since the merger of the CRB and the ISA, CRB checks are now called DBS checks. Disclosure and Barring Service checks are designed primarily for people whose duties will involve substantial unsupervised access to children or young people or vulnerable adults. Relevant staff might include Admissions Tutors and Personal Tutors. For students, Disclosure and Barring Service checks may be required for students on programmes with placement requirements, student ambassadors or student mentors involved in mentoring activities.

The DBS update service, launched on 17 June 2013, now lets applicants keep their DBS certificates up-to-date online, allowing employers to check a certificate online.)

4.4 University Identify Cards and access

4.4.1 To ensure that they are easily identifiable, when students under the age of **18** are registered, the University will issue them with University Identity Cards which are slightly different from those issued to other students.

4.4.2 Students aged under **18** will not be permitted access to certain areas of the University where access is restricted on the basis of age.

4.4.3 A new University Identity Card will be issued once the student reaches **18** years of age.

(Note for guidance:

University regulations require students and staff to carry their University Identity Cards when on University premises and can be checked by University staff at any time (UPR HS05², refers.)

4.5 Students' Union membership

Students aged under **18** are entitled to membership of the Students' Union but will not be granted access to events where entry is restricted to students who are **18** years of age or over.

4.6 Sale of alcohol and other restricted goods and services

It is an offence for a minor to purchase alcohol and for anyone to sell alcohol to such a person. It is also an offence to purchase alcohol on behalf of a minor, whether this is for consumption in licensed premises or publicly elsewhere. There are also age restrictions for a number of other goods including solvents, gas lighter refills and some videos, DVDs, video and computer games and some services, including entrances to venues in which films with an **18** certificate are being shown. An up-to-date list can be found on The Proof of Age Standards Scheme website³

4.7 Study arrangements

No special study patterns or assessment arrangements should be required for students under **18** but tutors should be made aware of such students and be vigilant for any signs of difficulty they may exhibit. Pastoral issues should be referred to the Dean of Students.

² UPR HS05 'Security and Public Access'

³ <http://www.pass-scheme.org.uk>

4.8 Emergencies

The University may be required to act on a student's behalf, for example, by dealing with the police or in a medical emergency. The University will only take such action when the parent/guardian of the student cannot be contacted quickly enough and:

i **during working hours**

only with the permission of the Dean of Students or the Academic Registrar;

ii **out of hours**

only with the permission of the senior member of staff on call under the University's Critical Incident Procedure.

5 HEADS OF STRATEGIC BUSINESS UNITS – ROLE AND RESPONSIBILITIES

5.1 Heads of Strategic Business Units:

- i will identify which members of staff and groups of students need to undergo Disclosure and Barring Service checks, ensure that the necessary arrangements are made for this to be done and that the required checks have been completed⁴;
- ii will ensure that all appropriate staff are notified when there are children, young people or vulnerable adults within the student cohort;
- iii Risk assessment

are responsible for ensuring that any programme or activity involving children, young people or vulnerable adults is risk assessed, planned, organised and delivered in accordance with the policies and regulations set out in this document (UPR HS07) and the Code of Practice – Children, Young People and Vulnerable Adults (Appendix I, UPR HS07⁵, refers). The purpose of risk assessment is to mitigate or remove any potential risks and to prompt the consideration and review of working practices;

(Note for guidance:

A risk assessment should include: the standard health and safety risk assessment; identify the nature, length and frequency of contact; consider any child, young person or vulnerable adult who might seem particularly at risk; identify any potential areas for harm and set out the action required to prevent harm occurring; identify where staff and students will require a DBS check and in doing so, take account of the lead times for obtaining them.

In making a risk assessment in connection with the proposed presence of the child of a student or member of staff, consideration will also be given to the risk that the child may present to the safety of others.)

- iv may delegate all or some of the responsibilities referred to in section 5.1, i, ii and iii to an appropriate nominee.

⁴ Disclosure Barring Service checks for members of staff should be arranged with Human Resources; those for students, with the Academic Registry; those for ambassadors and mentors, through Outreach and Widening Participation.

⁵ Appendix I, UPR HS07 'Code of Practice – Children, Young People and Vulnerable Adults'.

5.2 Children of staff and students on University premises

- 5.2.1 With the exception of children placed in the Nursery for whom separate arrangements are made, the presence on University premises of children of staff and students is subject to the policies and regulations set out in this document.
- 5.2.2 Permission must be obtained from the relevant Head of Strategic Business Unit (or nominee) who will make a risk assessment and will withhold permission where he or she has reason to believe that the presence of the child will constitute an unacceptable risk. The decision of the Head of Strategic Business Unit (or nominee) is final.
- 5.2.3 Where permission has been granted by the Head of Strategic Business Unit (or nominee) for the child of a student or member of staff to be present on University premises, the following regulations will apply:
- i the supervising adult bringing the child on to University premises is personally responsible for the care and supervision of that child during the whole time that the child is on-site and the child must remain with the supervising adult at all times;
 - ii the supervising adult will ensure that the child does not in any way disrupt the work of the University and should not, therefore, ask others to supervise the child on their behalf;
 - iii the University is in no way liable for any injury, loss or damage to a child, howsoever caused, whilst he or she is on University premises or caused by a child whilst he or she is on University premises; the University will consider that liability rests with the supervising adult.
- 5.2.4 Children are not permitted to be present at lectures, seminars or other teaching activities.

5.3 Work experience

Where a School or professional Strategic Business Unit offers to provide work experience for children, young people or vulnerable adults, the Dean of School/Head of Strategic Business Unit (or nominee) will:

- i ensure that a specific risk assessment is carried out (section 5.1, iii, refers), and
- ii determine whether it is appropriate that the proposed supervisor undergoes a Disclosure and Barring Service check and ensure that, where required, this is carried out, and
- iii ensure where a work placement has been requested by an external organisation, that information is requested from that organisation regarding any support arrangements required by the child, young person or vulnerable adult concerned.

5.4 Placements

For programmes which include placement activities, Deans of School/Heads of Strategic Business Units (or nominee) will ensure that placement providers are notified of any students aged under **18** and that the placement provider understands and accepts that the policies and procedures of the placement provider will apply while the student is under the jurisdiction of the placement provider.

5.5 Field trips

Where field trips are undertaken as part of the University of Hertfordshire programme, the Dean of School/Head of Strategic Business Unit (or nominee) will consider the age of the students as part of the risk assessment for the activity (section 5.1, iii, refers).

6 MEMBERS OF STAFF – ROLE AND RESPONSIBILITIES

6.1 Individual staff are personally responsible for informing their Deans of School/Heads of Strategic Business Unit if there is any change in their circumstances which may be relevant to the policy set out in this document (UPR HS07).

6.2 Members of staff must contact the Safeguarding Officer for Children and Vulnerable Adults (section 7, refers) if they have any cause to believe that a child, young person or vulnerable adult is at risk, or constitutes a risk to others.

7 SAFEGUARDING OFFICER FOR CHILDREN AND VULNERABLE ADULTS (SAFEGUARDING OFFICER)

7.1 The University has a designated Safeguarding Officer for children and vulnerable adults who reports to the Dean of Students.

7.2 The Safeguarding Officer has responsibility for oversight of issues relating to the protection of children and vulnerable adults within the University.

(Note for guidance - Hertfordshire Agencies:

The Safeguarding Officer may consult relevant county agencies to determine the most appropriate course of action or share information. The Hertfordshire agencies are the Hertfordshire Safeguarding Children Board (HSCB)⁶ which has a statutory role to safeguard and promote the welfare of all children and the Hertfordshire Safeguarding Adults Committee (HSAC)⁷ which has developed an inter-agency procedure for the protection of vulnerable adults in Hertfordshire.)

8 CONFIDENTIALITY AND RECORD KEEPING

8.1 Where a disclosure is made that concerns a child protection issue in relation to a person under the age of **18**, members of staff are obliged to report the matter in accordance with statutory requirements and cannot keep the matter confidential.

(Note for guidance:

With regard to data protection matters, written consent is required from people under the age of **18** in the same way as adults. However, where child protection issues are involved it is not possible to offer confidentiality to a person under the age of **18**. Staff must therefore indicate clearly to anyone under the age of **18** or a vulnerable adult that they (the members of staff concerned) are obliged to report the disclosure in accordance with statutory requirements and cannot keep the matter confidential.)

8.2 Records of all referrals received and their outcomes will be held in confidence, in accordance with the Data Protection Act (1998), by the Safeguarding Officer.

⁶ <http://www.hertssafeguarding.org.uk/>

⁷ <http://www.hertsdirect.org/services/healthsoc/supportforadults/worriedabout/vulnadult/HSAB/>

9 UNIVERSITY STUDENT RESIDENTIAL ACCOMMODATION

- 9.1 University Halls of Residence are not designed to meet the required residential standards for children. Therefore, students under the age of **16** will not be allocated places in University accommodation.

(Note for guidance:

Where accommodation in University Halls of Residence is booked on a commercial basis, for example, to accommodate children attending Summer Schools, the University requires the organisers to have made a risk assessment and to provide the necessary level of supervision for the duration of the booking.)

- 9.2 Residential Allocations will endeavour to ensure that all **16 – 17** year olds are allocated an on-campus single room.⁸
- 9.3 Students under **18** are unable to enter into a Licence Agreement with the University. Therefore, a parent/guardian or other responsible person must act as guarantor and sign the Licence Agreement with the University. The signed Licence Agreement must be received by Residential Allocations before the student can take up residence.

10 ADMISSION PROCESSES

- 10.1 All admission decisions will be made in accordance with the relevant admissions policy (UPR SA03⁹/UPR SA02¹⁰, refer).

- 10.2 Once an offer of a place has been made the Student Centre will inform the student and his or her parent/guardian of the University's policy in relation to children, young persons and vulnerable adults and the additional requirements that apply.

10.3 Parents

- 10.3.1 Where a Parent lives overseas they will be required to appoint a UK based guardian who can act on their behalf in emergency situations. It is not the responsibility of the University to provide a guardian. Parents must confirm that the appointed UK-based guardian is fully aware of and accepts his or her responsibilities.

(Note for guidance:

Many families of overseas students will choose to nominate a family member or friend as the UK-based guardian but where that is not possible the family can use the accredited guardianship agencies such as those found on the Association for the Education and Guardianship of International Students website.)

- 10.3.2 Immigration rules may prevent applicants under **16** from studying in the UK unless they are living with a Parent and in this regard, it is the responsibility of the applicant and his or her Parent to comply with UK legislation. The University's Home Office Sponsor Licence makes no provision for issuing student visa letters/confirmation of acceptance of studies to any non-EU/EEA applicant under the age of **16**.

⁸ When using University student residential accommodation for its **16 – 17** year old students, HIBT is required to make its own arrangements for these students to ensure full compliance with all relevant legislation.

⁹ UPR SA03 'Admissions – Undergraduate and Taught Postgraduate Students'

¹⁰ UPR SA02 'Admissions – Research Students'

- 10.3.3 Parents will be required to sign and return to the University a Statement of Consent to signify that they understand and accept the University's policy relating to children, young persons and vulnerable adults and the additional requirements that it imposes.
- 10.3.4 Admission will not be permitted until the Statement of Consent is signed and returned to the University and, where appropriate, a guardian has been appointed.
- 10.3.5 Where a student aged under 18 arrives at the University without the necessary signed Statement of Consent having been received by the University and/or, as necessary, without a UK-based guardian having been appointed, the student will be given three (3) weeks to make the necessary arrangements. After that time, the student's registration will be withdrawn by the University at its absolute discretion.

11 SOCIAL MEDIA AND SOCIAL NETWORKING

- 11.1 The University acknowledges the potential impact that Social Media and Social Networking have on the lives of children, young people and vulnerable adults, and recognises the dangers and potential risks that these sites can pose, for example, facilitating inappropriate interaction with them.
- 11.2 The University is committed to ensuring that any one-to-one communication via social media or social networking sites is kept in the 'public eye' in order to safeguard all parties to that relationship.
- 11.3 **Social Networking – guidelines for use of social networking as a means of contacting young people**
- 11.3.1 As part of the risk assessment drawn up for any event, visit or activity, the event organiser should assess whether individuals attending or leading the event may come in to contact with children or young people.
- 11.3.2 Event organisers will ensure that individuals involved in the leadership or delivery of an event are made aware of the policies, regulations and guidelines set out in this document (UPR HS07) and that they must comply with them.
- 11.3.3 Staff members, volunteers, student ambassadors, mentors and others involved in the leadership or delivery of an event:
- i are expected to keep a professional distance from students/participants;
 - ii will, at all times, ensure a clear separation between their private social lives and those of students/participants;
 - iii are not permitted to interact, via social media or a social networking site, with any child or young person, as defined in section 3 of this document, who is or has been a student/participant unless there is a clear educational benefit;
 - iv will, where they receive an invitation for a 'friend request' from a student/participant, delete the request immediately;
 - v will not establish, or seek to establish, social contact (via social media, social networking sites or other media) with students/participants, for example, for the purpose of establishing a friendship or to pursue or strengthen a relationship.

- 11.4 **Social media – guidelines for use of social media sites to communicate with children and young adults**
- 11.4.1 All social networking sites have the potential to allow staff/employees to communicate with young people on a one-to-one basis.
- 11.4.2 When using Facebook communication can be made using the public wall function which is the recommended method for communicating with children and young people individually on Facebook and for replying to private messages which children and young people may have sent to the staff member/employee.
- 11.4.3 Depending on the type/level of information a child or young person has disclosed using a social networking site, where a public wall post is not appropriate as a medium for responding to a child or young person, members of staff, volunteers, student ambassadors, mentors and others involved in the leadership or delivery of an event should arrange a one-to-one meeting or telephone contact with the child or young person or seek further advice from the designated Child Protection Officer.
- 11.4.3 Staff members, volunteers, student ambassadors, mentors and others involved in the leadership or delivery of an event:
- i are not permitted to use instant chat on social networking sites;
- (Note:**
- Facebook, Myspace and Bebo etc do not provide a log of conversations and could potentially leave an employee, ambassador or visitor open to allegations.)
- ii will not use their own private Facebook page for communicating with students;
 - iii will not establish, or seek to establish, social contact (via social media, social networking sites or other media) with students/participants, for example, for the purpose of establishing a friendship or to pursue or strengthen a relationship;
 - iv will ensure that a separate, designated Facebook account is created for the purposes of the event/activity concerned;
 - v will not use abbreviations as these may be misconstrued by recipients or misinterpreted by parents;
 - vi should not use this designated account after **22.00** hours in order to preserve an appropriate degree of separation between their professional and personal lives;
 - vii in the case of group messages (messages sent to multiple children and or young people, for example, in connection with a specific activity or event) another adult should be copied into the message and where this is not done, the message should be logged and not removed.
- 11.5 The inappropriate use of social media or social networking sites may give rise to disciplinary proceedings.

Mrs S C Grant
Secretary and Registrar
Signed: **31 October 2014**