

# Safeguarding Policy

## (Children and Adults at Risk)

**If someone is at immediate risk of significant harm, abuse, or radicalisation, or if a crime is occurring, act now.**

- If there is immediate risk of serious harm call the police on **999**.
- If you need support out of hours, contact Security Staff on **01752 636700 ext 2222** (20:00 - 08:00 seven days a week, all year round)
- In non-emergency situations please seek advice from a member of the Safeguarding Team (contact details can be found at [Marjon.ac.uk/Safeguarding](http://Marjon.ac.uk/Safeguarding)).

## Policy Overview

<b>Document Title:</b>	Safeguarding Policy
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## Document History

<b>Version:</b>	<b>Date:</b>	<b>Author(s)/Consulted</b>	<b>Brief Notes of Revisions:</b>
V1.1	Feb 2016	Jenny Barnicoat	Entire new Safeguarding Policy implemented, including up-to-date internal procedures and Statutory Guidance and Legislation.
V2.0	Dec 2021	Ellie Warnes	Policy rewritten.
V2.1	June 2023	Katy Willis	Policy extended whilst policy review is underway to include eg apprentices, health programmes.
V2.2	July 2023	Megan Bloomfield (Designated Safeguarding Officer)	Review of the Policy, with clarification of procedures and processes.
V2.3	June 2024	Megan Bloomfield (Designated Safeguarding Officer)	Review of the Policy with minor updates.

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## **1. The Purpose of this Policy**

- 1.1. This Safeguarding Policy supports and reflects Plymouth Marjon University's commitment to living out our values of Humanity, Ambition, Curiosity, and Independence. This policy aims to promote inclusivity and equality for all members of the Marjon community and demonstrates our commitment to providing an outstanding student experience.
- 1.2. The purpose of this Safeguarding Policy and its associated guidance documents is to set out Plymouth Marjon University's responsibilities, processes and procedures and outline how the University will:
- Provide a safe and supportive environment for Children and Adults at Risk who engage with our staff, volunteers, and students in the course of our work and University-led activities.
  - Ensure that there is a clear reporting and escalation route should staff, volunteers or students become aware of a safeguarding concern.
  - Ensure that staff, volunteers, and students facilitating or supporting programmes and activities working with Children and Adults at Risk have defined responsibilities.
  - Ensure that staff, volunteers, and students engaging with Children and Adults at Risk receive relevant safeguarding training and understand their role and responsibilities.
- 1.3. This Policy supports our commitment to increasing awareness of safeguarding issues, promoting good practice, and assisting members of staff, volunteers, and students to make informed and confident responses in relation to safeguarding concerns for Children and Adults at Risk.

## **2. Scope and Duty of Care**

- 2.1. This Policy sets out Plymouth Marjon University's duty to safeguard all Children<sup>1</sup> and Adults at Risk<sup>2</sup> who are part of the University or who encounter staff, students, volunteers, or the staff of contractors during their involvement with the university.
- 2.2. The Policy is designed to guide the University in its statutory and moral obligation to safeguard Children and Adults at Risk. We embrace and promote the culture that 'safeguarding is everyone's responsibility', and as such it is essential that all staff are familiar with the guidance within this document.
- 2.3. We acknowledge that while all staff are required to have an awareness of safeguarding, specific safeguarding responsibilities fall to certain roles and individuals within the University. These are detailed in Section 4 of this Policy.

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<sup>1</sup> See 'Definitions' on page 8.

<sup>2</sup> *Ibid*

- 2.4. This Policy applies to staff, students (including apprentices) and volunteers engaging in University-led activity, both on and off campus, and covers our interaction with Children and Adults at Risk who are current students, prospective students, or who are otherwise participating in University related activities including our core activities of teaching and research. Also included are those taking part in University-led sports, travel, volunteering projects, outreach work and widening participation projects.
- 2.5. Outside the scope of this Policy are situations in which a safeguarding concern is identified by staff, students, or volunteers whilst on placement or working with Children or Adults at Risk in another organisation; or if a concern is raised about Children or Adults at Risk involved with another organisation engaging in activity on campus. In these circumstances the external organisation's safeguarding policy and procedures should be followed. It may be appropriate in these situations to also alert a member of Marjon's Safeguarding Team, for recording purposes (this is particularly relevant where it concerns an apprenticeship student).
- 2.6. There are certain departments within the University which require a Local Safeguarding Policy and related local procedures to ensure that they meet the specific regulatory requirements for their work, that do not apply to the University as a whole. For example, Children's Services and the Centre for Teacher Education, both of which are subject to OFSTED inspection.
- 2.7. All staff, students, and volunteers who work with Children or Adults at Risk must familiarise themselves with this Policy and associated procedures and understand them fully prior to engaging in any regulated activity. Where there is uncertainty and/or lack of understanding from an individual regarding this document and its associated procedures, it is the responsibility of the individual to seek guidance from the Designated Safeguarding Officer [DSO] or the Assistant Safeguarding Officer [ASO], whose details are available here: [www.marjon.ac.uk/safeguarding](http://www.marjon.ac.uk/safeguarding)
- 2.8. This Safeguarding Policy reflects the principles of UK legislation and guidance, and best practice in safeguarding, with the aim of being mindful of a duty of care. This policy will promote a consistent approach and allow informed decision making to take place in an agile way, that supports the mitigation of risk to Children and Adults at Risk.
- 2.9. The University does not have a specific statutory duty to safeguard adults, however there is a general duty of care that we hold for all members of the University. So where the risk of harm is within University's reasonable control and action can be taken to mitigate or remove risk the University will take reasonable steps to do so.
- 2.10. We are guided by the Department for Education's statement on duty of care, which states that "Higher Education providers do have a general duty of care to deliver educational and

pastoral services to the standard of an ordinarily competent institution and, in carrying out these services, they are expected to act reasonably to protect the health, safety and welfare of their students.”<sup>3</sup>

- 2.11. The University does not act ‘in loco parentis’, and ultimate safeguarding responsibility for children rests with those who do have parental responsibility. We recognise that some Adults at Risk might have an appointed representative, eg mental health advocate, legal/enduring power of attorney.
- 2.12. Where children accompany their parent(s)/guardian(s) onto any part of the University campus (including Residences), they always remain the responsibility of the parent(s)/guardian(s). Whilst staff and students are not prevented from bringing their children into work, they have a responsibility and a legal duty under the Health and Safety at Work Act to ensure that their children are not put at risk and do not endanger others by their actions. Staff responsibility when bringing their children into work is reinforced within the staff Code of Conduct.
- 2.13. The University does not have a 24/7 Safeguarding service, however all safeguarding concerns will be responded to as a matter of priority within working hours. Any urgent out of hours safeguarding concerns should be referred to the relevant statutory services. Any non-urgent out of hours safeguarding concerns should be directed to a member of the Safeguarding Team for attention the next working day.
- 2.14. The Policy provides guidance on our internal procedures but acknowledges that it may be necessary in certain circumstances to report safeguarding concerns about Children or Adults at Risk to a range of external agencies.
- 2.15. The University reserves the right to direct that a Child and/or Adult at Risk be removed from campus where their presence is causing an unacceptable health and safety risk or an unreasonable risk to safeguarding.

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<sup>3</sup> <https://petition.parliament.uk/petitions/622847>

### **3. Roles and Responsibilities of the Safeguarding Team**

- 3.1. A register of the following roles is kept by the Safeguarding Team and is updated on an annual basis.
- 3.2. **Principal Designated Safeguarding Officer [PDSO]**

The PDSO is the University Secretary and Registrar, who has overall accountability and strategic responsibility for safeguarding Children and Adults at Risk within the University.
- 3.3. **Designated Safeguarding Officer [DSO]**

Is responsible for the operational delivery of Safeguarding processes across the University. The DSO is the central point of contact for all safeguarding concerns and is responsible for ensuring Safeguarding policies and procedures are followed by staff and students. The details of the DSO for Plymouth Marjon University are available on the website at [www.marjon.ac.uk/safeguarding](http://www.marjon.ac.uk/safeguarding)
- 3.4. **Assistant Safeguarding Officer [ASO]**

Is appointed to support the DSO and may be the first point of contact for the activity involving Children and/or Adults at Risk. Depending on the needs of each safeguarding case, one or more may be nominated. The details of the ASO for Plymouth Marjon University are available online at [www.marjon.ac.uk/safeguarding](http://www.marjon.ac.uk/safeguarding)
- 3.5. There are Nominated Safeguarding Officers in relevant departments across the University, who can provide advice and guidance to staff and students regarding safeguarding concerns relating to the needs of their specific departments. Staff and students should familiarise themselves with the names and details of the NSO for their department.
- 3.6. Line managers have a responsibility to ensure that their staff understand this Policy and are aware of how to escalate a safeguarding concern.
- 3.7. All staff have a responsibility to read and understand this Policy, and to seek advice from their line manager or any member of the Safeguarding Team if they have any queries regarding safeguarding processes at Plymouth Marjon University.
- 3.8. The University's Executive Leadership Team is responsible for ensuring that the appropriate mechanisms are in place to ensure the DSO (and ASO where required) are appointed and adequately trained, that risk assessments are carried out and suitable and sufficient control measures are in place and operational.

#### 4. Safeguarding Code of Conduct

4.1. To support staff in keeping themselves, children, and adults at risk safe, the University requires that staff take note of and follow the Safeguarding Code of Conduct as listed below. Note that whilst the Safeguarding Policy specifically refers to Children and Adults at Risk, staff should also familiarise themselves with other principles, including the Social Media Policy and the Staff Code of Conduct, regarding acceptable conduct with any other staff or students.

- Treat all children and adults at risk equally and with respect and dignity.
- Work in an open environment, avoiding being alone in a room with children or adults at risk where possible (if this is not possible to avoid, let another staff member know that this is the case).
- Maintain a safe and appropriate distance with children and adults at risk, and avoid physical contact which, however well-intentioned, may be misinterpreted.
- If any form of manual/physical touching is required as an element of a seminar, workshop or similar, it is provided openly and with the person's explicit consent.
- Never use physical force against a child or vulnerable adult, unless it constitutes reasonable restraint to protect them or another person.
- Never make sexually suggestive comments to a child or adult at risk.
- Refer any Safeguarding problems or concerns to a member of the Safeguarding team.
- Never allow allegations made by a child or adult at risk to go unrecorded or not acted upon.
- Avoid taking responsibility for tasks for which you are not trained or which a child or adult at risk could do for themselves.
- Attend relevant training provided by the University.
- Do not engage in sexual behaviour with someone for whom they are in a position of trust. Whilst a young person may consent to sexual activity once they reach the age of 16, it is an offence for a person to engage in sexual activity of any kind with a person under the age of 18, where the adult is in a position of trust.

4.2. Staff should consider the appropriateness of contact with Children or Adults at Risk in terms of sharing social media profiles, personal mobile phone numbers etc. Only professional means of communications should be used when communicating with Children and Adults at Risk (such as Teams, university email, university phone system).

## 5. Responding to Disclosures

5.1. The University requires that all staff and volunteers follow the five 'Rs' when responding to a Safeguarding concern. The five 'Rs' consist of:

<p><b>1. Recognise</b></p>	<p>Staff or volunteers should be proactive in looking out for signs of abuse or neglect in children or adults at risk. <b>Abuse and neglect can happen anywhere</b>, and we have a responsibility to take proactive steps in protecting children and adults at risk.</p>
<p><b>2. Respond</b></p>	<p>If staff or volunteers believe an Adult at Risk or Child is at risk of significant harm then the individual should not be left alone and where possible, additional staff and/or volunteers should be sought to assist.</p> <p>If there is an imminent risk of significant harm, staff or volunteers must contact the Emergency Services on '999' and request the appropriate Emergency Service.</p> <p>Where the risk of significant or imminent harm is not present, staff and volunteers must explain to the Child or Adult at Risk that they will be reporting the matter to the Safeguarding Team, who will then take responsibility for taking action to prevent further harm.</p> <p>When a safeguarding concern arises through a disclosure made by a Child or Adult at Risk, staff and volunteers will listen non-judgementally and ensure the individual is not rushed or interrupted while sharing their experience. Avoid using leading questions as this could negatively impact police investigations, staff and volunteers should instead use the <b>'TED' questions: 'Tell Me', 'Explain', 'Describe'</b>.</p>
<p><b>3. Report</b></p>	<p>All safeguarding concerns must be reported to the Safeguarding Team within 24 hours (unless there is an imminent risk or significant risk of harm to a Child or Adult at Risk, then the report should be made immediately). <b>The reporting of a safeguarding concern takes priority over all other matters.</b></p> <p>Should it not be possible for staff or volunteers to leave a Child or Adult at Risk alone, the staff member or volunteer must send another person to the Safeguarding Team to get assistance.</p>
<p><b>4. Record</b></p>	<p>The Safeguarding Team will direct staff and volunteers with how to record their safeguarding concern and actions they have taken.</p> <p>It is important that all written records are factual, non-emotive and that any personal opinions are clearly stated as such. Where possible the person's own words should be used.</p>
<p><b>5. Reflect</b></p>	<p>Reflective practice enables professionals to assess their professionalism (including response to a safeguarding concern) and identify strengths and areas for improvement.</p> <p>Responding to a safeguarding concern can also be emotionally challenging, and staff are encouraged to reflect on their own emotional state and consider any support they may need from the University because of this.</p>

## **6. Safeguarding Children**

- 6.1. Any Safeguarding concerns relating to children should be responded to as a matter of urgency using the guidelines in Section 6. Safeguarding is everyone's responsibility, and all members of the University should be vigilant in noticing and responding to signs of abuse or neglect in children.
- 6.2. If staff, volunteers, or students are made aware of a safeguarding concern relating to children, they should not attempt to investigate the matter themselves, but should refer it to a member of the Safeguarding team. They should offer support to the child, using the guidance in Section 6.
- 6.3. If the child is at immediate risk of significant harm (for example there has been an accident, or a crime is being, or is about to be, committed) the appropriate Emergency Services should be contacted, and a member of the Safeguarding team alerted.
- 6.4. Consent does not need to be sought from the child to report a safeguarding concern, however good practice states that the child should be part of discussions around sharing their information and should be supported to understand why information must be shared.
- 6.5. Staff, students, and volunteers should consider carefully whether contacting the child's parent/carer is appropriate. If there is any doubt, seek advice from a member of the Safeguarding Team. There may be some extreme situations in which contacting a child's parent/carer places them at further risk of harm.
- 6.6. The Safeguarding team will work proactively with Plymouth's Safeguarding Children Partnership to ensure we adhere to best practice when safeguarding children.
- 6.7. Some departments across the University (such as Student Recruitment or Marjon Sport & Health) regularly work with children as part of their regular responsibilities and duties. It is essential that all members of these teams are familiar with Safeguarding procedures and guidance relating to children, and that they are aware of who to contact in the event of a Safeguarding concern.

## **7. Safeguarding Adults at Risk**

- 7.1. Any safeguarding concerns relating to adults at risk should be responded to as a matter of priority using the guidelines in Section 6.
- 7.2. If staff, students, or volunteers become aware of a safeguarding concern relating to an adult at risk they should not attempt to investigate the concern themselves but should refer the matter to a member of the safeguarding team.

- 7.3. If the adult at risk is at immediate risk of significant harm (for example there has been an accident, or a crime is being, or is about to be, committed) the appropriate Emergency Services should be contacted, and a member of the Safeguarding team alerted.
- 7.4. The person responding to the disclosure should seek consent from the adult at risk before sharing their information with the Safeguarding team. There are specific conditions in which information can be shared without the person's consent, for further information about information sharing without consent see the guidance in Appendix 1.
- 7.5. The University will work proactively with local Adult Safeguarding partnerships to ensure we adhere to best practice when safeguarding adults at risk.
- 7.6. The University reserves the right to refuse to admit an adult at risk to a programme of study, or other University managed activity, if it is judged that the adaptations necessary to safeguard that individual go beyond what is reasonable and proportionate.
- 7.7. The University reserves the right to withdraw an adult at risk from a programme of study, or other University managed activity, if it is judged that the adaptations necessary to safeguard that individual go beyond what is reasonable and proportionate.
- 7.8. Students with additional learning needs may also be adults at risk. Where an accepted applicant has disclosed a relevant condition, the Student Wellbeing and Support department will request additional information for the purposes of risk assessment to include any safeguarding needs, identifying additional support and reasonable adjustments.
- 7.9. As part of other procedures and policies, the University may take action to safeguard staff, students or members of the community, even where a person may not be recognised as an Adult at Risk.

## **8. Confidentiality, Record Keeping & Information Sharing**

- 8.1. Plymouth Marjon University recognises that it must contribute to inter-agency working in line with statutory guidance and legislation, and share information between professionals and agencies where there are concerns to safeguard children and adults at risk.
- 8.2. All members of the university must be aware that they have a responsibility to share safeguarding concerns with appropriate agencies or individuals, and that the Data Protection Act 2018 is not a barrier to sharing information where the failure to do so would place an adult at risk or a child at risk of harm.
- 8.3. All staff must be aware that they cannot promise confidentiality to a child or adult at risk where this might compromise the wellbeing or safety of themselves or others.

8.4. We recognise that all matters relating to safeguarding are personal to the individuals and families involved. Therefore, this information will be treated with the utmost sensitivity and members of the Safeguarding Team will only disclose it on a 'need to know' basis.

8.5. Records of all information relating to safeguarding concerns will be held securely, and access to this information will be held only by members of the Safeguarding Team. Should there be a need for individuals other than the Safeguarding Team to access this information, it will be anonymised where possible to protect the identities of those concerned.

## 9. Prevent

9.1. The University takes seriously its responsibility under the Prevent Duty and is committed to recognising and referring signs of radicalisation and extremism.

9.2. Full details of the University's processes and responsibilities as defined by the Counterterrorism and Security Act can be found in our Prevent Policy, Prevent External Speaker & Freedom of Speech Policy, and Prevent External Speaker Code of Conduct. All of these documents can be found [here](#).

## 10. Training

10.1. Staff and volunteers will participate in safeguarding training as appropriate upon Induction, and will receive safeguarding updates as necessary thereafter.

10.2. Further training is mandatory for those with identified safeguarding roles.

10.3. Any member of the University who is planning activities with or for children and/or adults at risk should undertake appropriate training, prior to the activities taking place.

10.4. Activity organisers for regulated activities (eg residential courses for children including supervision between the hours of 2am and 6am) are required to undertake appropriate training, prior to the activities taking place.

10.5. A recommendation to attend safeguarding training should be triggered by the line manager following a requirement of the post holder of any role to be subject to an enhanced DBS check.

10.6. To obtain further information regarding an outline of training requirements please contact the Safeguarding Team, whose details can be found [here](#).

## 11. Whistleblowing & Allegations Against Staff

- 11.1. The University recognises that children and adults at risk cannot be expected to raise valid concerns in an environment where staff are unwilling or unable to do so.
- 11.2. All staff and volunteers should be aware of their duty to raise concerns, where they exist about the management of safeguarding, which may include the attitude or actions of a colleague, poor or unsafe practice, and potential failures in the University's safeguarding arrangements.
- 11.3. Should staff or volunteers feel unable to raise concerns regarding safeguarding failures internally, then they should speak with the NSPCC Whistleblowing Advice Line. Staff and volunteers can call 0800 028 0285 (8am – 8pm weekdays, 9am – 6pm weekends), or email [help@NSPCC.org.uk](mailto:help@NSPCC.org.uk)
- 11.4. We understand that a student may make an allegation against a member of staff or volunteer, or that staff or volunteers may have concerns about another staff member or volunteer. If such an allegation is made, or information is received which suggests that a person may be unsuitable to work with children and/or adults at risk, the member of staff or volunteer who receives the allegation or is aware of the information must immediately inform the Designated Safeguarding Officer.
- 11.5. If the allegation or information pertains to the Designated Safeguarding Officer, the person should instead inform the Vice Chancellor or Deputy Vice Chancellor, without notifying the Designated Safeguarding Officer. In the case that an allegation is made against the Vice Chancellor, the person should immediately inform the Designated Safeguarding Officer who will inform and liaise with the Chair of the University's Board of Governors.
- 11.6. Where an allegation has been made by a child the details of the allegation will be discussed with the Local Authority Designated Officer (LADO) for Plymouth at the earliest opportunity, and before taking any other action.<sup>4</sup> The University will then follow guidance from the LADO, local authority Safeguarding procedures, and internal processes for managing allegations.
- 11.7. Suspension of a member of staff or volunteer against whom an allegation has been made needs careful consideration, and the Vice Chancellor will seek the advice of the LADO and the People Team in making this decision.
- 11.8. In the event of an allegation against the Vice Chancellor, the decision to suspend will be made by the Chair of the University's Board of Governors with advice as above.

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<sup>4</sup> Plymouth LADO 01752 304769 or LADO secure email [LADO@plymouth.gov.uk](mailto:LADO@plymouth.gov.uk). [Managing Allegations](#)

- 11.9. Should an allegation be made against a contractor or other person in the University community or a visitor to the University, the same procedures should be followed as those set out for staff and volunteers, with the allegation being referred to the DSO.
- 11.10. All members of the University are reminded that the publication of material that may lead to the identification of an individual who is the subject of an allegation is prohibited by law.<sup>5</sup> Publication includes verbal conversations and content posted on social media sites.
- 11.11. The University will seek to manage and minimise the stress inherent in circumstances where an allegation is made against an individual. Support for the individual is key to fulfilling this duty of care, and anyone who faces allegations of abuse, harm, or neglect can seek support from the line manager or their Trade Union.

## 12. Recruitment

- 12.1. Plymouth Marjon University is committed to ensuring the safety of all members of our community through our rigorous recruitment process. All applicants are asked to provide at least two references, DBS checks may be requested where relevant (see 13.2 below), and interview panels must comprise of at least two, and preferably three, members of staff. Further information about the University's recruitment processes can be provided from the People Team.
- 12.2. Some staff members, whose roles may place them in regular contact with children or adults at risk (for example, Specialist Mentors, Counsellors, Student Recruitment and Outreach staff) may be required to undergo DBS checks as part of the recruitment process. The need for DBS checks for individuals or teams will be reviewed by the People Team, in line with government guidance.
- 12.3. All new employees will take part in a programme of Induction with the purpose of setting clear expectations for conduct and values and preparing them to undertake the responsibilities of their role. Employees will receive information and training relating to the Staff Code of Conduct, Living Marjon Values, Prevent duty and other areas relevant to their role. See Section 11 for further information about staff training related to Safeguarding.
- 12.4. All new employees will be subject to a probationary period, in which they are able to demonstrate suitability for the role. Performance will be reviewed regularly throughout the probationary period, and these reviews will include focus on how the employee adheres to Marjon Values. Probationary periods allow for any issues relating to safeguarding to be identified and resolved swiftly. Further information can be found here: [Probation Policy and Procedure](#).

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<sup>5</sup> <https://www.legislation.gov.uk/ukpga/2002/32/contents> Accessed 04.08.2023

12.5. In the event that serious concerns relating to a member of staff's behaviour or conduct are raised once the Probationary period has ended, it may be appropriate for the University to undertake processes outlined in our Disciplinary Procedures. Further information can be found here: [Disciplinary Policy and Procedure](#).

### **13. Research**

13.1. It will be the responsibility of the Research and Knowledge Exchange Committee, and Research Ethics Panel, with the Registry and Compliance Manager [RCM] to consider whether anyone working with children or adults at risk as part of a research project (whether staff or student within the University) requires a DBS disclosure.

13.2. All research involving children and/or adults at risk must obtain a favourable opinion from research ethics review, and be consistent with the University's policy on research ethics and the University's Student Ethics Standard Operating Procedure.

13.3. Unless stipulated otherwise by research ethics review, the researcher should ensure that informed consent has been obtained from the individual(s) who hold parental responsibility for children under 18. Children should be given the opportunity to also consent to participation, the consent of the individual(s) holding parental responsibility is essential.

13.4. Any research activity will respect the person's right to confidentiality and comply with any relevant code of ethics applicable to the type of research being conducted.

13.5. The researcher should consider and monitor the effect of the research on the participant to ensure that they are safe, comfortable and able to give ongoing consent to participate in the research.

13.6. Wherever possible, a same sex chaperone should always be present during research activities with children or adults at risk.

13.7. Guidelines for conducting research are available [here](#). Should further information be needed after viewing these guidelines, please contact [ethicspanel@marjon.ac.uk](mailto:ethicspanel@marjon.ac.uk).

## 14. Definitions & Relevant Legislation

Word/Phrase	Definition
<b>Child:</b>	References to “Child” or “Children” in this policy means anyone under the age of 18 years, as defined by Statutory Guidance and Legislation within England <sup>6</sup> .
<b>Adult at Risk:</b>	<p>The University bases its definition of an “Adult at Risk” on that used within the Data Protection Act 2018 and defines an Adult at Risk as someone over 18 years of age who:</p> <ul style="list-style-type: none"> <li>a) has needs for care and support; and</li> <li>b) is experiencing, or is at risk of, neglect, or physical, mental, or emotional harm; and,</li> <li>c) as a result of those needs is unable to protect themselves against neglect or harm, or the risk of it<sup>7</sup>.</li> </ul>
<b>Safeguarding Children:</b>	<p>The University draws on the definition used by the DfE in Keeping Children Safe in Education 2022 (KCSIE)<sup>8</sup> While KCSIE only applies to Schools and Colleges, we will play our part in:</p> <ul style="list-style-type: none"> <li>• Protecting children from maltreatment.</li> <li>• Preventing impairment of children’s mental or physical health or development.</li> <li>• Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.</li> <li>• Taking action to enable all children to have the best outcomes.</li> </ul>

<sup>6</sup> GOV.UK, ‘Working Together to Safeguard Children 2018’, *GOV.UK*, 2020, <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>, (Accessed: 27 August 2021).

<sup>7</sup> GOV.UK, ‘Data Protection’, *GOV.UK*, 2021, <https://www.gov.uk/data-protection> (Accessed: 27 August 2021).

<sup>8</sup> GOV.UK, ‘Keeping Children Safe in Education’, *GOV.UK*, 2021, <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> (Accessed: 27 August 2021).

<p><b>Safeguarding Adults at Risk:</b></p>	<p>The University draws broadly on the Care Act 2014 to inform its policy on safeguarding Adults at Risk. We will play our part to:</p> <ul style="list-style-type: none"> <li>• Ensure that the rights of Adults at Risk are protected to enable them to live in safety, free from abuse and neglect.</li> <li>• Ensure that the wellbeing of the Adult at Risk is promoted and that in deciding on any action to be taken we will consider their views, wishes, feelings and beliefs.</li> </ul>
<p><b>Significant Harm</b></p>	<p>There is no absolute criteria for Significant Harm, however consideration should be given to the following:</p> <ul style="list-style-type: none"> <li>• The severity of ill-treatment which may include the degree and extent of physical harm</li> <li>• The duration and frequency of abuse and/or neglect</li> <li>• The extent of premeditation</li> </ul>
<p><b>Member of the University:</b></p>	<p>Reference to a “Member of the University” includes staff, students, and volunteers of the University.</p>
<p><b>Staff:</b></p>	<p>References to “staff” include all paid University staff whether working on a permanent or temporary contract, interns, apprentices, or engaged as “third party contract staff” working directly for the University.</p>
<p><b>Student:</b></p>	<p>References to “student” includes all students registered with the University, including those based in partner organisations who are registered with the University to gain a professional qualification and third-party apprentices for whom we provide training.</p>
<p><b>Volunteer:</b></p>	<p>“Volunteers” are generally members of the university but may include other associated persons volunteering to lead or support University-led activities for which they are not paid.</p>
<p><b>Contractor:</b></p>	<p>Contractors are employed by third party organisations to carry out work on behalf of the University.</p>
<p><b>Work with Children or Adults at Risk:</b></p>	<p>Within this policy, “Work with Children or Adults at Risk” includes all engagement with Children and Adults at Risk whether in a professional capacity in connection with the work of the University, or in the course of other University-led activities supported by members of the University, either working in a paid or unpaid capacity.</p>

14.1. In the development of this Policy, due consideration has been paid to the following items of legislation and statutory guidance:

- Care Act 2014
- Mental Capacity Act 2005
- Human Rights Act 1998
- Equality Act 2010
- Children Act 1989
- Children Act 2004
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2022
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003
- Counterterrorism and Security Act 2015
- Data Protection Act 2018
- Protection of Freedoms Act 2012
- Care and Support Statutory Guidance 2023
- Prevent Duty Guidance 2021
- Health and Safety at Work Act 1974

14.2. This Policy will be reviewed as needed to reflect changes in relevant legislation.

## **15. Related Policies and Procedures**

15.1. Relevant policies, procedures and guidance that support the University's commitment to safeguarding our community are as follows:

- Student Regulations Framework
- Support to Continue to Study Procedure
- Fitness to Practice Procedure
- Student Misconduct Procedure
- Mental Health and Wellbeing Policy
- Trusted Supporter Communication Protocol
- Prevent Policy
- Staff Disciplinary Policy
- Compliance Policy
- Whistleblowing Policy
- Equality and Diversity Policy
- Health and Safety Policy

## Appendix 1 – Information sharing without consent (Adults at Risk)

There are very few situations in which it is appropriate to share information about an adult without their consent. If a person refuses support relating to a safeguarding concern, then their wishes should be respected. However, if any of the following situations apply, then this can be overridden:

- the person lacks the mental capacity to make that decision – this must be properly explored and recorded in line with the [Mental Capacity Act](#).
- other people are, or may be, at risk, including children.
- sharing the information could prevent a crime.
- the alleged abuser has care and support needs and may also be at risk.
- a serious crime has been committed.
- staff are implicated.
- the person has the mental capacity to make that decision but they may be under duress or being coerced.
- the risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral.
- a court order or other legal authority has requested the information.
- there is clear, immediate and significant risk to life (for example there has been a disclosure of intent and means to suicide).

If staff are unsure about whether information relating to safeguarding can be shared, seek advice from a member of the Safeguarding Team.

This guidance has been taken from the Social Care Institute of Excellence's resource for Information Sharing, which can be found here: [SCIE - Sharing Information](#).

## **Appendix 2 – Apprentices**

At Marjon we work with adult apprentices in the workplace, and this provides different challenges to working with students who are campus-based. Our commitment to creating a safe environment for all apprentices includes ensuring appropriate procedures are in place which are clear and accessible, appropriate safeguarding training is provided and direct contact with the safeguarding team is available to staff and students alike.

Having a positive relationship with employers is key to apprentice success, however apprentice wishes are paramount, and consent about information shared with the employer is driven by the apprentice, except for where there is an immediate risk of harm to the apprentice or to children or vulnerable people in their care. We recognise an individual's capacity to make informed choices about the support they receive and will work in partnership with the apprentice to safeguard and advise them of the best available support.

### **The University Role:**

- The University has a clear commitment to safeguarding as evidenced in its Safeguarding Policy. All apprentices are made aware of the policy both on registration with the University and within their commitment statements. Apprentices are also provided with a named Designated Safeguarding Lead within the University and pastoral support from the Personal Development Tutor, Apprenticeship Assessor/coach/reviewer and Programme Lead.
- Additionally, all members of University staff will receive safeguarding training appropriate to their role (see Section 11 of this policy), which includes mandatory Prevent Duty training.
- All staff working with apprentices, and apprentices studying on a programme at the University will be expected to complete the compulsory Prevent training as provided by the University. See the Prevent Policy for further guidance.
- Apprentices will be provided with resources to support exploration of British Values.

### **The Employer's Role:**

- Employers have a duty to comply with all current UK legislation and statutory responsibilities (including Prevent). This means that employers should take the necessary steps to ensure their apprentices are safe at all times while in their care. This is not restricted to the workplace but extends to any problems outside of work which may affect the apprentice. If a safeguarding issue is identified, it should be acted upon without delay in accordance with UK law.

### **How Plymouth Marjon University safeguards apprentices:**

Plymouth Marjon University has a dedicated Student Support and Wellbeing Team which includes the Designated Safeguarding Officer who provide support for all students and staff in managing safeguarding and welfare concerns. Each apprentice will be allocated a Personal Development Tutor and/or an Apprenticeship assessor/coach/reviewer who are the first line of support in matters relating to welfare and progress. Apprentices also have an allocated workplace mentor as part of the programme who provides employer specific support.

University Staff are required to familiarise themselves with relevant government legislation, the University's Safeguarding Policy and take appropriate steps to understand what safeguarding means in practice. The University ensures that any staff working with apprentices in a position of trust are appropriate for the role and, where applicable, have had an appropriate check completed with the Disclosure and Barring Service.

The University also demonstrates a commitment to the principles that underpin the Prevent Duty (including British Values), seeking specialist support if any concerns are raised.

Apprentices are also made aware of the University policies on using the internet and technology in the workplace and staff are required to understand the dangers apprentices may face using technology in the workplace and act to minimise risks.

The University is available to both employer and apprentice as a resource for support and advice. Whilst some apprentices may report concerns to their employer in the first instance, some apprentices may feel comfortable talking to their University Personal Development Tutor, Apprenticeship Assessor/coach/reviewer or Programme Lead. The University will endeavour to be as transparent as possible with employers, while adhering to university confidentiality policies. Although a lot of safeguarding activity is proactive, it is advisable for employers to include well-being checks as part of the regular apprenticeship mentoring meetings and supervisory sessions so that early action can be taken on any concerns that arise.

### **How our employers should safeguard apprentices:**

As part of the apprenticeship programme employers must allocate each apprentice with a workplace mentor who is actively engaged in the delivery of the learning, attends tripartite meetings, contributes to progress evaluation and is the first point of contact for workplace, employee, and welfare concerns.

Our employers are required to familiarise themselves with relevant government legislation and to ensure that they take appropriate steps to understand what safeguarding means in practice at their workplace and in the context of the responsibilities they have for the people they employ. Our employers. A safeguarding lead should, if possible, be identified to coordinate safeguarding across the workplace.

Employers should ensure that any staff working with apprentices in a position of trust are appropriate for the role, and where necessary have undergone relevant checks with the Disclosure and Barring Service. This is especially relevant for those working with adults at risk and/or children and young people.

Employers should refer to their own safeguarding policy for reporting and responding to a safeguarding concern. In the welfare interests of the apprentice and to ensure appropriate support is put in place it may be appropriate for concerns to be shared with the Personal Development Tutor and/or Apprenticeship assessor/coach/reviewer with the consent of the apprentice.

### **Confidentiality:**

A good working relationship between employers, University staff and apprentices depends to a large extent on the establishment of trust. If an apprentice discloses a safeguarding concern to an employer or a member of University staff, it is important that the boundaries of confidentiality and the need to pass on that information are explained clearly. Staff should not promise to keep secrets but should be transparent about the need to pass on safeguarding concerns.

### **Staying Safe Online:**

The onset of internet and digital technology has presented huge opportunities, both to enrich the learning environment for apprentices and also allowing them to expand their personal horizons. However, third parties are able to access online content, which can be accessed in a number of ways. The University has a role in guiding apprentices in how to use the internet safely and develop appropriate online behaviours.

It is vital that apprentices are made aware of how they can protect themselves online and ensure the security of their personal data. Dangers can include bullying and abuse, revenge porn, grooming, identity theft, and viruses. Resources to support this are made available to apprentices during their University induction and are available at all times on Antler.

### **Contacts:**

Contact details for the Safeguarding Team can be found [here](#).

For issues relating to student support, information and contacts can be found [here](#).

### **Appendix 3 – Students under the age of 18**

An application to student at the University from applicants who will be aged under 18 years at the commencement of their studies will trigger a risk assessment, which requires the approval of the University Secretary and Registrar. Where adaptations are reasonable and proportionate, the University will put in place measures to control risk and ensure the student is safeguarded.

The University reserves the right to refuse to admit a child to a programme of study, or other University managed activities, if it judges that the adaptations necessary to safeguard that individual go beyond what is reasonable and proportionate.

The University reserves the right to withdraw a child from a programme of study, or other University managed activities, if it judges that the adaptations necessary to safeguard that individual go beyond what is reasonable and proportionate.

The University will provide guidance for applicants who will be aged under 18 years at the commencement of their studies about the nature of the University environment, which will include links to the University's safeguarding policy, and contacts for the Safeguarding team. Applicants may request that this guidance also be copied to their parent(s)/carer(s), at the point of offer and/or prior to enrolment.

Should a student under the age of 18 wish to apply for a place in University-owned accommodation, the Accommodation Manager will liaise with the Designated Safeguarding Officer, the Health & Safety Manager, and the Pro-Vice Chancellor to ensure that all appropriate measures are in place to allow the student to be safely accommodated on campus.

#### **Appendix 4 – Contractors Working on University Premises**

There may at any time be a requirement for the University to employ contractors to carry out works on University premises, and it is essential that due care is paid to relevant safeguarding procedures to ensure that this is done safely for all members of the University community.

It is the responsibility of the contractor's employer to ensure that all necessary employment and safeguarding suitability check are completed and to provide assurance to the University that this has been done.

The contractor is responsible, as the employer of staff working on the University's premises, to ensure that everyone has been recruited appropriately to the role they are undertaking, and that DBS check have been acquired where required for all appropriate roles in accordance with eligibility criteria.

In line with the University's duty of care, Plymouth Marjon University will request confirmation from the employer that each worker requiring a DBS check has had a check at the appropriate level.

Any staff member of a contractor whose role gives them contact with children or adults at risk in the course of their duties for the University, will be made aware of and will abide by the Safeguarding Policy and procedures of the University, and may be required to attend appropriate training.