

# Safeguarding Policy

## 1 Introduction

### 1.1 Purpose

Safeguarding is about protecting children, young people and adults at risk from abuse or neglect. This policy provides a framework for the work Unite Foundation is carrying out to:

- + identify, escalate, report, and manage cases of potential or actual cases of abuse or neglect,
- + comply fully with our legal responsibilities – in relation both to safeguarding legislation specifically and to our broader duty of care,
- + be proactive when it comes to reflecting safeguarding considerations in our activities as an organisation

The above covered safeguarding matters that relate to, or involve, a scholarship applicant, scholarship beneficiary or other student accessing charitable activity (known collectively for the purposes of this policy as 'UF Student Contact').

### 1.2 Scope

The scope of this policy covers all of our activities which impact on or involve children (including young people) and/or adults at risk as applicants, scholarship beneficiaries or students accessing other Foundation charitable activity. Cases may also involve other third parties (either as someone potentially responsible for the abuse/neglect of a UF Student Contact or as someone at risk themselves).

The policy is focused on abuse or neglect. It will be relevant to some cases of self-neglect, but is not designed to cover the majority of student welfare issues, including most cases of students not looking after themselves or posing a serious risk to themselves;

### 1.3 Responsibilities

All employees and all other individuals acting on behalf of the Unite Foundation (for example, as contractors, third party employees, temporary staff members, consultants, etc.) are responsible for:

- + being aware of, and complying with, this policy
- + acting, at all times, in accordance with the good practice guides issued under this policy – in particular, on Maintaining appropriate boundaries in our student-facing work and Spotting potential signs of abuse or neglect.
- + completing 'basic safeguarding awareness' training (sometimes/formerly referred to as 'Level 1' training) and other related training, including Prevent training
- + reporting any concerns, suspicions or information regarding safeguarding-related issues in accordance with this policy (see section 2.1.4)
- + treating all information relating to any suspected or actual safeguarding matters confidentially and sensitively, in accordance with this policy

- + cooperate fully with any internal or external investigations carried out into reported safeguarding concerns
- + act on the advice or instructions of the Principal Safeguarding Officer (PSO) to support the practical management of potential safeguarding cases

As well as having all of the above responsibilities, some nominated individuals have additional safeguarding responsibilities, which they fulfil as part of their role, as described below.

A Trustee [Jenny Shaw is PSO for US] is the Principal Safeguarding Officer (PSO) [ambition to move to Director] and is responsible for:

- + completing 'specialist safeguarding training' (sometimes/formerly referred to as 'Level 3' safeguarding training)
- + ensuring the safeguarding policy, along with related guidance, is appropriately promoted and disseminated and that a training plan is in place to support this policy
- + coordinating the organisation's safeguarding arrangements, including ensuring that the staff team and Board of Trustee members are supported to carry out their safeguarding responsibilities
- + overseeing effective procedures for reporting, recording, managing and reporting on safeguarding cases

Matters relating to employees or other persons employed/engaged to act on behalf of Unite Foundation are, from a policy, procedural and case-management perspective, captured within HR related policies. If a safeguarding case involves both a Foundation student contact and a staff member (whether as alleged perpetrators or victims of the abuse or neglect), it will be important to proceed simultaneously with PSO and HR policies.

#### 1.4 Definitions

The following definitions apply to all Unite Foundation activities in all locations in which we operate:

- **Safeguarding** – the process of protecting children and adults at risk from abuse or neglect, and, thereby, preventing impairment of their health and development and ensuring they are able to live in circumstances consistent with the provision of safe and effective care.
- **Child (or Children)** – someone who has not, or people who have not, yet reached their 18th birthday. In England, Wales and Northern Ireland, a child is defined as anyone under the age of 18. In Scotland, the definition of a child varies in different legal contexts (most commonly referring to under 16 year olds); however, given that 'young people' in Scotland between the ages of 16 and 18 can still be subject to a supervision requirement by a Children's Hearing, this policy defines the term children to cover as all people under the age of 18. The fact that a child is living independently or is in further or higher education, does not change their status under this policy.
- **Adult at risk** – someone who is aged 18 or over and who is experiencing, or at risk of, abuse, neglect or significant harm. Often an adult at risk will be unable to protect

themselves from harm or exploitation, or safeguard their own wellbeing, property, rights or other interests.

There are many factors (short-term and/or long-term) which can cause or increase an individual's vulnerability; indicators of possible vulnerability may include a mental health issue, a serious illness, a physical disability, a learning disability, a condition within the autistic spectrum, a sensory disability, dementia, or other situations in which a person becomes frail or vulnerable. An adult at risk may be receiving support services from the local authority, the NHS or a non-statutory agency, but this will not always be the case; therefore, when considering if an adult is vulnerable and requires safeguarding, it is important to consider the extent to which the individual may be at risk of abuse or neglect regardless of whether or not they are accessing any such support services.

Older safeguarding policies often used the term "vulnerable adult"; however, this term tended to focus too heavily on the adult themselves, rather than on the person or people posing a risk towards them. The term 'vulnerable adult' also implied most disabled people were vulnerable by default and by virtue of their physical or mental impairment, when, in fact, many disabled people were, and always have been, perfectly able to protect themselves from harm. Vulnerability is also often influenced by a person's context; in one context, a person might be safe from harm, but, in a different context, the same person may become more at risk. For these reasons, this policy uses the term 'adults at risk' (the term increasingly found in safeguarding legislation and guidance), rather than 'vulnerable adults'.

- **Abuse** – the maltreatment of an individual by inflicting harm on them, or by failing to act to prevent them from being harmed. Abuse can be perpetrated by adults and/or children.
- **Neglect** – the persistent failure to meet a person's basic physical and/or psychological needs, whether it be adequate food, clothing, hygiene, supervision or shelter. It is likely to result in the serious impairment of an individual's health or development. This may include some cases of self-neglect (see definition of 'self-neglect').
- **Self-neglect** – the persistent failure of a person to meet their own basic physical and/or psychological needs, whether it be adequate food, clothing, hygiene, supervision or shelter. The majority of cases involving people who are not looking after themselves or posing a serious risk to themselves are not covered by the term 'self-neglect' but are, instead, covered by other policies, including the Student Mental Health Policy. However, in some cases, where a person is so persistently failing to meet their own basic needs that it leaves them very vulnerable and poses a serious threat to their health and safety, it may be appropriate to report this as a safeguarding concern under this policy in addition to managing the situation as a welfare or mental health support matter.
- **Radicalisation** – defined in the Prevent Duty Guidance as the 'process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups' (Prevent Strategy, 2011). This definition of 'radicalisation' is included here as, when it is carried out by a third party over someone, it is a specific form of harm or

abuse that falls within the scope of this policy, and also because children and adults at risk may be more likely to be drawn into radicalisation by others.

## 1.5 References

Unite Foundation has a common law duty of care to ensure, as far as is reasonably practicable, the health, safety and welfare of any potentially vulnerable individuals and groups accessing its services and facilities. As well as its common law duty of care, Unite Foundation also has obligations under statute and under associated statutory and non-statutory guidance. All of these obligations inform, and are reflected in, this policy and its associated protocols. The main statutes and guidance documents include the following, among others:

England and/or Wales:

- + Children Act 1989
- + Children Act 2004
- + Safeguarding Vulnerable Groups Act 2006
- + Care Act 2014
- + Social Services and Well-being (Wales) Act 2014
- + Children and Social Work Act 2017
- + Multi-agency practice guidelines: Handling cases of Forced Marriage (2014)
- + What to do if you're worried a child is being abused: advice for practitioners (2015)
- + Mandatory reporting of female genital mutilation (2016)
- + Working together to safeguard children (2018)
- + Information sharing advice for safeguarding practitioners (2018)
- + Keeping Children Safe in Education (2020)

Scotland:

- + Children (Scotland) Act 1995
- + Adult Support and Protection (Scotland) Act 2007
- + Protection of Vulnerable Groups (Scotland) Act 2007
- + Children and Young People (Scotland) Act 2014
- + Forced marriage statutory and supplementary guidance (2014)
- + National guidance for child protection in Scotland (2014)
- + Getting it right for every child (2018)
- + Act Against Harm guidance on adult support and protection

Northern Ireland:

- + The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003
- + The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- + Adult Safeguarding Prevention and Protection in Partnership (2015)
- + Child protection guidance for Northern Ireland

A range of other pieces of legislation and related guidance – in the areas of equality, data protection, health and safety, mental incapacity, human rights, counterterrorism, sexual

offences, modern slavery, forced marriage, female genital mutilation, etc. – govern aspects of how we respond to, and manage, safeguarding issues and influence the content of this policy.

Unite Students has also produced three good practice guides pertinent to this policy and which are to be part of Foundation staff training. These are:

- + Safeguarding good practice guide 1: Maintaining appropriate boundaries in student-facing work
- + Safeguarding good practice guide 2: Spotting potential signs of abuse or neglect
- + Safeguarding good practice guide 3: Case-management of safeguarding cases

## 2 Policy

### 2.1.1 Intent

This document provides a framework for Unite Foundation's engagement with safeguarding issues relating to, or involving, student contacts – including specifically the reporting/escalation, referral, case-management, and recording of potential safeguarding issues.

### 2.1.2 Principles

Unite Foundation's safeguarding arrangements are underpinned by the following key principles:

- + All individuals, including children and adults at risk, have a right to be protected from abuse and neglect.
- + The welfare of the child or adult at risk is the paramount consideration.
- + Our duty of care means we have to be proactive in terms of how we build safeguarding protections into key aspects of our work and also respond effectively when we become aware through our work of someone experiencing, or at risk of, abuse or neglect – whether that person is a student, a staff member, someone else connected with our operations, or a third party.
- + Safeguarding is everyone's responsibility. All individuals acting on behalf of our organisation are responsible for being alert to, and acting upon, potential safeguarding issues in accordance with this policy.
- + We will establish clear roles and responsibilities for the prevention of abuse and neglect and the reporting of safeguarding-related concerns.
- + We will always strive to support and empower people to make their own decisions and give informed consent in relation to our referral of cases to external agencies.
- + At the same time, we know that there can be circumstances in which we may need to share personal information with external agencies about a safeguarding concern without the knowledge and/or consent of the individuals affected in order to exercise our duty of care; in these rare cases, we do this knowing that data protection legislation allows for this.
- + In the area of safeguarding, as in many other areas of our work, we need to work in partnership with universities, Unite Students, external agencies and others.

### 2.1.3 Maintaining appropriate boundaries and spotting potential signs

Two practical guides from Unite Students for everyone working on behalf of Unite Foundation on good practice should be followed in all our student facing work, to maintain appropriate boundaries (in all student-facing work, not just when there is a potential safeguarding issue) and also to spot potential signs of abuse or neglect.

These guides are:

- + Safeguarding good practice guide 1: Maintaining appropriate boundaries in our student-facing work
- + Safeguarding good practice guide 2: Spotting potential signs of abuse or neglect

These guides should inform and guide the work of all Unite Foundation staff with student contacts at all times.

#### **2.1.4 Initial actions when receiving a report or allegation**

Remember: If an individual is at imminent risk of serious harm, the first thing you should do is report the matter to the emergency services, afterwards notifying all members of the senior leadership team. Once the emergency situation is under control and the incident managed, any related safeguarding issues should be reported by following the instructions below.

If you have concerns about a child or adult at risk who you know to be experiencing, or at risk of, abuse or neglect, but there is no imminent risk of serious harm, you should follow the following 4 steps:

1. During any conversation in which you are made aware that a child or adult at risk is experiencing, or at risk of, abuse or neglect (regardless of whether you are communicating directly with the child/adult at risk or with another person), you should do the following:
  - a. Respond in a calm manner.
  - b. Allow the person to talk without interruption and take care to not ask any leading questions (i.e. avoid putting words in their mouth). Instead, ask open questions (e.g. "Could you say a little more about what you experienced?") or repeat or summarise what the person has said to check that you have understood them properly.
  - c. Treat the person's comments seriously and provide reassurance that the person was right to tell you. You can tell the person that they were right to tell you these things so that you can arrange support and report the matter. However, remember, it is not appropriate for you to comment on whether or not you believe that what the person is alleging is true, and neither is it your role to fully investigate the alleged abuse/neglect. Your role is to gather together some basic information in order to enable you to report the matter.
  - d. Signpost the person to relevant specialist support services (often, this will involve making sure they have emergency contact details, such as knowing how to contact emergency services, encouraging the person to seek support from their university's counselling service and GP, providing details of specialist mental

- health services, etc.) It can be helpful to send the person a short email reiterating these contact details so that you know the person has a record of them.
- e. Avoid physical contact with the person unless it is absolutely necessary (e.g. to administer first aid, or offer mobility assistance).
  - f. Make sure you never promise unlimited confidentiality to the person (even if the person asks for this by saying something like, "If I tell you something, will you promise you won't tell anyone?"). If necessary, explain that you can never promise unlimited confidentiality to anyone because there may be situation when matters need to be shared. You may, however, say them that the information they are sharing with you will be handed sensitively and shared only with those who need to know.
  - g. Explain that you will need to share what you have been told and that you will look into what needs to happen next.
2. Make a detailed note of what was said, and what you have heard or seen. The following questions might help as a prompt to ensure you note down all relevant information:
    - a. What have you seen, or been told, which makes you think that a child or adult at risk might be experiencing, or at risk of, abuse or neglect?
    - b. Has a child or adult at risk told you that they are being abused/neglected? If so, what did they say? (Where possible, quote their actual words, rather than summarising, and note down where and when this disclosure was made. If anyone else was present when this disclosure was made, note down their details.)
    - c. What relationship does the person who might be at risk have with Unite Foundation – are they a student contact, a staff member, someone else connected with our organisation, or a third party?
    - d. What are the contact details of the person/people who might be at risk? (For example, what is their name, address, email address, phone number, etc.)
    - e. Have you yourself seen any physical injuries on the person/people at risk?
    - f. Is there any other information which you think is relevant?
    - g. Do not share this note with anyone apart from those you are reporting the concern to in the next stage.
  3. Report your concern by contacting the Principal Safeguarding Officer (PSO) and copying your line manager.
  4. Follow the advice or instructions of the PSO and your line manager in terms of next steps. The PSO, for example, may ask you to send them the written note or other information by email so that the matter can be further explored. They may also ask you to have other conversations locally (for example, they may ask you to have a further discussion with someone – e.g. a resident – to seek some further information or check on their wellbeing.) Or they may tell you that the matter does not fall within the scope of this safeguarding policy and talk to you about other ways in which you and your team can support the individuals affected

If you require clarification on any actions you might need to take in relation to a safeguarding concern, speak to the PSO.

Note about anonymous concerns: There may be genuine reasons why an individual with a concern or allegation feels unable to disclose their own identity or the identity of the individual(s) at risk or responsible for the alleged abuse/neglect. Anonymous concerns like this should still be processed and reported in accordance with this policy. However, if you receive an anonymous concern, it can be important to mention to the person raising the

concern that anonymous concerns often mean that the organisation is unable to investigate, refer or case manage the allegations.

### **2.1.5 Responding to allegations and case management**

The PSO who is notified of a potential safeguarding issue is the person who is responsible for managing this case.

The PSO will make an initial decision on whether or not the case reported to you is a potential safeguarding issue that falls within the scope of this policy, and requesting further information, as required.

They will establish what conversations have taken place and decide whether additional conversations would be important to seek more information and provide support to the individual(s) involved, and provide a clear steer on relevant specialist services that the individuals affected should be signposted to (if this has not already happened). The PSO's case management of a safeguarding case will involve deciding whether how any partner organisations need to be informed of, or involved in, this safeguarding case, clarifying whether the individual(s) affected have consented to this matter being reported externally to other agencies, and referring the matter to the relevant local council/local authority or any other relevant external services or authorities responsible for acting on specific types of abuse or neglect.

The PSO will also provide advice or instructions to others relevant to managing the case effectively, and follow up, as appropriate, and ensure the case is managed effectively, keeping appropriate records of all matters relating to the case throughout their management of it.

The PSO may also, in some cases, decide to convene an internal case conference. Most safeguarding cases will not require a case conference as the normal processes of internal support and external referral will be sufficient to manage them. It is only when these normal processes are insufficient to manage a case that a case conference should be convened.

### **2.1.6 Record keeping and confidentiality**

All information relating to a safeguarding concern or case must be considered confidential, handled sensitively and only shared on a 'need to know' basis in accordance with this policy.

The only people you should discuss the matter with are your manager, or the Principal Safeguarding Officer, except in circumstances in which sharing information is essential in order to manage an imminent serious risk to someone (such as contacting emergency services). If you have had to share information with someone because this is necessary to necessary to protect a child or adult at risk, it is important to:



- + Record what you shared and with whom
- + Record your reasons for sharing

In the vast majority of situations, staff members must not disclose anyone's personal data or information about safeguarding concerns with people outside the Unite Foundation partnership with Unite Students and Universities. .

All information must be kept securely (all paper documents under lock and key and all electronic data securely filed).

Unite Foundation consider all requests for information received from external agencies charged with the protection of children and young people.. This includes Universities, Colleges, Social Services, the police, Local Safeguarding Children Boards etc. Where appropriate, information will be provided based on the 'need to know' principle.

### **2.1.7 Disclosure & Barring Service (DBS) checks**

Safe recruitment practices are applied when checking the suitability of prospective staff to work for Unite Foundation. DBS checks are undertaken on all staff.

### **2.1.8 Key outcomes**

Once the policy and associated practice has been embedded into organisational culture key outcomes will include

- + active safe recruitment practice and skills training at all levels
- + explicit consideration of safeguarding within strategic leadership
- + clear understanding of and transparent reporting at all levels of organisation.

### **2.1.9 Sanctions**

All employees and representatives of Unite Foundation are responsible for following this policy and its associated guidance documents.

Any employee who breaches this policy or the associate guidance, may be subject to disciplinary action, up to and including suspension and/or dismissal, and/or external enforcement action, such as criminal prosecution. Any employee who makes an allegation of abuse or neglect which is determined to have been made frivolously, in bad faith, maliciously, and/or for personal gain may also be subject to such action. Unite Foundation will follow its disciplinary procedures in these cases.

If a student contact makes an allegation of abuse or neglect which is determined to have been made frivolously, in bad faith, maliciously, and/or for personal gain or revenge, this may lead to action being taken against them under the Unite Foundation Scholarship Scheme terms including scholarship withdrawal and/or external enforcement action, such as criminal prosecution.