



# St Chad's College - Safeguarding Policies

**St Chad's College, Durham**

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Appendix 1 – Confidential Declaration form

St Chad's College - Safeguarding Policies

Last updated by The Revd Dr Ashley Wilson  
Vice-Principal and Deputy Lead Safeguarding Officer  
December 2018

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These policies are intended to operate alongside the Safeguarding Policies of the University of Durham and should be read in conjunction with them:

<https://www.dur.ac.uk/safeguarding/policy/>

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As an Anglican Foundation, the College also has due regard to the Church of England's Safeguarding policies and advice. The College will ensure that it is aware of current guidance and will adopt best practice recommendations. There is a wealth of resources here:

<https://www.churchofengland.org/more/safeguarding> - see in particular *Promoting a Safer Church*

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**All students at St Chad's College are also members of the University. In all cases where a member of the University (staff or student) is involved or implicated the College will inform the University LSO/DLSO immediately and the University policy will be invoked. The College and University will then work together to ensure that appropriate action is taken. Even where concerns are raised which involve individuals who are not University members (e.g. commercial guests and members of College staff), the University will be kept informed of the situation and appropriate information will be shared (see Section 12). The University LSO/DLSO may be contacted for advice. This is to protect the safety of all involved; to ensure compliance with all relevant policies; and to collaborate on protecting the reputations of both the College and the University.**

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All staff and students are expected to familiarise themselves with these policies, in order to enhance understanding and awareness of abuse to vulnerable parties.

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## Key Definitions

- **Children** refer to those members of or visitors to the College who are under 18 years of age.
- **Disclosure and Barring Service (DBS)** is the government department in England and Wales responsible for ensuring employers make safer recruitment decisions through the checking of persons to prevent unsuitable individuals from working with vulnerable groups, including children.
- **Frequently**, for the purpose of this policy, means at least once a week, or more, for a period of three weeks; or four or more days in a 30 day period.
- **Harm** to a child may be physical or mental and includes actual harm to a child, causing a child to

be harmed, putting a child at risk of harm, attempting to harm a child and/or inciting another to harm a child. The Government's *Working Together* document<sup>1</sup> states that "Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children". Children may therefore be harmed either directly or indirectly through online contact, such as through the use of social media.

- **Lead Safeguarding Officer (LSO)** is the University's main point of contact for individuals wishing to report any incidents of harm or potential harm. From the date of approval of this policy the **College's Safeguarding Director** will be the College Principal, Dr Margaret Masson.
- **Deputy Lead Safeguarding Officer (DLSO)** is the nominated deputy for the LSO and the operational lead for safeguarding in the University. From the date of approval of this policy the **College's Safeguarding Administrator** will be the Vice Principal & Postgraduate Director, The Revd Dr Ashley Wilson. The College Administrator will work in close partnership with the University's DLSO in the implementation of this policy
- **Safeguarding** is defined by the Government's *Working Together* policy as ensuring: protection of children from maltreatment; prevention of the impairment of children's health or development; that children are growing up in circumstances consistent with the provision of safe and effective care; and that action is taken to enable all children to have the best chances.
- **College Members** College Members includes the Governors, Fellows, all staff, tutors, SCR members and students of the College.

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Department for Health document, *Working Together* (2013), which can be found at:  
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

# 1. Safeguarding Children Policy

## Policy Statement

St Chad's College believes that all children have the right to grow up in a safe and caring environment, free from the threat of all types of harm or abuse; from neglect to physical, sexual, or emotional harm or abuse. Children also have the right to expect adults in positions of responsibility to do everything in their power to foster and uphold these rights. Whilst the College does not act *in loco parentis*, it does recognise that it has a duty of care to children and young people, staff, parents and carers of children in our care.

In addition to our moral and ethical obligations, the College has a legal responsibility to safeguard the welfare of children who are on our premises, or who come into contact with our staff, in accordance with the Children Acts (1989 and 2004), along with the Health and Safety at Work Act (1974). In addition, the Safeguarding Vulnerable Groups Act (2006), (as amended by the Protection of Freedoms Act 2012), requires organisations to ensure safe recruitment practices and environments for children as well as an obligation to refer any harm or potential harm of children to the DBS.

The College will therefore ensure that:

- This policy is disseminated College-wide and is communicated effectively to ensure that individuals whose activities on behalf of the College involve frequent engagement with children understand their responsibilities and are able to maintain adherence to this policy and code of conduct when engaged with children;
- All members of the College who frequently come into contact with children as part of their role have an awareness and understanding of issues pertaining to safeguarding children, and know who the relevant College contacts and safeguarding officers are;
- All members of the College who have frequent and/or overnight contact with children are checked by the DBS before they are engaged in regulated activity with children;
- All relevant staff have access to training at an appropriate level in the safeguarding of children;
- Risk assessments for activities involving children include relevant mitigations where applicable;
- Members of the College will immediately contact the Safeguarding Manager or Administrator with any concerns about harm or potential harm to children. Contact should be made in a swift and appropriate manner in the event of any concerns about the safety and welfare of any child;
- Effective links are forged between the College and the University, to facilitate swift communication and cooperation as required;
- Written records of concerns relating to children are kept and secured in accordance with the Data Protection Act (1998).

- 1.1. This policy sets out the College's arrangements for the protection and safeguarding of children within the College. It also sets out the guidelines and procedures employed by the College for the reporting of harm or potential harm to children in the College.
- 1.2. The policy covers the responsibilities of all members of the College engaged in any College activities in which children are present (and not just those engaged in regulated activities). All members of the College, particularly staff and students engaged in activities involving children, either as a volunteer, researcher, worker, or employee, are expected to familiarise themselves with all aspects of this policy as it identifies vital information about which all staff should be aware. College members should bring this policy to the attention of all visitors to the College and others involved in activities with children led by the College. **Visiting groups (especially residential groups) must also be made aware of this policy. Residential groups must provide the College with copies of their own Safeguarding Policy before any booking can be accepted.** All activities on College premises will then be subject to both policies.
- 1.3. Additionally, it is recognised that some members of the College will be required to familiarise themselves with and adhere to the safeguarding policies of partners with whom the College works, especially Durham University. This includes students who are registered for programmes that require them to engage in regulated activity. For example, students undertaking a PGCE programme will be required to meet the safeguarding requirements of the schools in which they undertake their placements. In addition, research staff and students working with children should also be mindful of the need to comply with both internal policy and external ethical regulations and requirements set by research partners. For information relating specifically to student members, see 7.1-7.2.
- 1.4. The policy and accompanying documents will be kept under review to ensure that children are safeguarded in the College environment.

## 2. Responsibilities and Accountabilities

- 2.1. The College has a responsibility to safeguard any children on its premises or in contact with its staff from any form of harm. The Children's Act 1989 places a duty on local authorities to take steps to protect children when appropriate, and gives powers to the police to take any necessary actions. The [Safeguarding Children: Guidance for English HEIs](#) document (2007) from the Department of Innovation and Skills states that all staff in the education service should be aware of the need to alert appropriate authorities should instances of harm, or suspected harm to children arise. The College must be diligent in monitoring the legislative framework within which it operates, and will update practices and policy accordingly.
- 2.2. Ultimate accountability for matters pertaining to the safeguarding of children in the College lies with the Safeguarding Manager. The Safeguarding Manager will be responsible for: implementing and promoting this policy, and for ensuring it is monitored and reviewed according to legal developments; acting as the main point of contact in the College for the protection of children; ensuring that appropriate College members are provided with information, advice, and training on the protection of children; establishing and maintaining contacts with the Local Safeguarding Children Board and the police; maintaining confidential records of reported child abuse/harm cases in accordance with the Data Protection Act (1998); referring and providing any relevant issues or information to the DBS; and liaising with the University's LSO. A Safeguarding Administrator will be nominated to deputise for the Safeguarding Manager.
- 2.3. Whilst the Safeguarding Manager is to act as the main point of contact in the College and as the College-wide responsible party, **all** College members have a responsibility to report any incidents of harm or potential harm to children, (even if potentially minor). Such concerns should be raised without delay.
- 2.4. The College is accountable to its students, not their parents, in issues relating to child protection. It is the College's policy to deal directly with students, with whom it has a contractual arrangement, and not their parents. This policy extends to under-18 students. It is, however, a condition of admission to the University and to the College for under-18s that a parent or guardian confirms, by signing a pro-forma, acceptance of the arrangements detailed in this policy and in the University's policy. In the case of international students whose family remains overseas, the College and University require details of a guardian for the child, resident in the UK, who may be contactable and accessible should a need arise.

### 3. Safeguarding Procedures

- 3.1. The College will ensure that all staff recognise their responsibility to report any concerns about safeguarding through the channels set out below. Staff are to respond immediately to any allegations or suspicions of harm, informing the relevant contacts in the College. Confidentiality should never be promised, and all harm or potential harm to welfare should be reported in the best interests of the child. Staff should remember that it is not the responsibility of the College to investigate harm, but that it does have a duty to a) act if there is a cause for concern, and b) notify the appropriate agencies which can take forward investigations. Any concerns involving staff will be investigated as potential disciplinary matters under the College's HR procedures but only after informing the relevant authorities, and taking advice as appropriate (from e.g. Police).
- 3.2. The College recognises that responding to allegations or suspicions of harm to children can be distressing, and that initial concerns may be tentatively raised. Staff are to be assured that if they report any concerns according to the procedures outlined below they will be wholly supported by their line manager and the Safeguarding Manager. Basic procedures to follow are:
- Remain calm and do not over-react or panic;
  - Listen, giving time to the person to speak, without paraphrasing or providing different explanations for actions;
  - Reassure the person that they have done the right thing in speaking up;
  - Never promise absolute confidentiality, but explain that only professionals who need to know will be informed;
  - Act immediately in accordance with the policy and do not try to address the issue yourself;
  - Record in writing as near verbatim as possible what was said;
  - Report to your line manager in the first instance, who is then responsible, as appropriate, for contacting the Safeguarding Manager (or Administrator) It is the duty of anyone working with children to report disclosure or harm. It is not for staff to decide whether or not a suspicion or allegation is true; all instances must be taken seriously.
  - If you are unable to contact the Safeguarding Manager (or Administrator) in College you should report your concerns directly to the police or social services. (Police on 101; Social Care Direct on 03000 267979)



3.3. If a person to whom the matter is reported is concerned that a child may be at risk of harm as determined in Durham Local Safeguarding Children Board's Child Protection Procedures<sup>2</sup>, then the matter should be reported according to this procedure for reporting allegations or suspicions of abuse:

Report incidents or suspicions as soon as they occur (or as soon as you become aware of them) to your line manager who will then liaise with the Safeguarding Manager as appropriate. Similarly, report any concerns you may have that a child may be suffering harm or potential harm, even if you are unsure about your suspicions.

- Provide the date and time of the disclosure, and of any incident or suspicion, what exactly was said or observed, an indication of the parties involved, as well as a summary of what you said and how you acted. It is important that complainants are as accurate as possible. The Safeguarding Manager may make a telephone referral, either to the police or social services, within 24 hours of the initial allegation/suspicion.
- The relevant statutory agency may issue instructions for next steps. It may be that the initial recorder of the alleged harm is not contacted again as it is not usual practice for agencies to update the College with developments. If the initial reporter is dissatisfied with the action taken by the statutory agency, and feels that the child is still at risk, they should discuss this with the Safeguarding Manager.
- The Safeguarding Manager will also retain a copy of any report detailing concerns raised under this policy and any subsequent actions (including relevant documents), as well as any reports sent to social services or the police. These records will be held securely and, in compliance with the Data Protection Act, stored for 25 years.

3.4. All staff should be made aware that any allegations made against them under this policy may be considered as allegations of gross misconduct and that the individual may be suspended while an investigation is carried out. The College has a duty to refer any harm or potential harm of a child to the DBS, including where an individual is removed from undertaking regulated activity and/or where an individual leaves the College before any concerns which have been raised are considered or investigated.

3.5. This policy will be distributed to all incoming staff as part of their induction, and will be communicated to all existing members via standard communication channels, including publication on the College website. This is vital to raise awareness of the policy and procedures involved, and to highlight individual responsibilities and accountabilities.

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<sup>2</sup> According to the LSCB Child Protection Procedures, there are no absolute criteria on which to rely when judging what constitutes significant harm. For a full definition of significant harm, please see <http://www.durham-lscb.org.uk/wp-content/uploads/sites/29/2016/06/Section-1-Introduction.pdf> (page 8)

3.6 If you have concerns relating to the conduct of a College Officer; or if you are concerned about the way in which the Safeguarding Manager (or Administrator) in College have responded to a report; or if you have comments or queries about the safeguarding policies themselves (or their implementation) then you should contact the Chair of the Governing Body

## 4. Staff Recruitment

- 4.1. Safeguarding can also be improved through recruitment activities and employment checking, as well as training programmes. College will always strive to ensure safe recruitment, through checking eligibility and suitability to work with children.
- 4.2. All individuals who, as part of their role in the College, work frequently with children (whether they are being recruited into the College or potentially moving into a new role in the College which involves frequent work with children) will be required to undertake a DBS check prior to the College offering the employment (or a new role). Some roles are covered by specific legislation, such as the Criminal Justice and Court Services Act (2000) and the Protection of Children Act (1999) which makes it compulsory/strongly recommends that DBS checks be carried out. For non-UK nationals, or for those who have worked and lived abroad, a check may also be required from that country. The Safeguarding Manager should be consulted if any doubts concerning the requirement for DBS checks arise.
- 4.3. A DBS check will provide the College with certainty that the individual is not barred from working with children. It is a criminal offence for the College to knowingly allow anyone to undertake regulated activity with children if they are on the barred list.
- 4.4. If an applicant or existing member of the College has to work with children, (and has no prior experience of working with children), they will be required to undertake specific training as a requirement of their appointment.
- 4.5. If, during a recruitment process, concerns about a potential colleague's suitability to undertake a role arise, (because they may be barred from engaging with children or they may be subject to an investigation), these must be immediately raised with the Safeguarding Manager.
- 4.6. Students or staff undertaking volunteering arranged by the College may be required to undergo DBS checks if the activity involves frequent and/or overnight contact with children. For instance, volunteers working on the College's South Africa school volunteering project would be checked.
- 4.7. For posts involving regular contact with children (e.g. during commercial trading), for College tutors, and for any holder of a College master key (or anyone with access to a master key), applicants will be required to complete a Confidential Personal Declaration form (see appendix 1) to be renewed every five years.
- 4.8 St Chad's College has a written policy on the recruitment of ex-offenders, which is made available to all applicants at the start of the recruitment process

## 5. General Guidance & Best Practice

5.1. There are a number of general principles which exemplify best practice in working with children and which should be observed by all College members. Some of the guidance is general in nature (and should be observed in relation to all students, whatever their age), although there are a number of elements which relate to specific scenarios. College members should:

- Be aware of the needs of children, and should be vigilant for signs of harm or potential harm inflicted either from a personal or institutional setting, or from online sources, especially social media accounts;
- Take seriously anyone's complaint or information on which appropriate action should be taken as soon as possible;
- Remember that children can be responsible for harming their peers;
- Wherever possible, not spend time alone with children, especially if it is physically located away from other individuals. Meetings should take place as openly as possible;
- Avoid unnecessary physical contact with children. There are some cases where physical contact may be necessary such as the provision of physical support; this should only take place with the consent of the child;
- Comply with all health and safety rules and guidance;
- Report any incidents or accidents as soon as possible, and keep a written record of these;
- Avoid travelling with children in a vehicle; if this cannot be avoided, staff should only travel in appropriately insured vehicles;
- Not contact children outside of official activities;
- Be aware that it is a criminal offence (Sexual Offences Act (2003)) for anyone in a position of trust to have a sexual relationship with a child (under-18), regardless of consent;
- Be aware that breaches of this policy and/or allegations of misconduct concerning children and/or harm/potential harm of children may result in Disciplinary Procedures being instigated;
- In instances of medical emergency where it is not possible to contact named individuals, obtain consent for treatment from a senior member of the College, on behalf of parents/guardians, as in the best interest of the child. Parents/guardians are to consent to this in the pro forma indicated above (2.4);
- Forbid alcohol or illicit substance consumption by staff or College members whilst responsible for children, and also forbid consumption of alcohol or other illicit substances by children. The police should be contacted if any illegal substances are discovered in the possession of children;
- Ensure that those involved with children in the College understand that they must report any harm or potential harm to a child to the Safeguarding Manager through their line manager, and that they must not try to deal with such a situation themselves.

## 6. Code of Conduct

6.1. All College members should adhere to the principles contained below in the code of conduct and should familiarise themselves with the appropriate behaviours and approach for working with children. College members should remember that they have a duty of care to all children, and should ensure that they work toward the creation of a safe environment.

6.2. College members should:

- Treat everyone with respect;
- Be sensitive to children's appearance, race, culture, religious beliefs, sexuality, gender, or disability;
- Provide an example others should follow, acting as an appropriate role model;
- Remember that actions may be misinterpreted, no matter how well intentioned;
- Plan activities to involve more than one person, or locate activities within physical sight of others;
- Provide an environment where children and adults feel comfortable enough to point out attitudes and behaviours they do not like, and to provide a caring, safe atmosphere;
- Be cautious about physical contact and avoid gratuitous physical contact with a child;
- Ensure mixed gender groups are supervised by both male and female staff;
- Question any unknown adult who enters College premises and/or who attempts to engage with children;
- Obtain parental consent for those who cannot consent for themselves to take/use images prior to the taking of images.

6.3. College members should not:

- Engage in sexually provocative or rough physical games with children;
- Allow children to use inappropriate language unchallenged e.g. racist, sexist, homophobic language;
- Make any sexually suggestive comments in front of, or to, or about a child, even in jest;
- Let allegations made by a child go unaddressed or unrecorded;
- Deter children from making allegations through fear of not being believed;
- Jump to conclusions without checking facts first;
- Rely on your own good name for protection;
- Fail to report any incidents of harm or potential harm;
- Promise absolute confidentiality;
- Use physical force against a child, unless it constitutes reasonable restraint to protect him/her or another person. Incidents should be reported and recorded in writing with a witness statement (where possible) immediately afterwards;

- Undertake things of a personal nature which children can do for themselves;
- Humiliate or shame a child, including reducing a child to tears as a form of control;
- Be inappropriately familiar with a child.

This guidance is not only applicable to staff relating to under-18s, or students relating to under-18s in a voluntary, or educational role, but also to students interacting with fellow under-18 students. Mindful of the developmental stage of those involved, this is general advice regarding the recommended behaviours to avoid.

## **7. Applicability of policy to students**

- 7.1. As stipulated, this policy is applicable to all members of the College; including students. The College recognises that although the majority of students will not encounter children whilst in a position of responsibility, there are those who act as volunteers or staff, and who come into contact with children as a result of such roles; for instance, student community volunteers. When representing the College and/or working with any other organisation, this policy and the policy of any partner organisation must be observed.
- 7.2. Students in such positions should receive a copy of this policy, and, regardless of their role, familiarise themselves with its contents; particularly the general guidance and code of conduct found in sections 6.2-6.3. Staff with responsibility for activities on site are ultimately responsible for the dissemination of this policy to students, and are also responsible for ensuring both appropriate behaviour and an understanding of child protection issues. Managers are also responsible for ensuring appropriate risk assessments are undertaken.
- 7.3. It is the College's responsibility to provide relevant checks for students on site, but once on a placement, students must make themselves aware of the relevant institutional policies and guidance to ensure compliance.

## **8. Assurance**

This policy will be reviewed on an annual basis to ensure it remains compliant with legislation and best practice. Assurance that the policy is being adhered to will be reported to the College's Governing Body by the Safeguarding Manager.

## **9. Review**

This policy, along with the Safeguarding Children Policy, will be reviewed annually to ensure it remains compliant with relevant legislation and best practice, and that it continues to function effectively.

## 10. Safeguarding Vulnerable Adults Policy

### Policy Statement

- We are committed to respectful engagement with all adults within our College community.
- We recognize that everyone has different levels of vulnerability and that each of us may be regarded as vulnerable at some time in our lives.
- We are committed, within our College community, to the safeguarding and protection of vulnerable people.
- We will carefully select and train all those with any pastoral responsibility within the College, including the use of Disclosure & Barring Service disclosures where legal or appropriate. DBS disclosures will be renewed every five years. Section 4 above on recruitment will apply.
- We will respond without delay to any complaint made that an adult for whom we were responsible has been harmed, cooperating with police and the local authority in any investigation.
- We commit ourselves to promoting safe practice by those in positions of trust.
- We will challenge any abuse of power by anyone in a position of trust.
- It is the responsibility of each of us to prevent the physical, emotional, sexual, financial and spiritual abuse of vulnerable people and to report any such abuse that we discover or suspect.

## 11. Vulnerability

It is the duty of all members of College to recognize and support those who are identified as being more vulnerable. In supporting a vulnerable person we must do so with compassion and in a way that maintains dignity. Vulnerability is not an absolute; an individual cannot be labelled as 'vulnerable' in the same way as a child is regarded as such. Childhood is absolute: someone who is not yet eighteen years of age is, in the eyes of the law, a child; this is not the case with vulnerability. Some of the factors that increase vulnerability include:

- Immaturity
- a sensory or physical disability or impairment
- a learning disability;
- a physical illness;
- mental ill health (including dementia), chronic or acute;
- an addiction to alcohol or drugs; or temporary intoxication
- the failing faculties in old age
- being of a racial or ethnic minority
- a relationship with someone in a position of trust
- being a victim of harassment or bullying
- being a care leaver
- a permanent or temporary reduction in physical, mental or emotional capacity brought about by life events, for example bereavement or previous abuse or trauma



In addition to our responsibility for safeguarding children engaged in activities with our staff and students, the College also recognises its responsibility for those adults, (i.e. those over the age of eighteen), who are considered "vulnerable" or "at risk".

In order to bring into focus those people for whom the College should have a particular care this working definition may be helpful:

Any adult aged eighteen or over who, by reason of mental or other disability, age, illness or other situation is permanently or for the time being unable to take care of him or herself, or to protect him or herself against significant harm or exploitation.

A narrower definition is in use for the particular purpose of applying to the Disclosure & Barring Service (DBS), but it should be noted that the latest government guidance on Safeguarding Adults does not speak of 'vulnerable adults', which puts the onus on the victim of abuse, but rather concentrates on enabling adults to 'retain independence, wellbeing and choice and to access their human right to live a life that is free from abuse and neglect'.

## 12. Mistreatment and Abuse

Mistreatment is defined in *No Secrets*<sup>3</sup> as 'a violation of an individual's human and civil rights by any other person or persons'. In a College context it could be any misuse of a pastoral or managerial relationship, from the most serious to less severe behaviour, which lies at its root. The term covers abuse, bullying and harassment. These categories are not watertight and can merge into one another. Harm is what results from mistreatment or abuse.

The College has a clear zero-tolerance approach to abuse, and is committed to protecting the welfare of its staff and students, and those who work directly with staff and students through College-led activities. In relation to its core business it will be rare that College will encounter people who meet the criteria of the stricter definitions of "vulnerable" or "at-risk" adults. However, it is not impossible that this could occur. It could also arise in relation to external groups and the College's commercial trade.

## 13. Reporting

It is the responsibility of all staff and students working with adults at risk to be alert to possible symptoms of abuse, and to raise any concerns relating to the welfare of the adult to the Safeguarding Manager (or Administrator). Incidents will be reported to the County Durham Safeguarding Adults Inter-agency Partnership. If you are unable to contact the Safeguarding Manager (or Administrator) you should report your concerns directly to the police or social services. (Police on 101; Social Care Direct on 03000 267979)

Any member of College (or the Safeguarding Manager/Administrator) concerned about an individual must first obtain the consent of the adult at risk prior to reporting suspicions/actual incidents of abuse to the CDSAIP. There are a few exceptions to this:

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<sup>3</sup> The Care Standards Act 2000 provides minimum standards for the residential, domiciliary or other services for vulnerable people. It includes vetting arrangements for those working with certain vulnerable people. *No Secrets* (Department of Health, 2000) is the accompanying government guidance. *Safeguarding Adults: a national framework of standards for good practice and outcomes in adult protection work* (ADSS, 2005) updates and expands *No Secrets*.

- If people other than the individual concerned are at risk of harm;
- If there is a legal restriction (i.e. where an individual intends to break the law, or where the case should be considered under the Mental Health Act 1983), or overriding public interest in the case;
- If the individual concerned is exposed to a potentially life-threatening level of risk, and is unreasonably withholding consent;
- If the person has impaired capacity or decision making abilities in relation to safeguarding issues, as determined by the two stage test defined under the Mental Capacity Act 2005.

Should the adult at risk withhold their consent, the staff/student member requesting consent should determine whether they still feel the adult is at risk. If so, they should liaise with the Safeguarding Manager (or Administrator) to discuss next steps.

## **14. Review**

This policy, along with the Safeguarding Children Policy, will be reviewed annually to ensure it remains compliant with relevant legislation and best practice, and that it continues to function effectively.

## 15. Safeguarding Students (and other members of College)

Human beings are, by their very nature, subject to the chances and changes of this world. Each one has strengths and weaknesses, capacities and restrictions. At some time everyone will be vulnerable to a wide range of pressures, concerns or dangers. No one is 'invulnerable'; some people may consider themselves to be strong but, when circumstances change, strengths can quickly disappear. Some people by reason of their physical or social circumstances have higher levels of vulnerability than others.

Most members of College will not meet the criteria of the stricter definitions of "vulnerable" or "at-risk" adults. However, any member of College may from time to time be "vulnerable". Some of the factors that increase vulnerability include:

- a physical illness;
- mental ill health (including dementia), chronic or acute;
- temporary intoxication with alcohol/drugs
- a permanent or temporary reduction in physical, mental or emotional capacity brought about by life events, for example relationship issues, bereavement, or previous abuse

Whilst such temporary vulnerability is not, strictly, covered by the legislation, nonetheless College would expect the provisions of the Safeguarding Vulnerable Adults Policy to be applied and the guidance followed (see section 9 above). This is particularly important where one party is in a position of trust.

The Policy Statement at 9.4 above applies to all members of College experiencing temporary "vulnerability" and especially to students in their dealings with members of staff and volunteers.

## 16. Guidance for those in positions of trust and those responsible for pastoral care or welfare support of vulnerable people

### Pastoral relationships

Exercising any kind of pastoral care involves workers developing an understanding of themselves and how they relate to others, how they increase the well-being of others and how they ensure their own well-being and safety. People in positions of trust necessarily have power, although this may not be apparent to them, therefore respecting professional boundaries is particularly important. Many pastoral relationships can become intertwined with friendships and social contacts, making this guidance even more necessary.

- Staff and volunteers should exercise particular care when ministering to persons with whom they have a close personal friendship (or family relationship).
- Staff and volunteers should be aware of the dangers of dependency in pastoral and professional relationships and seek advice or supervision when these concerns arise.
- Staff and volunteers should recognize their limits and not undertake any support that is beyond their competence or role (e.g. therapeutic counselling, counselling victims of abuse and domestic violence, or their perpetrators, or giving legal advice). In such instances the person should be referred to another person or agency with appropriate expertise.
- Staff and volunteers should avoid behaviour that could give the impression of inappropriate favouritism or the encouragement of inappropriate special relationships.
- Staff and volunteers should treat those with whom they work with respect, encouraging self-determination, independence and choice.
- Pastoral relationships may develop into romantic attachments and such situations should be handled sensitively. Workers need to recognize such a development and make it clear to both the person concerned and a supervisor or colleague. Alternative arrangements should be made for the ongoing pastoral care of the person concerned.
- Staff and volunteers should not undertake any pastoral care while they are under the influence of drink or non-prescribed drugs.

### Formal interviews and informal conversations

Staff and volunteers should be aware of their language and behaviour. For example, innuendoes or compliments of a sexual nature are always inappropriate.

When a person asks questions or seeks advice around topics of a sexual nature, the worker should be discerning about the motives and needs of the person and question their own ability to assist.

Staff and volunteers should consider in advance:

- the place of the meeting, arrangement of the furniture and lighting, the worker's dress;
- the balance of privacy for conversation with the opportunity for supervision (open doors or windows in doors, another person nearby);

- the physical distance between people determined by hospitality and respect,
- being aware that someone may have suffered abuse or harassment in the past;
- whether the circumstances suggest a professional or social interaction;
- the personal safety and comfort of all participants;
- establishing at the outset the nature of the interview in respect to subject matter, confidentiality and duration;
- the appropriateness of initiating or receiving any physical contact, for example gestures of comfort, which may be unwanted or misinterpreted.

**Record keeping and privacy**

Staff and volunteers should consider keeping a record of pastoral encounters to include date, time, place, subject and actions to be taken. The content of any encounter should only be recorded with the person's consent unless it is a matter of child protection or might be a record of suspicion of abuse or mistreatment. Any record should be factual and avoid rumour or opinion.

## 17. Safeguarding from Radicalisation

The College has a responsibility, indeed a legal duty, to comply with the requirements of the Government's Prevent agenda, part of the government's strategy to reduce the risk of people being drawn into terrorism under the Counter-Terrorism and Security Act 2015.

Prevent is one of four work strands which make up the government's counter-terrorism strategy – CONTEST. The aim of CONTEST is to reduce the risk to the UK and its interests overseas from terrorism.

**Pursue** – focuses on detecting, investigating and disrupting terrorist threats to the UK and our interests overseas.

**Protect** – aims to reduce the vulnerability of the UK and UK interests overseas to terrorist attack. This includes aviation security for both cargo and passengers.

**Prepare** – aims to minimise the impact of any attack, manage any incidence of an ongoing attack and recover quickly and effectively

**Prevent** – aims to stop people becoming terrorists or supporting terrorism

As the preventative strand of CONTEST, Prevent will:-

- Respond to the ideological challenge of terrorism and the threat faced by the UK from those who promote it
- Prevent people from being drawn into terrorism and ensure they are given appropriate advice and support
- Work with a wide range of sectors (including higher education) mwhere there are risks of radicalisation which need to be addressed

The College and the University see this as a further example of Safeguarding and as primarily a welfare issue. The preamble to the Prevent action plan stresses that the College's and the University's focus is on the actions that encourage and foster an open and inclusive community where legitimate scholarly debate can flourish. The College recognises that if a member of its community was drawn to a radical ideology that promoted violent extremism then this would be a safeguarding concern and therefore, the risks and actions identified address the controls that are needed to try and prevent this happening and to respond proportionately should this occur. Placing Prevent within the safeguarding umbrella has been welcomed and supported by the College's Junior and Middle Common Rooms and is consistent with the approach adopted by many Durham University.

Any member of College who has concerns about any other member being at risk of radicalisation or being drawn into terrorism can raise their concerns with the College Prevent lead (currently the Vice-Principal & Postgraduate Director, The Revd Dr Ashley Wilson) or the College Principal. Students with concerns can also raise these via student Welfare Officers, College Tutors, or any College Officer

The College has a Freedom of Expression policy and a policy on External Speakers (see College Website).

Staff and volunteers will be trained, as appropriate, using Durham University's online "Safeguarding from Radicalisation" training package.

The central principle of **NOTICE-CHECK-SHARE** applies to concerns under the Prevent agenda but also to other safeguarding issues and student welfare in general. If members of College notice anything about another member which concerns them they should check this with their line manager, or (for students) a College tutor or member of staff, so that genuine welfare concerns can be shared appropriately with the responsible members of the senior management team.

## 18. Information Sharing

At the time of publication of this policy the College does not have a data-sharing agreement with the University, though in practice the majority of personal information is held jointly by both institutions. The absence of an agreement should not in any way be seen as a barrier to the exchange of information in relation to safeguarding issues.

The following eight guidelines are from the County Durham Protocol for Collaborative Working and Information Sharing between Professionals to Protect Vulnerable Adults and Children.<sup>4</sup> The same principles will be applied in College in relation to sharing information with the University and other appropriate agencies.

- 1. Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
- 2. If there are concerns that a child may be at risk of significant harm or an adult at risk of serious harm**, then it is your duty to follow the relevant procedures without delay. Seek advice if you are not sure what to do at any stage and ensure that the outcome of the discussion is recorded.
- 3. Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- 4. Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
- 5. Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You should go ahead and share information without consent if, in your judgement, that lack of consent can be overridden in the public interest, or where a child is at risk of significant harm. You will need to base your judgement on the facts of the case.
- 6. Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- 7. Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- 8. Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

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<sup>4</sup> <http://www.durham-lsrb.org.uk/wp-content/uploads/sites/29/2016/06/Collaborative-working-and-information-sharing-protocol.pdf>



## APPENDIX 1

### St Chad's Colege - Confidential Declaration Form

*This form is strictly confidential and, except under compulsion of law, will be seen only by those involved in the recruitment / appointment process and, when appropriate, the University Safeguarding Adviser or someone acting in a similar role / position. All forms will be kept securely in compliance with the requirements of GDPR*

*If you answer yes to any question, please give details, on a separate sheet if necessary, giving the number of the question which you are answering.*

*Please note that the Disclosure and Barring Service (DBS) is an independent body, which came into existence on 1<sup>st</sup> December 2012. It combines the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).*

1. Have you ever been convicted of or charged with a criminal offence or been bound over to keep the peace that has not been filtered in accordance with the DBS filtering rules<sup>1</sup>? (Include both 'spent'<sup>2</sup> and 'unspent' convictions) YES / NO
2. Have you ever received a caution, reprimand or warning from the police that has not been filtered in accordance with the DBS filtering rules<sup>3</sup>? YES / NO

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<sup>1</sup> You do not have to declare any adult conviction where: (a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction; (b) it is your only offence; (c) it did not result in a prison sentence or suspended prison sentence (or detention order) and (d) it does not appear on the DBS's list of specified offences relevant to safeguarding (broadly violent, drug related and/or sexual in nature). **Please note that a conviction must comply with (a), (b), (c) and (d) in order to be filtered.** Further guidance is provided by the DBS and can be found at [www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates](http://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates) and [www.gov.uk/government/publications/dbs-filtering-guidance](http://www.gov.uk/government/publications/dbs-filtering-guidance)

<sup>2</sup> Please note that the 'rehabilitation periods' (i.e. the amount of time which has to pass before a conviction etc. can become 'spent') have recently been amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Since 10 March 2014, custodial sentences greater than 4 years are never 'spent'. For further guidance in relation to the 'rehabilitation periods', please see <http://hub.unlock.org.uk/knowledgebase/spent-now-brief-guide-changes-roa/>

<sup>3</sup> You do not have to declare any adult caution where: (a) 6 years (or 2 years if under 18 at the time of the caution, reprimand or warning) have passed since the date of the caution etc. and (b) it does not appear on the DBS's list of specified offences referred to in footnote 1 above. **Please note that a caution etc. must comply with (a) and (b) in order to be filtered**

*Notes applicable to questions 1 and 2: Declare all convictions, cautions, warnings, and reprimands etc. that are not subject to the DBS filtering rules. Please also provide details of the circumstances and/or reasons that led to the offence(s).*

*Broadly, where your position / role involves substantial contact with children and / or adults experiencing, or at risk of abuse or neglect (i.e. where you are eligible for an enhanced criminal records check) you will be expected to declare **all** convictions and / or cautions etc., even if they are 'spent' provided they have not been filtered by the DBS filtering rules.*

***If your position / role does not involve substantial contact with children and / or adults experiencing, or at risk of abuse or neglect you should only declare 'unspent' and 'unfiltered' convictions / cautions etc.***

*Convictions, cautions etc. and the equivalent obtained abroad must be declared as well as those received in the UK.*

*If you are unsure of how to respond to any of the above please seek advice from an appropriate independent representative (e.g. your solicitor) because any failure to disclose relevant convictions, cautions etc. could result in the withdrawal of approval to work with children and / or adults experiencing, or at risk of abuse or neglect. Although it is important to note that the existence of a conviction, caution etc. will not necessarily bar you from working with vulnerable groups unless it will place such groups at risk.*

3. Are you at present (or have you ever been) under investigation by the police or an employer or other organisation for which you worked for any offence / misconduct? YES / NO
4. Are you or have you ever been prohibited and / or barred from work with children and/or vulnerable adults? YES / NO
5. Has a family court ever made a finding of fact in relation to you, that you have caused significant harm to a child and / or vulnerable adult, or has any such court made an order against you on the basis of any finding or allegation that any child and / or vulnerable adult was at risk of significant harm from you<sup>4</sup>? YES / NO

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<sup>4</sup> 'Significant harm' involves serious ill-treatment of any kind including neglect, physical, emotional or sexual abuse, or impairment of physical or mental health development. It will also include matters such as a sexual relationship with a young person or adult for whom an individual had pastoral responsibility or was in a position of respect, responsibility or authority, where he/she was trusted by others. It also includes domestic abuse

6. Has your conduct ever caused or been likely to cause significant harm to a child and / or vulnerable adult, and / or put a child or vulnerable adult at risk of significant harm? YES / NO

*Note: Make any statement you wish regarding any incident you wish to declare*

7. To your knowledge, has it ever been alleged that your conduct has resulted in any of those things? YES / NO
8. Have you ever had any allegation made against you, which has been reported/referred to, and investigated by the Police/Social Services/Social Work Department (Children or Adult's Social Care)? YES/NO

If you reply yes to questions 7 and/or 8, please give details, which may include the date(s) and nature of the allegation, and whether you were dismissed, disciplined, moved to other work or resigned from any paid or voluntary work as a result.

*Note: Declare any complaints or allegations made against you, however long ago, that you have significantly harmed a child, young person or adult who is vulnerable. Any allegation or complaint investigated by the police, Children's Services, an employer, voluntary body or other body for which you worked must be declared. Checks will be made with the relevant authorities.*

9. Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, been placed on the Child Protection Register or been the subject of child protection planning, a care order, a supervision order, a child assessment order or an emergency protection order under the Children Act 1989, or a similar order under any other legislation? YES / NO

*Note: All these matters shall be checked with the relevant authorities*

**Declaration**

I declare the above information (and that on any attached sheets) is true, accurate and complete to the best of my knowledge.

After I have been appointed I agree to inform my line manager or supervisor if I am charged, cautioned or convicted of any offence or if I become subject to a Police/Social Services/Social Work Department (Children or Adult’s Social Care) investigation.

Signed.....  
Full Name.....Date of Birth.....  
Address.....  
.....  
Date.....  
Please return the completed form to  
.....

*Before an appointment can be made applicants who will have substantial contact with children and / or adults experiencing, or at risk of abuse or neglect in their roles will be required to obtain an enhanced criminal record check (with or without a barred list check (as appropriate)) from the Disclosure and Barring Service.*

*All information declared on this form will be carefully assessed to decide whether it is relevant to the post applied for and will only be used for the purpose of safeguarding children, young people and / or adults experiencing, or at risk of abuse or neglect.*

*Please note that the existence of a criminal record will not necessarily prevent a person from being appointed, it is only if the nature of any matters revealed may be considered to place a child and / or an adult experiencing, or at risk of abuse or neglect at risk.*