

# NUS

## Safeguarding Policy

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<b>Related Policies:</b>	<ul style="list-style-type: none"> <li>a) Dignity at Work Policy</li> <li>b) Whistleblowing Policy and Procedure</li> <li>c) Confidentiality (Disclosure) Policy and Procedure</li> <li>d) Recruitment &amp; Selection Policy and Procedure</li> <li>e) Equality &amp; Diversity Policy and Procedure</li> <li>f) Staff Protocol</li> <li>g) Grievance Policy and Procedure</li> <li>h) Disciplinary Policy and Procedure</li> <li>i) Social Media Policy</li> <li>j) Pre- employment Checks (including DBS) Guidance</li> </ul>		

Review History		
Date	Name	Notes
July 2012	Graham Atkinson	Full review and Rewrite
Jan 2013	Gill Camina, NSPCC	Review and revision
May 2018	Davina Keen, NUS Gill Camina, Universal Safeguarding Solutions	Review and revision
October 2020	Davina Keen and Jane Gilchrist	Review and minor amendments

### Safeguarding Policy Statement

It is the policy of the National Union of Students (NUS) to make every effort to safeguard its members from all forms of bullying, harassment, abuse and harm, while participating in NUS activities. This includes in particular those under 18 years (young persons) and adults who may be additionally at risk or vulnerable as a result of a range of factors outlined in this policy.

## **1. Aim**

- 1.1. The purpose of the NUS Safeguarding policy is to recognise the responsibilities of NUS as an organisation as described in the policy statement above.
- 1.2. The policy recognises the obligations and duty of care on organisations working with children, young people and adults at risk as set out in national legislation, statutory guidance and voluntary sector guidance including:
  - Children Acts 1989 and 2004
  - UNCRC (ratified 1991)
  - Children (Scotland) Act 1995
  - Children and Young People (Scotland) Act 2014
  - Sexual Offences (Scotland) Act 2009
  - Care Act 2014
  - Adult Support and Protection (Scotland) Act 2007
  - National Guidance for Child Protection in Scotland (Scottish Government 2014)
  - Cooperating to safeguard children and young people in Northern Ireland 2017
  - Safeguarding Board NI Core Policy and Procedures 2018
  - Adult Safeguarding Policy for Northern Ireland (July 2015)
  - Social Services and Well-being (Wales Act 2014 (in force April 2016)
  - The Wales Safeguarding Procedures (launched Nov 2019)
  - Working Together to Safeguard Children 2018
  - Care and Support Statutory Guidance (updated July 2018)
  - Adoption and Children Act 2002
  - Sexual Offences Act 2003
  - Serious Crime Act 2015 (67 & 76)
  - Modern Slavery Act 2017
  - Children and Families Act 2014
  - The Education Act 2002 – Sections 157/175
  - Counter-Terrorism and Security Act 2015 (Prevent/Anti-Radicalisation statutory responsibilities)
  - Children and Social Work Act 2018
  - Equality Act 2010
  - Safeguarding Vulnerable Groups Act 2006
  - Protection of Freedoms Act 2012
  - Keeping Children Safe in Education (Sept 2020)

## **2. Principles**

2.1. Young people (under 18 years of age) and adults at risk have additional rights to protection within the UK and NUS is committed to promoting their participation and wellbeing. By taking care to uphold the following principles NUS can help to support their welfare and development:

2.1.1. The young person's welfare is, and must always be, the paramount consideration.

2.1.2. All young people have the right to be protected from abuse regardless of their age, culture, disability, gender identity, language, racial origin, religious belief or sexual identity<sup>1</sup>.

2.1.3. NUS will take seriously all suspicions and allegations of abuse and respond swiftly and appropriately.

2.1.4 NUS recognises that working in partnership with young people and their parents/carers is essential for their protection.

2.1.5 NUS recognises the roles and responsibilities of statutory agencies in relation to safeguarding young people and promoting their welfare in accordance with Working Together to Safeguard Children: a guide to inter-agency working to safeguard and promote the welfare of children (HM Government 2018). NUS is fully committed to

working together with the Local Safeguarding Partners) and Local Area Child Protection Committees (LACPC) in Scotland, and to comply with their procedures.

2.2. NUS is an organisation which encompasses a wide and diverse membership, across the UK. NUS represent students' and supports students' unions. NUS believes that students' unions should be able to run their own organisations free from undue external interference within the requirements of the law. However, it is expected that students' unions will adhere to this policy, linked policies and guidance when engaging in NUS activities.

2.3. NUS is committed to widening access to post-16 education to all and promote and encourage the participation of non-traditional students in the student movement. A key factor in this process of opening up education is work in the further education sector, which represents a high proportion of non-traditional students of hugely varying backgrounds, ages and abilities.

2.4. Historically, a significant proportion of students in further education are aged between 16 and 18. More recent government initiatives have however vastly increased the number of students aged under 16 in further and higher education establishments and those from more diverse backgrounds who may be vulnerable or in need of additional safeguards.

2.5. NUS supports the expansion of learner voice in further education and the autonomy and independence of learners is a fundamental part of promoting learner voice. Nonetheless it is important to recognise that, in the eyes of the law; those aged under 18 are still defined as children and should be afforded additional protection from harm (see Appendix 3 for more information about categories of child abuse).

2.6. It is also the case that within the student population, there will be individuals who may be more susceptible to harm or abuse than others. NUS recognises that the following factors may increase an individual's risk of being harmed or abused:

- Stereotyping
- Prejudice
- Discrimination, including ethnic or racial
- Isolation
- Past trauma or previous experiences of abuse
- Mental health issues
- Those exploring their sexual and/or gender identity
- Low self-image and low self-esteem resulting in vulnerable self-presentation
- Lack of knowledge about appropriate behaviours by others
- Desire for acceptance, affection and attention
- Powerlessness to protect themselves
- Dependency upon others to care for them
- Inability to communicate that abuse has occurred (including language and communication differences)

*NB: This list is not intended to be exhaustive.*

2.7. Many of the principles outlined above are directly applicable to supporting and protecting adults at risk. The Care and Support Statutory Guidance 2018 (updated June 2020) sets out the following six key principles which underpin all adult safeguarding work:

- Empowerment: People being supported and encouraged to make their own decisions and informed consent.
- Prevention: It is better to take action before harm occurs.
- Proportionality: The least intrusive response appropriate to the risk presented.
- Protection: Support and representation for those in greatest need.
- Partnership: Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.
- Accountability: Accountability and transparency in delivering safeguarding.

2.8. In addition, NUS recognises the following principles which underpin our work with all groups and individuals who may have additional needs for support and protection:

- It is every adult's right to be protected from abuse irrespective of their age, gender identity, faith or religion, culture, ethnicity, sexual orientation, background, economic position, disability or level of ability
- All staff and volunteers share the responsibility for the protection of adults at risk and will show respect and understanding for their rights, safety and welfare.
- The additional vulnerability of disabled adults (including those with invisible disabilities, learning and communication differences) is recognised.
- Allegations of abuse or concerns about the welfare of any adult will be treated seriously and will be responded to swiftly and appropriately.
- NUS is committed to working in partnership with the statutory agencies and to complying with the procedures of Local Safeguarding Adult Boards (SAB) and the Care and Support Statutory Guidance (2015).
- Confidentiality will be maintained appropriately at all times and the adult's safety and welfare must be the overriding consideration when making decisions on whether or not to share information about them.
- NUS will support all staff and volunteers to understand their roles and responsibilities with regards to safeguarding and protecting adults at risk, including the responsibility to report all concerns without delay.
- All participants involved in NUS activities have the right to be listened to with respect and to be heard. NUS is committed to the principles set out in 2.9 below and therefore, except where immediate harm is felt to be likely, issues of consent should be respectfully explored where an adult is felt to be at risk (also see Appendix 1 regarding consent issues).

2.9. The Care Act 2014 sets out the following principles that should underpin safeguarding of adults

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent.  
"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."
- **Prevention** - It is better to take action before harm occurs.  
"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."
- **Proportionality** - The least intrusive response appropriate to the risk presented.  
"I am sure that the professionals will work in my interest, as I see them, and they will only get involved as much as needed."
- **Protection** - Support and representation for those in greatest need.  
"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."
- **Partnership** - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.  
"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."
- **Accountability** - Accountability and transparency in delivering safeguarding.  
"I understand the role of everyone involved in my life and so do they."

<sup>1</sup> This links directly with the NUS Equality and Diversity Policy and the protected characteristics identified within the Equality Act 2010

### 3. Definitions

3.1. "Young Person" - anyone under the age of 18 years is considered as a young person for the purposes of this document.

3.2. An adult at risk (formerly referred to as a vulnerable adult) is defined as 'a person aged 18 or over 'who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness'; and 'who is or may be unable to take care of

*him/herself or unable to protect him or herself against significant harm or serious exploitation.*<sup>2</sup>

3.3. Appendix 4 (Vulnerable Adults / Adults at Risk) of this policy provides further information in relation to categories and indicators of adult abuse. NUS will seek to identify students who may be vulnerable or at risk and ensure that there are appropriate support measures in place for them. This is most likely to be when a student has mental health difficulties or a disability that puts them into the legal definition of vulnerable. It may also relate to other factors in an FE or HE setting including:

- Physical disability
- Language and communication difficulties /sensory impairment
- Learning differences
- Social isolation
- Movement to the UK for education and challenges of understanding risks related to an unfamiliar context and culture
- Health problems, particularly long-term conditions; drug and alcohol abuse or addiction
- Permanent or temporary reduction in physical, mental or emotional capacity brought about by life events, for example bereavement, previous abuse or trauma or other significant life events
- Is unable to demonstrate the capacity (see below) to make a decision and is in need of care and support. (This list is not exhaustive)

3.4. "NUS representative" - for the purpose of this policy, is taken to mean, an NUS employee, an elected officer, contractor, committee member or anyone else, including volunteers, who is, or could be seen as, acting on behalf of NUS in the course of their duties. "Abuse" – see *Appendices 3 (Child Abuse) and 4 (Vulnerable Adults)*

3.5. "Neglect" – see *Appendices 3 (Child Abuse) and 4 (Adults at Risk/Vulnerable Adults)*

#### **4. Scope**

4.1. This policy is mandatory and applies to National Union of Students (UK), NUS Students' Union Charitable Services and NUS Holdings Ltd.

Where the policy refers to 'NUS' it means both National Union of Students (UK) and NUS Students' Union Charitable Services or a company under their control. At time of writing these are: NUS Services Ltd [controlled by NUS Students' Union Charitable Services] and NUS Holdings Ltd [controlled by National Union of Students (UK)].

4.2. The NUS Safeguarding Policy will include:

4.2.1. Policy Statement on Safeguarding

4.2.2. NUS Safeguarding Standards

4.2.3. Designated Persons' Roles and Responsibilities

4.2.4. Disclosure Policy

4.2.5. Safeguarding at Events (incorporating "safe" people)

4.2.6. Criminal Records/PVG (Protecting Vulnerable Groups) Disclosure Policy and Procedures.

Also refer to the attached appendices.

#### **5. NUS Safeguarding Standards**

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<sup>2</sup> Department of Health (June 2014). Care and Support Statutory Guidance (issued under the Care Act 2014 – updated 24 June 2020)

- 5.1. NUS wishes to ensure that everyone who takes part in NUS activities, either as representatives of NUS (e.g. employees, elected officers, volunteers) or participants, understands what constitutes appropriate and responsible behaviour as defined with the NUS code of conducts.
- 5.2. Representatives of NUS are expected to follow these safeguarding standards in all their dealings where they are or could be seen as acting on behalf of NUS.
- 5.3. Breach of these safeguarding standards by NUS representatives will lead to appropriate sanctions and could lead to disciplinary proceedings against the person concerned. In appropriate cases, it will also lead to the matter being referred to the police or social services for investigation.
- 5.4. NUS appreciates that there may be NUS representatives who are also subject to the protection which the Safeguarding Policy aims to provide because of their age or increased vulnerability. Any such NUS representative will be expected to adhere to the Safeguarding Policy in the same way as any other NUS representative. They will also be entitled to expect the Safeguarding Policy to be followed in respect of their own involvement with NUS.

### ***External Speakers, Visitors and Contractors***

- 5.5. External speakers and visitors invited to NUS Events will be given a copy of these safeguarding standards and will be expected to conform to the standards. Breaches of the standards will be communicated to their employer or organisation.

Contractors, such as security staff at NUS events, will also be expected to act in accordance with the standards. Failure to comply could lead to their contract being terminated or not being renewed. Where appropriate, referrals to social services or the police will be made. This would not automatically apply to venue staff who would be covered under service level agreements.

### ***General Conduct / Behaviour***

- 5.6. NUS representatives are expected to treat everyone they meet in the course of their NUS duties with respect and courtesy.
- 5.7. NUS representatives should never use their positions to exploit others or abuse their trust.
- 5.8. NUS representatives should promote equality (as defined within the Equality Act 2010) and should not engage in any activity which might amount to unlawful discrimination or harassment.
- 5.9. NUS representatives should not behave in a way that could be regarded as bringing themselves or NUS into disrepute or opening NUS up to legal liability.
- 5.10. NUS employees or representatives who have a designated safeguarding role are not permitted to consume alcohol while working / undertaking safeguarding duties at an event nor should they arrive under the influence of alcohol. During residential events a rota identifying those with safeguarding roles and responsibilities who must not consume alcohol will be drawn up and agreed by the lead trainer or event coordinator. All employees or representatives are expected to use their discretion and to drink alcohol responsibly in any environment where they could be seen as representing NUS.
- 5.11. NUS representatives should also have regard to the NUS Alcohol and Drugs Policy.
- 5.12. NUS representatives should not engage in recreational or illegal drug/substance taking in any environment when they could be seen as representing NUS.

### ***Working with under 18s and adults at risk***

- 5.13. NUS representatives are expected to take reasonable steps to determine whether the people they are working with are aged under 18 or have additional needs for support and protection. Many adults at risk will not self-identify as vulnerable and, should concerns about an individual arise during the course of NUS involvement, advice should be sought from a designated person.
- 5.14. NUS representatives should take steps to avoid direct unsupervised contact with anyone aged under 18 as part of their NUS duties. Any meeting with someone aged under 18 should take place in the presence of another NUS representative or other responsible adult acceptable to the person aged under 18.
- 5.15. Where it is not possible for genuine practical reasons (to do with the specific circumstances of the situation) to meet a person aged under 18 in the presence of another responsible adult, any meeting should be in an open environment. The arrangement should be made in advance and the time, date, location and reason for the meeting should be communicated to another NUS employee (ideally the local/event designated officer) and recorded.
- 5.16. Meetings on NUS business with under 18s should take place on campus and should never take place in private residences.
- 5.17. NUS representatives should not engage in sexual relationships with under 18s they meet in the course of their NUS duties because of the potential abuse of a position of power and/or influence. Where there are concerns related to abuse of power related to an individual's role and responsibilities, irrespective of the age of the alleged victim, disciplinary action will be considered.
- 5.18. NUS employees should never give under 18s their home addresses, telephone numbers, personal mobile numbers, personal e-mail addresses or social networking details. Best practice is for NUS and educational establishment email addresses and contact details to be used for all communications to protect all members, not just those under 18. Any use of social networking sites including Facebook should be in line with NUS' policy on the use of social media; it should take place in an open environment and not through directly linking with under 18s by inviting / accepting invitations to link with them.
- 5.19. NUS representatives who are not employees should never give their home addresses or home telephone numbers to under 18s and, where possible (e.g. where an alternative is available), should avoid giving their personal mobile numbers or personal e-mail addresses or social networking details to under 18s. It is strongly advocated that NUS representatives use social networking sites including Facebook in an open environment and not through directly linking with under 18s by accepting invitations to link with them. Any representatives under 18 are considered to be children in UK Law and should not be working/volunteering without supervision. Any issues arising should be addressed on an individual basis.
- 5.20. Where there are issues about the vulnerability of the student concerned, whatever their age, NUS representatives would be expected to follow the same principles, guidelines and practices as those set out above in respect of their conduct and to seek support and advice from a designated person where concerns arise related to additional vulnerability.

### ***NUS Events, Conferences and Training***

To be read in conjunction with the NUS "Safeguarding at Events" section of this policy (see 10.1. to 10.24.)

#### **5.21. At NUS events, conferences and training:**

- 5.21.1. NUS representatives should take care not to be alone with delegates or attendees, particularly those who are under 18 or who may be vulnerable.
- 5.21.2. NUS representatives should not engage in sexual relationships/behaviour with delegates or attendees at any time.

- 5.21.3. NUS representatives should not carry out personal care tasks for delegates or attendees. Where delegates have additional support needs a personal carer with responsibility for undertaking personal care for the individual should be identified in advance and accompany the delegate.
- 5.21.4. NUS under 18 delegates (and their parents/carers) and their FE/Sixth Form College Designated Teachers/Tutors will be provided with a pre-event safeguarding briefing, a consent form which must be completed and an event code of behaviour which they must agree to comply with.
- 5.21.5. Designated Safeguarding Officers will be identified and roles clarified. An NUS safeguarding number will be promoted as will the NUS personal safety statement and supporting NUS Protocols Video.

### ***Emergencies***

- 5.22. It is possible that situations may arise where a NUS representative is called to give assistance to someone aged under 18 or who presents as vulnerable and who is in need of immediate assistance. Where possible, the NUS representative should attend with another person. This could be a member of staff from the venue as well as another NUS representative. If the circumstances do not permit this, then the NUS representative should be careful to act appropriately in the circumstances and make a record of what happened afterwards. They should inform a NUS employee, venue or educational establishment designated person as soon as possible after the incident/event.

### ***Concern about the Behaviour of Others***

- 5.23. There may be circumstances where an employee or NUS representative has a genuine concern about the behaviour of another member of staff. There is a separate *whistleblowing procedure* for use in these circumstances. NUS recognise that individuals can feel very vulnerable and fail to respond to concerns as a result and for fear of reprisals. All representatives are expected to familiarise themselves with the *whistleblowing procedure* and are strongly recommended to follow it to ensure any safeguarding concerns are appropriately responded to. Individuals who report concerns in the belief that they are genuine will be supported even if those concerns are later found to be unfounded or unsubstantiated.
- 5.24. Advice and support may be sought from the NSPCC free 24-hour Helpline (Tel: 0800 800 5000) to determine the appropriate course of action in a specific case. In Scotland, advice and support can also be sought from ParentLine Scotland (Tel: 0800 028 2233).

### ***Breach of the Safeguarding Standards***

- 5.25. If there is concern about a breach of these standards, it should be referred to the appropriate designated person, a senior manager or directly to the HR Team to consider any disciplinary action and also whether it should be reported to the police or social services. A principle of least delay should be applied and advice sought from a designated person at an early stage.
- 5.26. Where appropriate, and only involving those persons necessary, the HR Team and senior management will make their decision regarding reporting the matter to external authorities (police or social services, as appropriate) in consultation with the Designated Officers.

### ***Records***

- 5.27. All breaches of these Safeguarding Standards will be recorded and held securely by the HR Team. It will also be held on the individual's personnel file, also under secure conditions. Confidentiality will be maintained and information shared on a need to



know basis.

5.28. Records on Safeguarding incidents will be held securely as historical information and will only be accessed upon request by the relevant authorities.

## **6. Designated Persons**

6.1. NUS will operate a Designated Persons system for the purposes of safeguarding. The roles and the full responsibilities of each role are set out in Appendix 5. Contact names and numbers can be found in Appendix 6. All those with NUS designated safeguarding roles will be subject to an enhanced criminal records check (or Disclosure Check in Scotland) and other appropriate safeguarding checks including the taking up of references.

### **6.2. Lead Designated Officer – Strategic**

6.2.1. The Lead Designated Officer (LDO) takes lead responsibility for coordinating the whole organisation's safeguarding practice. The LDO will be the NUS Charity Director.

### **6.3. Designated Safeguarding Directors**

Designated Safeguarding Directors (DSD) are responsible for:

- 6.3.1. Support the Operational Designated Officers by providing operational advice and guidance when safeguarding incidents occur or concerns arise.
- 6.3.2. Liaise with local statutory agencies in relation to referrals where the lead officer is unavailable.
- 6.3.3. Act as the link between the Designated Officers and lead safeguarding officer when required.
- 6.3.4. Support the role of the Lead Safeguarding Officer.
- 6.3.5. Ensure that training, resources and guidance are promoted, accessible and/or developed to meet the needs of those delivering activities for NUS members who are under 18 or additionally vulnerable.
- 6.3.6. Work with the Lead Safeguarding Officer and Senior Management Team to ensure safeguarding is appropriately promoted, resourced and implemented across the organisation's activities.

### **6.4. Designated Officers – Operational**

Designated Officers (DO) are responsible for:

- 6.4.1. Acting as the main point of contact regarding safeguarding concerns at NUS events.
- 6.4.2. Referring cases of abuse or allegations to the relevant investigating agencies.
- 6.4.3. Acting as a source of support and advice in this area for the organisation.
- 6.4.4. Keeping Lead DO informed of any issues and on-going investigations.
- 6.4.5. Writing up any allegations / incidents of abuse or concerns and sending to the LDO.
- 6.4.6. All DOs will attend safeguarding and child protection awareness training and specific designated person training.
- 6.4.7. All DOs will be subject to enhanced level DBS (criminal record) checks or PVG Scheme Membership in Scotland.

- 6.4.8. DOs will not be expected to be experts in safeguarding and child/adult protection, but to have a greater level of knowledge and safeguarding awareness to assist in seeking appropriate help and making appropriate referrals.

## **7. Reporting**

- 7.1. If an incident occurs at an event, it should be reported immediately to the Designated Officer assigned to that event.
- 7.2. If a matter being reported does not occur at an event it should be reported to the DO most closely linked to the department relevant to the incident (see Appendix 6).
- 7.3. The DO receiving the report, verbally or in writing, should then decide how the matter should be responded to in terms of involving the appropriate people internally and contacting external agencies. This will be done in consultation with any or all of the other DOs, the Lead Designated Officer (or Designated Safeguarding Director where the LDO is unavailable), the HR Team and any other relevant person, as appropriate and on 'a need to know basis'.
- 7.4. Where there is a high level concern and statutory agencies are involved concerns should be communicated by telephone to the Lead Designated Officer (or the appropriate Designated Safeguarding Director where the LDO is unavailable) to ensure that the NUS Senior Management Team are aware and involved in the continued management of the concern. Written reports of all incidents should come to the LDO within 3 working days, who will keep a central record of all concerns, incidents and outcomes.

### ***Safeguarding Officers for Specific Projects***

- 7.5. From time to time, it may be necessary to appoint a Designated Officer to a specific project. This person will act as the central point for dealing with safeguarding issues for the project in question.
- 7.6. All those involved in the project will be made aware of the DO's name, position and contact details.

## **8. How to respond to Concerns about Abuse or Disclosure of Abuse**

- 8.1. It may be that an NUS representative will find him/herself in a position where they have a concern that a student may be being abused or where a student discloses abuse to them.
- 8.2. Disclosure of abuse could equally be by someone over 18 revealing past abuse as an under 18 revealing current abuse. Historic abuse should always be responded to as a current concern.
- 8.3. It is not NUS' responsibility to investigate abuse. This should be done by the professionals in the statutory agencies (the police and Adult/Children's Social Care). NUS does have a responsibility however to report matters of concern (where there is any evidence of a crime being committed or it is felt that there is immediate risk of harm) to the police and social services to investigate or to seek advice where appropriate. Liability to report sits with whoever holds the information albeit an employee/volunteer or NUS designated staff member.
- 8.4. The disclosure of abuse can be very distressing to the person who is being confided in. They may feel ill-equipped to deal with the situation. Despite this, it is important to stay calm and to listen to what the person is saying without any judgement as it is often very difficult for a person to disclose abuse (see Appendix 1 for Do's and Don'ts). The NUS representative should remember that they will not be expected to deal with the problem alone.

- 8.5. It is crucial not to make any promises about confidentiality. Even if the person disclosing abuse is 18 or over and disclosing past abuse, there may still be Young Person or vulnerable adults at risk from the abuser. The person should be assured that the only people who will be told are those that need to know for the purposes of preventing further harm or abuse to that person or to others (this may include referral to the relevant authorities, where appropriate).
- 8.6. Where there is a concern that a person may be being abused or a disclosure of abuse has taken place, this should be reported immediately to the relevant Designated Officer (DO). The reporting process is set out in the flowchart in Appendix 7. The DO will decide who should be informed internally and externally.
- 8.7. The DO can seek advice from the relevant authorities and will contact the police or social services, as appropriate.
- 8.8. The person who has the concern or who has received the disclosure should write down exactly what was said/what happened on the Record of Incident form (Appendix 2) as soon as possible and forward the information to the DO.
- 8.9. There may be some urgent situations where it will not be possible to contact a DO – this should not be a reason for inaction or delay. It is never an option to do nothing. In these circumstances contact the Police, Adult/Children's Social Care or the NSPCC 's free 24-hour Helpline on 0808 800 5000, to seek support and advice. In Scotland advice and support can also be sought from ParentLine Scotland on 0800 028 2233.

## **9. Complaints**

- 9.1. Any complaints about the NUS Safeguarding Policy or its operation should be directed to the HR Team. If the complaint is regarding a member of the HR Team, it should be directed to the NUS Charity Director.

## **10. NUS Safeguarding at Events**

- 10.1. Any NUS representative at NUS training or events will be expected to sign up to and comply with the Safeguarding Standards. Breach of the standards could lead to disciplinary proceedings for a member of staff or representative.
- 10.2. The NUS has a Personal Safety Statement, which will be read out, promoted and available at all NUS events and training. NUS will ensure that clear expectations of delegates and their behaviour are established. Delegate information will include details of helplines that can be contacted in respect of personal issues.
- 10.3. NUS under 18 delegates (and their parents/carers) and their FE/Sixth Form College Designated Teachers/Tutors will be provided with a pre-event safeguarding briefing, a consent form which must be completed and signed and an event code of behaviour which they must agree to comply with,
- 10.4. A list of forthcoming events and conferences will be produced periodically including clear allocation of a Designated Officer and a deputy with responsibility for that event.
- 10.5. A comprehensive risk assessment will be conducted for every event or conference that is undertaken. This will include an assessment of risk in relation to safeguarding and inclusion of appropriate control measures.
- 10.6. It should be recognised that different events and conferences have widely varying levels of safeguarding risk and therefore the measures and resources allocated to events must be proportionate to the risk (and documented within the risk assessment) rather than adopting a one size fits all approach.
- 10.7. Dependent upon the scale and nature of the event, the Designated Officer may or may not be expected to be in attendance. For example, all residential events will include at least one Designated Officer in attendance; whereas small, one-day events would still be allocated a Designated Officer, with the expectation that they would be

available to be contacted via telephone by the lead trainer / event organiser if required. Details of expectations of the DO will be included in each event risk assessment.

10.8. When in attendance, it is important that all Designated Officers are readily identifiable by delegates/attendees.

10.8.1. At the beginning of the event, the DOs will be identified to the delegates/attendees, and contact details publicised on event literature.

10.8.2. DOs will wear identifying badges.

10.8.3. All NUS representatives running the event will know who the DOs are in case of concerns arising.

10.9. All incidents will be reported to the Designated Officer(s). They will take any steps necessary and appropriate to deal with the situation. Where the LDO is not available a DSD should be contacted without delay. The Record of Incident form (Appendix 2) should be completed as soon as possible and forwarded to the LDO.

10.10. There may be some urgent situations where it will not be possible for an NUS representative to contact a Designated Officer – this should not be a reason for inaction or delay.

The NSPCC has a 24-hour Child Protection helpline on 0808 800 5000, in Scotland advice and support can also be sought from ParentLine Scotland on 0800 028 2233, who will assist with advice or alternatively contact the local Children's Social Care (Social Services) department for advice and support.

Where it is felt that there is immediate risk of harm to an individual contact the Police immediately by dialling 999.

### ***Security Firms***

10.11. NUS use external security firms at NUS events where necessary.

10.12. NUS will take all reasonable steps to ensure that only security firms licensed by the Security Industry Authority are used at NUS events.

10.13. The Safeguarding Policy will be passed to all security firms used at NUS events.

10.14. Details of the NUS Designated Officers will be given to security staff.

### ***Under 18s at Events***

10.15. NUS believe it is necessary to take particular steps to safeguard under 18s at NUS events.

10.16. All delegates will be required to state whether they are aged under 18 on their booking form.

10.17. Under 18s are currently required to comply with their educational institution's requirements for consent. If that requires that that person is accompanied, the additional person shall be entitled to attend the event, but at the institution's expense. The NUS consent form for events must be completed by delegates and their parent/carer and returned (see NUS Event Toolkit) as a condition of attendance.

10.18. In addition, applications from under 18s should either be countersigned by the parent or guardian of the student, or, where that is not possible due to the particular circumstances of the situation, a trustee of the Students' Union. The counter signatory will be required to confirm that they understand the nature of the event, any potential safeguarding risks and take responsibility for the student's attendance and compliance with the expectations outlined for the event.

### ***Accommodation for Under 18s***

10.19. In recognition of their increased potential vulnerability, where possible, under 18s will be placed in single rooms. Alternatively, under 18s will be given triple rooms. NUS cannot guarantee that these options will always be available but will ensure that individuals are informed in advance of any issues relating to accommodation limitations. Appropriate, informed consent will sought from individuals and carers for accommodation arrangements where appropriate.

### ***Drink and Drugs***

10.20. NUS have a zero-tolerance approach to underage / excessive drinking or taking illegal drugs.

10.21. NUS will always endeavour to promote alternative activities to students at events.

10.22. It is important to be aware that alcohol and drugs can make people more vulnerable to exploitation or assault. They also act as disinhibitors and therefore make it significantly more likely that individuals under the influence of alcohol and drugs will behave in ways that are harmful to themselves and others.

### ***Under 16s***

10.23. Under 16s are not permitted to attend NUS events in their own right, as they cannot be members of Students' Unions.

10.24. Young person aged under 16 may attend NUS events with their parent or guardian where their parent or guardian is attending the event as a delegate. It should be made clear on any documentation that the young person will remain the responsibility of the parent. Where NUS provides crèche facilities for an event, NUS will take all reasonable steps to ensure that the crèche provider meets all requirements in terms of child protection, health and safety and other legal requirements.

## **11. Training**

11.1. All staff across the organisation will be expected to undertake 'Introduction to Safeguarding' training to provide an overview of this policy and general safeguarding principles.

11.2. All Designated Officers will receive an additional 1-day advanced safeguarding training, which will ensure they are able to fulfil the responsibilities and expectations of their role.



### Disclosure

#### **If someone discloses a safeguarding concern, abuse or assault to you:**

##### **Do...**

- Stay calm
- Listen/watch/understand
- Give them time to say what they want
- Reassure them that they have done the right thing in telling you
- Reassure them that you are going to help and support them
- Ensure that any medical attention needed is addressed as a priority
- Record in writing what was said as soon as possible using a Record of concern/Incident form where this is available (see Appendix 2)
- Report to the Designated Officer
- Record your report and forward it to the Lead Designated Officer to store centrally

##### **Don't...**

- Panic
- Promise to keep secrets
- Ask for details of the abuse or investigate (only clarify information shared)
- Make the person repeat the story unnecessarily
- Try to deal with the problem alone – ever
- Confront the alleged abuser
- Destroy evidence e.g. in the case of alleged sexual assault, do not let the person who has been assaulted change their clothes, wash, bathe or shower.

You must not make any promises about the confidentiality of the information you are being given.

#### **NB: Consent issues where concerns relate to an adult (someone aged 18 and over):**

The Care and Support statutory guidance 2018 advises that the first priority in safeguarding adults should always be to ensure the safety and well-being of the individual.

*Making Safeguarding Personal* is a person-centred approach which means that adults are encouraged to make their own decisions and are provided with support and information to empower them to do so. This approach recognises that adults have a general right to independence, choice and self-determination including control over information about themselves. A principle of the Mental Capacity Act 2005 is also that all adults should be presumed to be competent to participate in decision-making unless a professionally assessment indicates otherwise.

Those working with adults felt to be at risk should strive to deliver effective safeguarding consistently with both of the above principles. They should ensure that the adult has accessible information so that they can make informed choices about safeguarding: what it means, risks and benefits and possible consequences. NUS does not expect staff or volunteers to support an adult who is felt to be vulnerable or at risk through this decision making process but expects them to inform a designated officer without delay so that they can clearly define the various options to help support the adult at risk to make a decision about their safety.

Adults may not give their consent to the sharing of safeguarding information for a number of reasons. For example, they may be unduly influenced, coerced or intimidated by another person, they may be frightened of reprisals, they may fear losing control, they may not trust social services or other partners or they may fear that their relationship with the abuser will be damaged. Reassurance and appropriate support may help to change their view on whether it is

best to share information but this should not include undue pressure or coercion. The safeguarding training provided by NUS and other learning opportunities seek to ensure that staff/volunteers understand these principles.

The designated officer or those from NUS seeking to support the adult should consider the following and:

- Explore the reasons for the adult's objections – what are they worried about?
- Explain the concern and why you think it is important to share the information. If an individual places a risk to others NUS has a statutory duty to report it. The individual/victim does not have to provide evidence or give a statement but will be offered support by the statutory agencies which they are free to decline in these circumstances
- Tell the adult with whom you may be sharing the information with and why
- Explain the benefits, to them or others, of sharing information – could they access better help and support?
- Discuss the consequences of not sharing the information – could someone come to harm?
- Reassure them that the information will not be shared with anyone who does not need to know
- Reassure them that they are not alone and that support is available to them.

If, after this, the adult refuses intervention to support them with a safeguarding concern, or requests that information about them is not shared with other safeguarding partners, in general, their wishes should be respected. However, there are a number of circumstances where those seeking to support the adult can reasonably override such a decision, including:

- It appears that the adult lacks the mental capacity to make that decision (this must be properly explored and assessed by professionals not by our staff. If we believe this to be the case, NUS has a duty to refer to the statutory agencies to seek assessment of mental capacity and this should be recorded in line with the Mental Capacity Act 2005)
- Emergency or life-threatening situations may warrant the sharing of relevant information with the emergency services without consent
- Other people are, or may be, at risk, including children
- Sharing the information could prevent a serious crime
- A serious crime has been committed – NUS and its employees must report a crime under UK law, especially if there is a potential risk to others. Individual rights do not override the rights of others to protection in these circumstances but sensitivity is essential.
- The risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral
- Staff or adults in a Position of Trust are implicated
- There is a court order or other legal authority for taking action without consent

In such circumstances, it is important to keep a careful record of the decision making process. Staff should seek advice from the designated person in line with this policy before overriding the adult's decision, except in emergency situations. Decisions will be made based upon whether there is an overriding reason which makes it necessary to take action without consent and whether doing so is proportionate because there is no less intrusive way of ensuring safety. Legal advice will be sought where appropriate. If the decision is to take action without the adult's consent, then unless it is unsafe to do so, the adult should be informed that this is being done and of the reasons why.

If none of the above apply and the decision is not to share safeguarding information with other safeguarding partners, or not to intervene to safeguard the adult:

- Support the adult to weigh up the risks and benefits of different options
- Ensure they are aware of the level of risk and possible outcomes
- Offer to arrange for them to have an advocate or peer supporter
- Offer support for them to build confidence and self-esteem if necessary



- Agree on and record the level of risk the adult is taking
- Record the reasons for not intervening or sharing information
- Regularly review the situation
- Try to build trust to enable the adult to better protect themselves.

It is important that the risk of sharing information is also considered. In some cases, such as domestic violence or hate crime, it is possible that sharing information could increase the risk to the adult. NUS will always seek to work with safeguarding partners to work jointly to provide advice, support and protection to the adult in order to minimise the possibility of worsening the relationship or triggering retribution from the abuser.

## Appendix 2

### Record of Incident Form

#### Details of NUS Employee / Representative

<b>Name:</b>			
<b>Job Title:</b>			
<b>Department:</b>		<b>Date:</b>	DD/MM/YYYY
		<b>Time:</b>	
<b>Incident Reported To:</b>		<b>Date Report Made:</b>	DD/MM/YYYY

#### Details of the Victim

<b>Name:</b>			
<b>Address:</b>			
<b>Telephone Number:</b>		<b>Date of Birth:</b>	DD/MM/YYYY
<b>University / College:</b>		<b>Time of Disclosure:</b>	
<b>Emergency Contact:</b> Name/relationship to victim/	(if any)		
<b>Does s/he Require Medical Attention?</b>			Y / N

#### Details of Alleged Perpetrator

<b>Name:</b>			
<b>Contact Details:</b>	(if known)		
<b>College/University:</b>			
<b>Age / Date of Birth:</b>			
<b>Address:</b>	(if known)		
<b>Known to Victim?</b>			Y / N
<b>Role (fellow student / NUS representative / member of the public)</b>			Y / N

**Details of the Incident (continue on a separate sheet if necessary)**

Location:				Date & Time:		DD/MM/YYYY	
<b>What Happened?</b>							
<b>Any Action Taken (and by whom)?</b> <i>Include the name(s) of the NUS designated persons to whom this was reported</i>							
<b>Details of any Witnesses to the Incident</b>							
<b>Name:</b>				<b>Name:</b>			
<b>Address:</b>				<b>Address:</b>			
<b>Tel No:</b>				<b>Tel No:</b>			
<b>Date of Birth:</b>		DD/MM/YYYY		<b>Date of Birth:</b>		DD/MM/YYYY	
<b>Uni/College:</b>				<b>Uni / College:</b>			
<b>Known to Victim?</b>		Y / N		<b>Known to Victim?</b>		Y / N	

### What is Child Abuse and Neglect?

#### (Reference: 'Working Together to Safeguard Children 2018 - HM Government)

Abuse and neglect are forms of maltreatment of a child or young person. Somebody may abuse or neglect a young person by inflicting harm, or by failing to act to prevent harm. Children and young people may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or young person.

#### Physical abuse

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

#### Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a young person such as to cause severe and persistent adverse effects on the young person's emotional development. It may involve conveying to child/young person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the young person opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on young person/young person. These may include interactions that are beyond the young person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the young person participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing young person/young people frequently to feel frightened or in danger, or the exploitation or corruption of young people. Some level of emotional abuse is involved in all types of maltreatment of a young person, although it may occur alone.

#### Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the Young Person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving a young person in looking at, or in the production of, sexual images, watching sexual activities, encouraging young person to behave in sexually inappropriate ways, or grooming a young person/young person in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by anyone regardless of age or gender identity.

#### Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

#### Neglect

Neglect is the persistent failure to meet a young person's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing, and shelter (including exclusion from home or abandonment).
- Protect a young person from physical and emotional harm or danger.

**Child Criminal Exploitation:** as set out in the Serious Violence Strategy (Home Office)

'where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

## **County Line**

As set out in the **Serious Violence Strategy** (April 2018), published by the Home Office, a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

## **Human Trafficking**

The trade of humans for the purposes of forced labour, sexual slavery, or commercial sexual exploitation for the trafficker or others. This may encompass providing a spouse in the context of forced marriage, the extraction of organs or tissues, including for surrogacy and ova removal. It can occur within the UK or trans-nationally. It is a crime against the person because of the violation of the victim's rights of movement through coercion and their commercial exploitation.

- Ensure adequate supervision (including the use of inadequate care-givers).
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a young person's basic emotional needs.

## **Bullying**

Bullying is not a category of abuse under statutory guidance but can have a profound impact upon the welfare of children, young people and others who are additionally vulnerable.

There is no legal definition of bullying. However, it's usually defined as behaviour that is:

- repeated
- intended to hurt someone either physically or emotionally
- often aimed at certain groups, e.g. because of race, religion, gender or sexual orientation

It takes many forms and can include:

- physical assault
- teasing
- making threats
- name calling
- cyberbullying - bullying via mobile phone or online (e.g. email, social networks and instant messenger)

### **Vulnerable Adults / Adults at Risk**

*(Reference: Care and Support Statutory Guidance 2018)*

#### **What constitutes abuse and neglect?**

This section of the statutory guidance, which supports implementation of the Care Act 2014, considers the different types and patterns of abuse and neglect in relation to adults and the different circumstances in which they may take place. This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour which could give rise to a safeguarding concern.

Organisations should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered.

Exploitation, in particular, is a common theme in the following list of the types of abuse and neglect.

#### **Physical abuse including:**

- assault
- hitting
- slapping
- pushing
- misuse of medication
- restraint
- inappropriate physical sanctions

#### **Domestic violence including:**

- psychological
- physical
- sexual
- financial
- emotional abuse
- so called 'honour' based violence

#### **Sexual abuse including:**

- rape
- indecent exposure
- sexual harassment
- inappropriate looking or touching
- sexual teasing or innuendo
- sexual photography
- subjection to pornography or witnessing sexual acts
- indecent exposure
- sexual assault
- sexual acts to which the adult has not consented or was pressured into consenting

#### **Psychological abuse including:**

- emotional abuse
- threats of harm or abandonment
- deprivation of contact
- humiliation
- blaming
- controlling
- intimidation
- coercion
- harassment
- verbal abuse
- cyber bullying
- isolation
- unreasonable and unjustified withdrawal of services or supportive networks

**Financial or material abuse including:**

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

**Modern slavery encompasses:**

- slavery
- human trafficking
- forced labour and domestic servitude.
- traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment

**Discriminatory abuse including forms of:**

- harassment
- slurs or similar treatment:
- because of race
- gender and gender identity
- age
- disability
- sexual orientation
- religion

**Organisational abuse**

Including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home.

This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

**Neglect and acts of omission including:**

- ignoring medical, emotional or physical care needs
- failure to provide access to appropriate health, care and support or educational services
- the withholding of the necessities of life, such as medication, adequate nutrition and heating

**Self-neglect**

This covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. A decision on whether a response is required under safeguarding will depend on the adult's ability to protect themselves by controlling their own behaviour. There may come a point when they are no longer able to do this, without external support.

Incidents of abuse may be one-off or multiple, and affect one person or more. Professionals and others should look beyond single incidents or individuals to identify patterns of harm. Repeated instances of poor care may be an indication of more serious problems and of what we now describe as organisational abuse. In order to see these patterns, it is important that information is recorded and appropriately shared.

Patterns of abuse vary and include:

- serial abuse, in which the perpetrator seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse
- long-term abuse, in the context of an ongoing family relationship such as domestic violence between spouses or generations or persistent psychological abuse
- opportunistic abuse, such as theft occurring because money or jewellery has been left lying around

**Domestic abuse**

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or

over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- sexual
- financial
- emotional

A new offence of coercive and controlling behaviour in intimate and familial relationships was introduced into the Serious Crime Act 2015. The offence will impose a maximum 5 years' imprisonment, a fine or both.

The offence closes a gap in the law around patterns of coercive and controlling behaviour during a relationship between intimate partners, former partners who still live together, or family members, sending a clear message that it is wrong to violate the trust of those closest to you, providing better protection to victims experiencing continuous abuse and allowing for earlier identification, intervention and prevention.

The offence criminalising coercive or controlling behaviour was commenced on 29 December 2015.

### **Financial abuse**

Financial abuse is the main form of abuse investigated by the Office of the Public Guardian both amongst adults and children at risk. Financial recorded abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is likely to be financial abuse occurring. Although this is not always the case, everyone should also be aware of this possibility. Potential indicators of financial abuse include:

- change in living conditions
- lack of heating, clothing or food
- inability to pay bills/unexplained shortage of money
- unexplained withdrawals from an account
- unexplained loss/misplacement of financial documents
- the recent addition of authorised signers on a client or donor's signature card
- sudden or unexpected changes in a will or other financial documents

**Note:** *This is not an exhaustive list, nor do these examples prove that there is actual abuse occurring. However, they do indicate that a closer look and possible investigation may be needed.*



## Appendix 5

### Safeguarding Designated Person Roles and Responsibilities

#### Designated Lead Officer (LDO)

KNOWLEDGE	SKILLS	RESPONSIBILITIES
<ul style="list-style-type: none"> <li>Legislation, government guidance. National framework For adult and child protection.</li> <li>Role and responsibilities of statutory agencies</li> <li>Local arrangements for managing child/adult protection and reporting procedures including the role of LADOs.</li> <li>Poor practice and abuse (thresholds) - behaviour which is harmful to young people.</li> <li>Planning processes – Children 'in need', child protection enquiries &amp; investigations.</li> <li>NUS role and responsibilities.</li> <li>Boundaries of the Lead Officer role &amp; roles of other levels of designated officers.</li> <li>NUS policy and procedures related to safeguarding young people &amp; adults at risk.</li> <li>Linked NUS safeguarding policies, procedures and guidance (events, demos, zero tolerance etc).</li> <li>Core values/principles underpinning work with young people &amp; vulnerable adults.</li> <li>Awareness of equality &amp; diversity issues in relation to young &amp; vulnerable members.</li> <li>How abusers target and groom organisations in order to abuse vulnerable people.</li> <li>Best practice in prevention.</li> </ul>	<ul style="list-style-type: none"> <li>Student rights focused approach.</li> <li>Administration and systems (records) management.</li> <li>Ability to promote and demonstrate anti-discriminatory practice.</li> <li>Advice and support provision - all levels within the organisation.</li> <li>Communication skills.</li> <li>Ability to develop and produce national level guidance and resources.</li> <li>Influencing skills and ability to work with conflict and with emotionally distressing matters.</li> </ul>	<ul style="list-style-type: none"> <li>Lead role in development and establishment of the organisation's approach to safeguarding adults at risk and young people. Key role within organisation.</li> <li>Management of cases of poor practice/abuse reported to the organisation - Ideally as part of a skilled case management group and including records system.</li> <li>Management of referrals to Statutory Agencies with support from Designated Safeguarding Directors.</li> <li>Central point of contact for internal and external individuals/agencies.</li> <li>Maintenance &amp; retention of records centrally related to poor practice/safeguarding concerns &amp; cases.</li> <li>Represent the organisation at external meetings related to safeguarding and/or child protection with support from Designated Safeguarding Directors.</li> <li>Co-ordinate dissemination of policy, procedures and resources throughout the organisation.</li> <li>Provide advice and support to lower tiers of designated officer and to those with Programme/Project level safeguarding roles and a lead role in their recruitment, selection and training.</li> <li>Advise on the organisation's safeguarding training needs and support development of its training strategy.</li> <li>Maintain confidentiality re sensitive information &amp; cases.</li> <li>Ensure that appropriate safeguarding mechanisms and expertise underpin safe recruitment procedures.</li> <li>Lead role in maintaining and reviewing the NUS safeguarding policy &amp; linked policies, procedures and guidance.</li> <li>Take responsibility for ensuring that their role is supported by appropriate learning and training opportunities.</li> <li>Take responsibility for ensuring designated can access appropriate training, learning opportunities and resources.</li> </ul>

## 2. Designated Safeguarding Directors (DSD)

KNOWLEDGE TO BE ACQUIRED THROUGH TRAINING	SKILLS	TASKS
<ul style="list-style-type: none"> <li>Core legislation, government guidance and national framework for safeguarding &amp; child protection.</li> <li>Roles and responsibilities of statutory agencies, Local Safeguarding Children Boards (LSCBs) and Safeguarding Adult Boards (SABs).</li> <li>Local arrangements for managing child protection and reporting procedures including the role of LADOs.</li> <li>Poor practice and abuse – behaviour which is harmful to young people.</li> <li>NUS role and responsibilities to safeguard the welfare of children, young people and vulnerable people.</li> <li>The role of the NUS lead safeguarding officer ( ) and the boundaries of designated officer's role (operational).</li> </ul>	<ul style="list-style-type: none"> <li>Administration.</li> <li>Advice and support provision.</li> <li>Student and young person-focused approach.</li> <li>Communication skills.</li> <li>Recording skills.</li> <li>Ability to take responsibility for providing information about local resources such as written materials.</li> <li>Ability to champion and promote NUS policy, procedures and resources.</li> </ul>	<ul style="list-style-type: none"> <li>Assist NUS to fulfil its responsibilities to safeguard children and young people at local level.</li> <li>Assist NUS to implement its safeguarding initiatives at local level.</li> <li>Make links with local statutory agencies (Police and Social Services) prior to major events/demos to agree safeguarding support/arrangements.</li> <li>Liaise with Children's Social Care and Police on individual cases – where this is not done by the NUS Lead Officer.</li> <li>Provide advice and guidance to Designated Officers and staff (Operational) regarding safeguarding and best practice.</li> <li>Ensure that records related to poor practice/safeguarding concerns are reported to the NUS Lead Officer for central storage and retention.</li> </ul>
<ul style="list-style-type: none"> <li>NUS policy and procedures related to safeguarding children, young people and vulnerable adults.</li> <li>Linked NUS safeguarding policies, procedures and guidance (events, demos, zero tolerance etc.)</li> <li>Core values and principles underpinning good practice.</li> <li>Awareness of equality &amp; diversity issues in relation to young &amp; vulnerable members.</li> </ul>	<p><u>Recommended Skills</u></p> <ul style="list-style-type: none"> <li>Ability to support the delivery of any safeguarding training delivered to demonstrate senior management commitment and prioritisation of student welfare.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure confidentiality is maintained.</li> <li>Advise the lead officer regarding local contacts/procedures during child protection investigations.</li> <li>Provide support networks for local <b>Designated Officers (operational)</b>.</li> <li>Provide resources and safeguarding training for designated officers and other NUS staff working with young people directly.</li> <li>Promote anti-discriminatory practice and challenge prejudice.</li> <li>Take responsibility for ensuring that their role is supported by appropriate learning and training opportunities.</li> </ul>
<p><u>Recommended Knowledge</u></p> <ul style="list-style-type: none"> <li>Basic knowledge of how abusers 'target and groom' organisations to abuse children. Best practice in prevention.</li> <li>Both a strategic understanding of NUS operations and insight into operational/delivery challenges faced by staff e.g. events, campaigns and membership demographics.</li> </ul>		<ul style="list-style-type: none"> <li>Take responsibility for ensuring designated can access appropriate training, learning opportunities and resources.</li> </ul>



## Designated Officer (DO) – Operational

KNOWLEDGE TO BE ACQUIRED THROUGH TRAINING	SKILLS	TASKS
<ul style="list-style-type: none"> <li>Core legislation, government guidance and national framework for Child/adult protection and safeguarding.</li> <li>Roles and responsibilities of statutory agencies and Local Safeguarding Children Boards (LSCBs) and Safeguarding Adult Boards (SABs).</li> <li>Local arrangements for managing safeguarding and child/adult protection and reporting procedures.</li> <li>Poor practice and abuse – behaviour which is harmful to young people.</li> <li>Own organisation's role and responsibilities to safeguard the welfare of students, boundaries of welfare officer's role.</li> <li>Own organisation's policy and procedures related to safeguarding adults at risk and young people.</li> <li>Core values and principles underpinning good practice.</li> <li>Awareness of equalities issues, safeguarding and child/adult protection.</li> </ul>	<ul style="list-style-type: none"> <li>Administration.</li> <li>Advice and support provision.</li> <li>Student- focused approach.</li> <li>Communication skills.</li> <li>Recording skills.</li> <li>Ability to take responsibility for providing information about local resources such as written materials.</li> <li>Promote organisation's policy procedures and resources.</li> </ul>	<ul style="list-style-type: none"> <li>Assist the organisation to fulfil its responsibilities to safeguard young person and young people at local level.</li> <li>Assist the organisation to implement its safeguarding policy and plans within NUS at a local level.</li> <li>Maintain contact details for local statutory agencies.</li> <li>Liaise with statutory agencies on individual cases – where this is not done by LDO.</li> <li>Provide advice and support to project staff, volunteers and partners regarding young person protection and poor practice.</li> <li>Maintain locally held records related to poor practice/safeguarding concerns , (where these are not held nationally).</li> <li>Ensure confidentiality is maintained.</li> <li>Advise NUS at a national level regarding local contacts/procedures during child/adult protection investigations.</li> <li>Provide support for staff and volunteers working on projects / events in relation to safeguarding practice and concerns.</li> <li>Ensure resources are developed and provided &amp; those involved in implementing projects have undertaken appropriate safeguarding training for (this includes alerting the NUS lead officer/designated safeguarding directors to the need for these to be developed/provided).</li> <li>The first point of contact for NUS staff, volunteers, parents and students where concerns about a student's welfare, poor practice or abuse are identified – this includes acting as the DO at events and conferences.</li> <li>Promote inclusive and anti-discriminatory practice.</li> </ul>
<p><u>Recommended Knowledge</u></p> <ul style="list-style-type: none"> <li>Basic knowledge of how abusers 'target and groom' organisations to abuse vulnerable people. Best practice in prevention.</li> </ul>	<p><u>Recommended Skills</u></p> <ul style="list-style-type: none"> <li>Ability to provide basic training on safeguarding where supported &amp; suitably trained by the NUS L&amp;D advisor.</li> </ul>	



## Appendix 6

### Designated Person Contact details and External Reporting Contact Details:

#### NUS Safeguarding Designated Lead Officer (DLO):

Name	NUS Role	Contact details mobile/email
Peter Robertson	NUS Charity Director	M: 07554668036 E: peter.robertson@nus.org.uk

#### Designated Safeguarding Directors (DSD):

Name	NUS Role	Contact details mobile/email
Davina Keen	Membership Director	M: 07738 802862 E: <a href="mailto:Davina.keen@nus.org.uk">Davina.keen@nus.org.uk</a>

#### Designated Safeguarding Officers (DSO) - Operational:

NUS safeguarding number:

Project / Event:

Name	NUS Role	Contact details mobile/email
Sam Baxter	Events Project Manager	07968 984358/ <a href="mailto:samantha.baxter@nus.org.uk">samantha.baxter@nus.org.uk</a>
		Full safeguarding trained staff list available from Events Team

**Local Contacts (to be added by local student union or according to project/event location):**

Name	Role	Contact details mobile/email
	Local Authority Designated Officer (LADO)	
	Educational Establishment Designated Teacher/Tutor	
	Children's Social Care	
	Adult Social Care	
	Police (Child Abuse Investigation Team)	

**National Helplines:**

**NSPCC Helpline:** 0808 800 5000 (free 24 hour helpline)

**ChildLine:** 0800 1111

**ParentLine Scotland:** 08000 282233

**Samaritans National:** 116 123

**National Domestic Violence Helpline:** 0808 200 0247

**NSPCC Whistleblowing Helpline** for staff/professionals: 0800 028 0285

**Victim Support:** 0808 1689 111

Nationwide local service; 9am–9pm Mon–Fri, 9am–7pm weekends and 9am–5pm on bank holidays.

Provides information and support to victims of all reported and unreported crime; including sexual crimes, racial harassment and domestic violence.

**Talk to Frank:** 0300 123 6600 (24 Hour helpline)

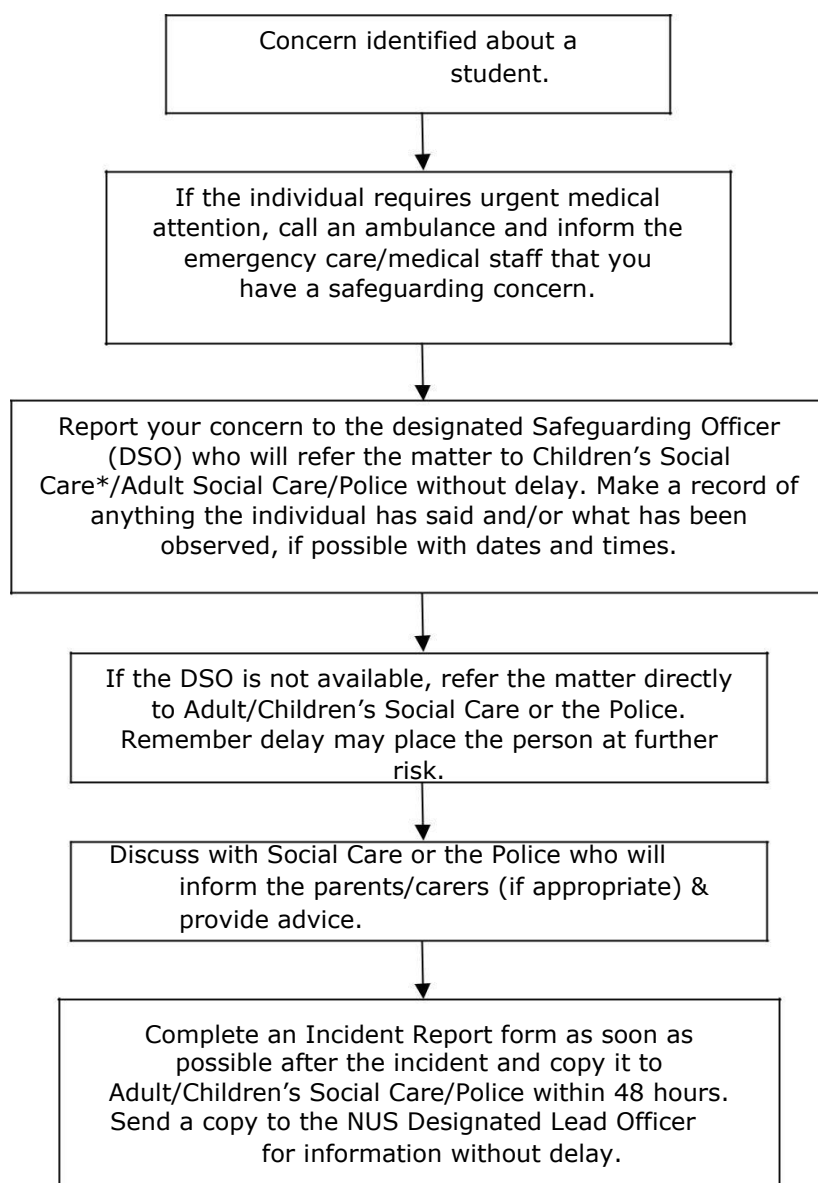
[www.talktofrank.com](http://www.talktofrank.com)

Drug counselling, information and support

**POLICE - in an Emergency always dial 999**

### Reporting Flowcharts for Concerns

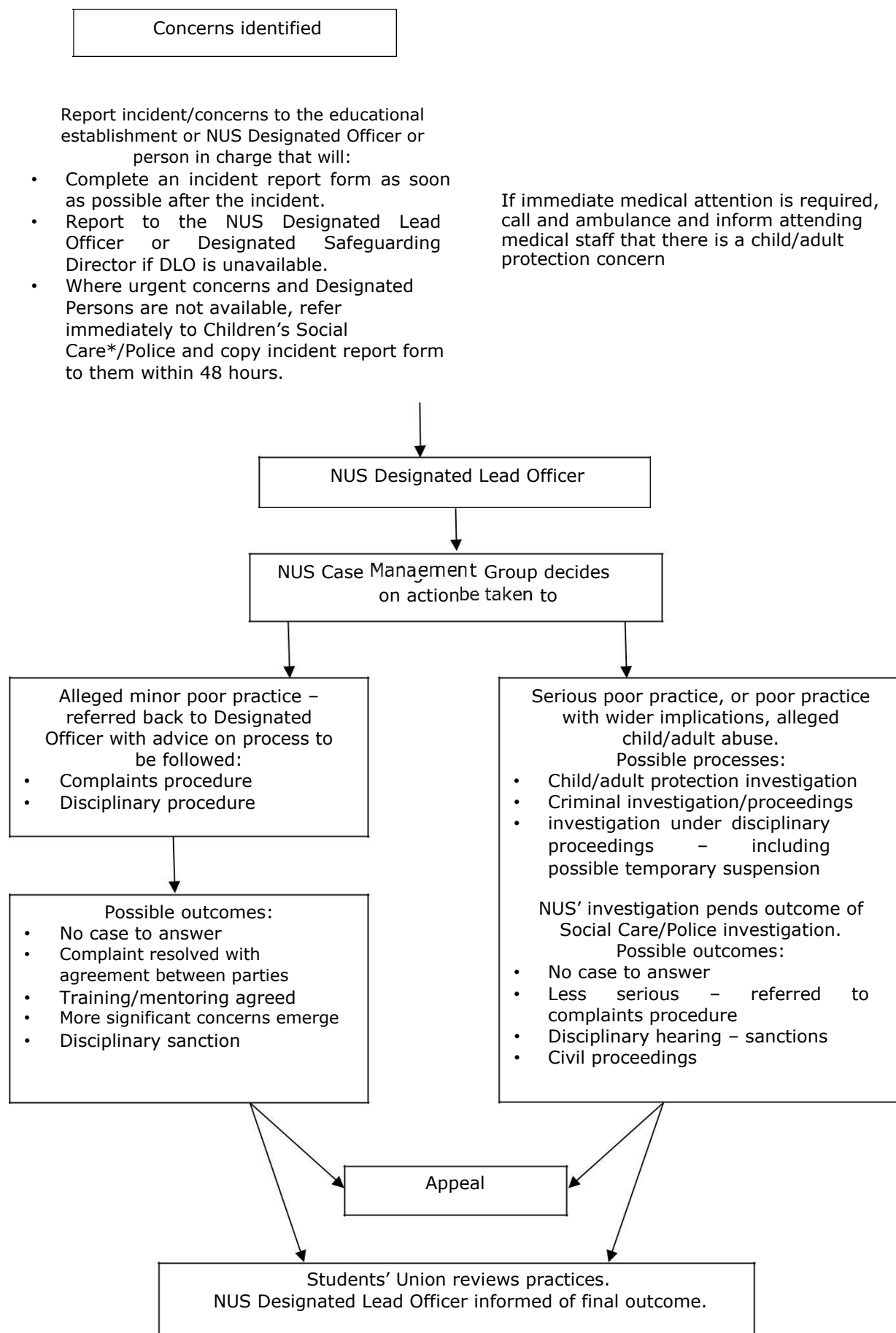
**Flowchart 1 – What to do if you are worried that a young person is being abused outside of an NUS environment (but the concern is identified through their involvement Union activities).**



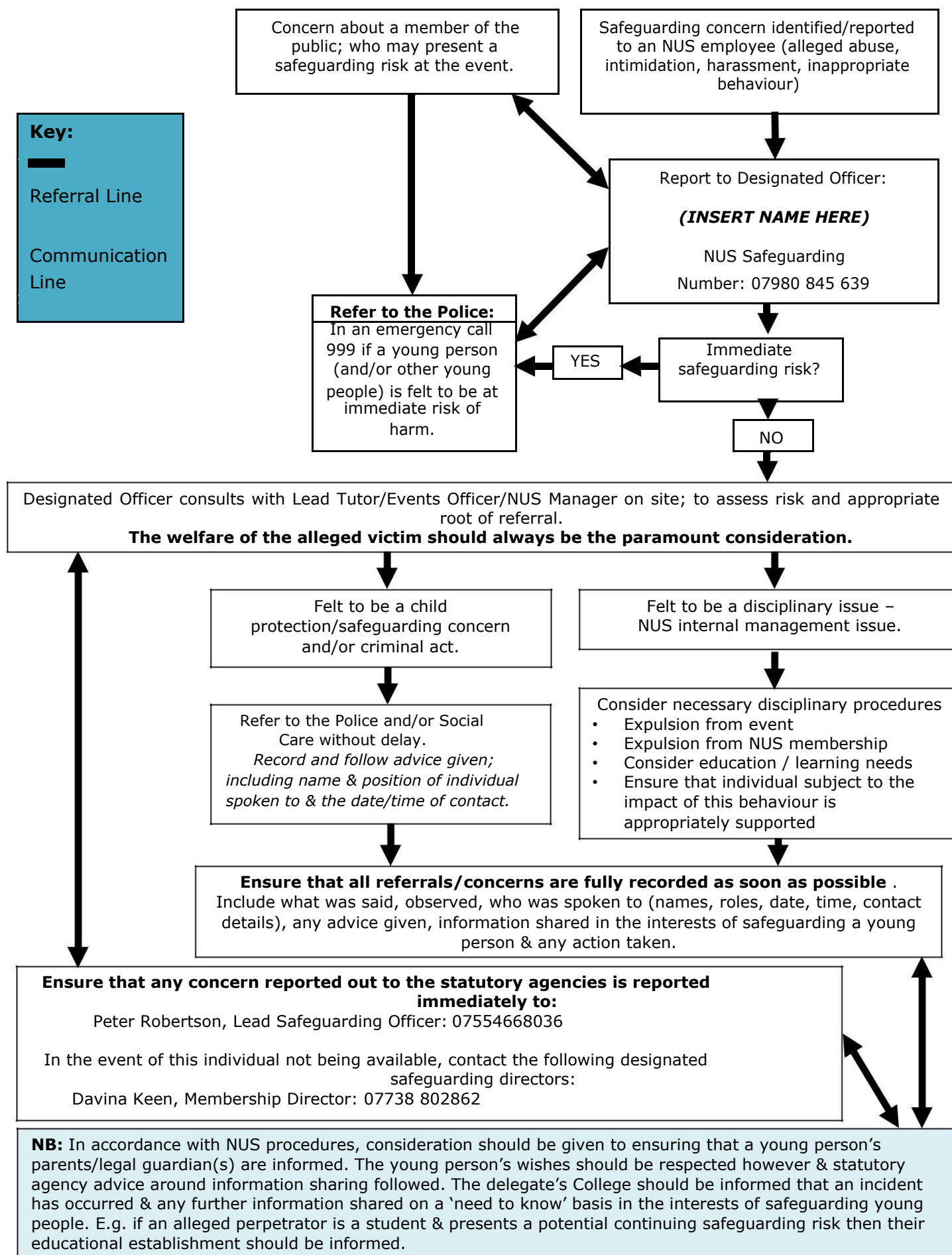
If you are uncertain what to do at any stage, contact the NUS Designated Safeguarding Officer on 07738 802862 or the NSPCC free 24 hour helpline 0808 800 5000. In Scotland advice and support can also be sought from ParentLine Scotland on 0800 028 2233.



## Flowchart 2 – What to do if you are concerned about the behaviour of any NUS staff, representative, volunteer or member.



**Flowchart 3: NUS Events Reporting Flowchart for Safeguarding Concerns.**



## Appendix 8

### Group:

#### Case Management Group

- a. To make decisions on the initial approach to all reported cases/concerns arising through recruitment checks related to the welfare and protection of children. Principally these relate to the 'route' a case/concern will take internally and/or via external referral to statutory agencies.
- b. To make initial decisions as to what level each case will be dealt with i.e. minor poor practice which may be referred back to be managed at project level with advice and support, or suspected abuse of a child which requires dealing with at national level through disciplinary procedures.
- c. To advise others within NUS about actions they may need to take, such as initiating disciplinary proceedings.
- d. To monitor and review progress on all cases and to identify any trends emerging which may require a review/revision of existing policies/procedures.
- e. To oversee the NUS safeguarding policy and make recommendations for improvement in safeguarding practices.
- f. To review the NUS event calendar and ensure on-going compliance and good practice.

### Group Principles:

- a. Independence  
It is essential that the group is empowered by NUS to make decisions on the 'route' that cases will take without influence or prejudice by others in the organisation.
- b. Confidentiality  
All matters relating to the welfare, safeguarding & protection of children and young people must be regarded as highly confidential and not for disclosure outside the group unless so agreed, on a strictly need to know basis in line with the Data Protection Act 2003 and Human Rights Act 1998.
- c. Expertise  
The group should be led by the NUS lead designated officer. The group should include people who have relevant knowledge and expertise to enable the group to fulfil its purpose such as the HR Team/Manager/Clerk to disciplinary panel etc. It is recommended that at least one member of the group is external to NUS's management group and has current professional child protection knowledge and experience, such as a child protection social work manager or policy child protection team officer.
- d. Equity and Anti-Discriminatory Practice  
All decisions made by the group need to be fair, open and transparent. An open mind needs to be kept in all cases until they have been investigated and concluded. The group should be guided by the organisations' equity policy and the principle that all children have the right to protection from abuse regardless of their race, ethnic origin, gender, disability, religious belief system or sexual orientation.

e. The Welfare of the Child is Paramount

This principle is enshrined in the Children Act 1989 and in The Children (Scotland) Act 1995. In any decision taken by the group, the welfare of the child or young person is the paramount concern and takes precedence over those of any adult where there is a perceived conflict of interest.

**Membership:**

- a. Lead Safeguarding Officer AND at *least* two of the following:
- b. Membership Director
- c. HR Director
- d. Governance Manager
- e. Events Manager (where appropriate)
- f. Learning and Development Consultant (where appropriate)
- g. Campaigns & Influencing Director – National & England

### Pre-employment (including DBS) Checks Guidance

#### Introduction

#### Why do NUS undertake pre-employment checks?

The purpose of pre-employment checks is to ensure that a new employee:

- is who they say they are;
- is legally entitled to work in the UK;
- has the qualifications, skills and/or experience they have stated on their application or CV which are required for the role;
- has nothing in their employment history that would make them unsuitable for the role. For example, relevant previous gross misconduct.

NUS also needs to be aware of any criminal convictions relevant to the post, which may make them unsuitable for the post.

#### Pre-employment checklist for safer recruitment

To ensure that NUS is recruiting in a legally compliant way and is adopting best practice regarding safeguarding, it builds safer recruitment practices into its Recruitment and Selection processes. These include:

- Clearly written role profiles outlining any responsibilities regarding safeguarding
- An application form that requests full work history and enables the recruitment panel to assess the candidate's suitability for the role
- Making it clear during recruitment and induction that NUS has a commitment to safeguarding and protecting children young people and/or vulnerable adults
- Having a face-to-face interview with pre-planned and clear questions. For safeguarding roles - include questions about safeguarding
- Ensuring that Right to Work/ identity checks are undertaken at the start of employment (see Manager's Guidance on Right to Work Checks) [G:\HR SHARE\Recruitment & Selection\4. Right to Work Checks](#)
- Ensuring copies of relevant qualification certificates are obtained at the point of offer
- Providing a copy of NUS Safeguarding Policy as part of induction
- Criminal records checks will be undertaken for roles identified as requiring further vetting
- Undertaking risk assessments where there are disclosures on the DBS check to ensure that we safeguard and are able to mitigate risk.

#### References

- Ensuring that references are obtained; check the validity of referees, ensuring they are who they say they are. For safeguarding roles, ask specifically about an individual's suitability to work with children, young people and/or vulnerable adults
- Checking gaps in employment and asking the applicant to provide information/evidence of travelling/unemployment etc
- All applicants must provide two references. Where possible these should be work or academic references. Personal references should only be accepted if an employee has had long periods not in work.
- Referees will only be contacted once permission has been given by the individual.

#### Specialist Background Checks

##### DBS Checks

Any vacancies where an offer is subject to additional levels of pre-employment checks will clearly state this at attraction / application stage.

When assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), NUS will comply with the [code of practice](#) and undertakes to treat all applicants for positions fairly.

NUS will only ask an individual to provide details of convictions and cautions for roles that have been identified as requiring further vetting.

For those positions where a DBS check is identified as necessary, application information will contain a statement that an application for a DBS certificate will be required if successful.

### **Which NUS roles require a DBS Check?**

An offer of employment for a post involving safeguarding responsibilities, officers or to sit on a NUS Board will be conditional on satisfactory completion of DBS checks. Where the applicant refuses to agree to an application to the DBS or a DBS check is completed but the job applicant refuses to allow the organisation to see the DBS certificate, they will be treated as not having satisfactorily completed the DBS check.

No job applicant will be permitted to commence a safeguarding role or Board position at NUS until DBS checks have been completed.

### **Why do Officers need to undergo a DBS check?**

Officers will be required to have a basic DBS check due to the nature of their role they may be in situations where they would have one to one contact with a child or vulnerable adult while carrying their duties.

Officers are required to familiarise themselves with and act in accordance with NUS Safeguarding Policy regarding contact with children and vulnerable adults.

### **What is shown on a DBS Disclosure Certificate?**

Enhanced disclosures show details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered.

Basic disclosure certificates will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974.

For further details regarding levels of checks and the definitions of spent and unspent convictions please visit: <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about#disclosure-checks-dbs-checks>

### **DBS Application Process**

The HR Team will make contact with those requiring a DBS Disclosure Certificate when they are offered the role.

For enhanced DBS checks, a form giving details of identity and address history will need to be completed by the individual and identity documents provided to the HR Team.

The list of documents required for a DBS Disclosure Check can be found on the DBS website: <https://www.gov.uk/guidance/documents-the-applicant-must-provide>

Once the check has been carried out, the DBS should send the certificate to the individual. The HR Team may ask for sight of the DBS certificate.

DBS Disclosure certificates are not portable and therefore NUS cannot accept certificates previously processed through another organisation, unless an individual is registered with the Update Service and an online check can be made.

For candidates and staff in Northern Ireland requiring criminal records checks, these are requested through AccessNI. For candidates and staff in Scotland requiring criminal records checks, these are requested through Disclosure Scotland. Please contact the HR Team for further information.

### **Risk Assessments following Disclosure of Information of DBS Form or Application**

The results of a DBS check will be considered on an individual basis through the completion of a Risk Assessment, where needed, to decide whether or not to proceed with the appointment to the post in question. However, the protection of children/vulnerable adults is the organisation's primary concern.

## **What information disclosed on a DBS Certificate would usually lead to a Risk Assessment interview?**

- Sexual, physical, financial or psychological abuse/ violence
- Any conviction relating to a crime committed against a child or vulnerable adult
- Hate crime
- Financial irregularities, fraud, theft, deception, dishonesty (Charity Board roles only)

## **Who undertakes the Risk Assessment?**

A member of the HR Team will meet with the candidate/ employee and go through the Risk Assessment form.

If the check has been undertaken for a safeguarding role, the form will be shared with the HR Director and the Lead Safeguarding Officer to make a decision whether the appointment of the individual can go ahead or if employment in role can continue.

If the check has been undertaken for a Board role, the form will be shared with the HR Director and the Director to make a decision whether the appointment of the individual to the Board can be made or allowed to continue.

## **What will be considered when reviewing the Risk Assessment?**

Following DBS Guidelines when reviewing a Risk Assessment, NUS will consider:

- Legal or regulatory requirements of the role
- Seriousness of the offence
- Age at time offence was committed
- Any pattern of reoffending behaviour
- Circumstances surrounding offending behavior
- Evidence of rehabilitation

In relation to the role:

- Opportunities for reoffending
- Supervision levels
- Any safeguards to minimize risks
- Direct contact with members of the public
- Any direct responsibility for finance/ items of value (Board roles)

The HR Director and Lead Safeguarding Officer/ CEO will be responsible for making recommendations regarding measures that need to be put in place to minimise risk.

## **What if it is decided that a candidate/ employee is unsuitable for the role as a result of the Risk Assessment?**

The candidate will be written to explaining the reasons for the decision.

If the DBS disclosure is in relation to an existing employee being considered for a safeguarding role, then they will be unable to proceed with assuming the role.

If the employee is already in the role when the Risk Assessment is completed, safeguarding responsibilities will be removed from them with immediate effect.

Legally, any unspent convictions for financial irregularities will automatically prevent an individual from being on a Board and therefore NUS will not be able to appoint them to the position.

## **Retention of DBS Information**

NUS complies with the code of practice regarding the correct handling, use, storage, retention and disposal of DBS certificates and certificate information.

It also complies with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

Certificate information is kept securely with access strictly controlled and limited to those who are entitled to see it as part of their duties.

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This retention will allow for the consideration and resolution of any disputes or complaints, or be for the purpose of completing safeguarding audits.

NUS does not keep a copy or representation of the contents of a certificate. However, we do keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

If, as a result of a Risk Assessment, an individual continues to be appointed to a safeguarding or officer role, the Risk Assessment will be kept on their individual personal file until they cease to hold that role. Risk Assessment information is kept securely with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **What is the legal basis that permits us to use your information?**

Please see NUS Recruitment and Selection Privacy Policy <https://www.nus.org.uk/en/who-we-are/work-for-us/nus-recruitment-and-selection-privacy-policy/>