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**DURHAM** \$U

**SAFEGUARDING  
POLICY**

## POLICY STATEMENT

Durham SU has a legal, regulatory, and moral responsibility to reduce harm and the risk of harm to every person who engages with the students' union. Durham SU believes that every person has the right to be free from abuse, fear, neglect or exploitation. This safeguarding policy is mandatory and directs all staff, volunteers, and trustees in:

- Supporting staff, volunteers and Board members to protect people at risk.
- Locating responsibility and accountability for keeping people at risk of harm safe.
- Establishing a clear procedure for use when issues arise in relation to the protection of people at risk.

## PRINCIPLES

Durham SU will consider the Care and Support Statutory Guidance in the execution of this safeguarding policy. Decisions will be made in light of six principles:

- **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 to prevent, detect and report 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."*

## HARM AND THE REDUCTION OF HARM

Safeguarding means protecting every person's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experiences of abuse or neglect. People's wellbeing is promoted including, having regard to their views, wishes, feelings and beliefs in deciding on any action where appropriate. This recognises that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances.

People have complex lives and being safe is only one of the things they want for themselves. Professionals should work with the person to establish what being safe means to them and how that can be best achieved. Professionals and other staff should not be advocating 'safety' measures that do not take account of individual well-being.

### Abuse

Limitations should not be placed upon what constitutes abuse or neglect. Exploitation, in particular, is a common theme throughout all types of abuse or neglect. Durham SU understands the term 'abuse' as *"a violation of an individual's human and civil rights by any other person or persons which results in significant harm."*

There can be many types of abuse, including:

- Physical
- Organisational or institutional
- Sexual
- Psychological or emotional

- Financial or material
- Domestic violence
- Modern slavery
- Discrimination
- Neglect or acts of omission
- Self-neglect
- Spiritual
- Cyber or online

Abuse is about the misuse of power and control that one person has over another. Where there is dependency, there is a possibility of abuse or neglect unless adequate safeguards are put in place. Intent is not an issue at the point of deciding whether an act or a failure to act is abuse; it is the impact of the act on the person and the harm or risk of harm to that individual.

Abuse may be a single act or repeated acts, an act of neglect or a failure to act, or multiple acts - for example, an adult may be neglected and also being financially abused. A number of abusive acts are crimes and informing the police must be a key consideration.

### *People at risk from harm*

All safeguarding enquiries must be considered individually, however the following factors can be taken into account as a guide when making an assessment of the seriousness of the risk to the person:

- Vulnerability of the person.
- Nature and extent of the abuse or neglect.
- Length of time the abuse or neglect has been occurring.
- Impact of the alleged abuse on the person.
- Risk of repeated or increasingly serious acts of abuse or neglect.
- Risk that serious harm could result if no action was taken.
- Illegality of the act or acts.

The safeguarding duties apply to a person who may meet any of the following criteria:

- Has needs for care and support (whether or not the University, local authority or any other providers is meeting any of those needs).
- Is experiencing, or at risk of, abuse or neglect.
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

This may include a person who is any one or more of:

- Elderly or frail.
- Disabled in any way (physical, mental, or learning).
- Severely or chronically ill (mentally or physically).

This is not an exhaustive list. Staff and volunteers should not limit their view of what may constitute a person with needs for care and support as above. It does not mean that just because a person is old or frail or is disabled, they are inevitably at risk of experiencing abuse or neglect or unable to protect themselves from abuse or neglect. For example, a person who is disabled who has mental capacity to make decisions about their own safety could be perfectly able to make informed choices and protect themselves from harm. In the context of safeguarding adults, the vulnerability of the adult is proportionate to how able they are to make and exercise their own informed choices free from duress, pressure or undue influence of any sort, and to protect themselves from abuse, neglect and exploitation.

People with capacity can also experience or be at risk of abuse or neglect. An adult's vulnerability is determined by a range of interconnected factors including personal characteristics, factors associated with their situation or environment and social factors.

## CONTEXT

Durham SU doesn't undertake any regulated activity but will restate this position at each annual review. Certain of its activities have particular relevance to safeguarding, however, and are considered here:

### *Bar, café and club activities, in particular the sale of alcohol*

Durham SU is committed to the licensing objectives and preventing harm to children. All staff who serve alcohol are trained to diligently check age of customers and record requests to present identification. Durham SU has a zero tolerance policy to inappropriate behaviour in licenced spaces and will remove any person who risks creating an unsafe space.

### *Student groups*

Student groups are risk assessed at point of registration and Durham SU imposes conditions on groups who undertake activities with a higher risk of causing harm to people. Durham SU considers the potential risk of radicalisation and is an active participant in Durham University risk reduction strategies. Higher risk activities, of any student group, are assessed separately again and require specific authorisation before they commence. Durham SU will ensure that any student groups or volunteers who by design undertake regulated activities will be supported to undertake a DBS check.

Student group leaders of higher risk groups are, at a minimum, required to undertake appropriate training and development and confirm their familiarity and comfort with this safeguarding policy. Student group leaders are expected to fully cooperate with the requirements of this safeguarding policy.

The recruitment, selection and induction of members and volunteers to undertake higher risk activity is generally conducted solely by student group leaders. Student group members and volunteers have no personal right to take part in a higher risk activity. Durham SU will provide recruitment and selection training to student group leaders, to reduce the risk of safeguarding concerns.

### *Service provision*

Durham SU's core services, including advocacy, representation support, democratic service, trading services, student group support, and corporate services do not intrinsically present any safeguarding concerns. Staff are recruited using a thorough process which requires good references and receive regular supervision from managers.

Advocacy or student advice has a broad experience of working with distressed people who may be at higher risk of harm, so specific training and support will be made available to staff and volunteers who deliver this service. Durham SU doesn't consider it necessary to undertake DBS checks for its staff who deliver core services, but will review this each year.

## RESPONSIBILITIES AND ACCOUNTABILITY

Durham SU wants all staff, volunteers, and trustees, to play their part in reducing harm; safeguarding is everybody's responsibility. At the least, Durham SU expects that every person involved in the students' union's activities will:

- Be aware that they must call the police and/or an ambulance where appropriate in situations where abuse indicates an urgent need for medical treatment, or where there is immediate risk of harm indicating urgent action is needed to protect the person.
- Be authorised to make a report to the police, and if a crime has been committed, ensure action is taken to preserve evidence. This could be where there has been a physical or sexual assault, especially if the suspect is still at the scene;
- Inform their line manager or activity leader. If their line manager is implicated in the abuse a more senior manager should be notified.

- Know what services are available and how to access help and advice.
- Know how and where to raise a safeguarding concern via Durham University where speaking to a manager would cause delay.
- Know that they must make a clear factual record of their concern and the action taken.

Durham SU expects that its managers are further able to:

- Take action which ensures an alleged victim is safe.
- Ensure that any staff, volunteer, or trustee who may have caused harm has no contact with service users or other people who may be at risk.
- Ensure the timely processing of information.

### *Lead Safeguarding Officer*

Durham SU's Lead Safeguarding Officer is the Director of Services. They are specifically not the sole person responsible for reporting or resolving safeguarding concerns but are accountable for the good management of this safeguarding policy. The Lead Safeguarding Officer will in particular ensure:

- This safeguarding policy and safeguarding operations are reviewed annually, and a report is considered by the trustees who will be asked to confirm that safeguarding arrangements are appropriate.
- This safeguarding policy is a part of induction for all staff and volunteers, and widely promoted and available at all times.
- All people with responsibilities to ensure the effective delivery of this safeguarding policy receive appropriate training, development, supervision and support.
- Authorising referrals to appropriate discipline policies if necessary.
- Representing Durham SU on Durham University safeguarding meetings.
- The integrity of records management, with reference to Durham SU's data protection and privacy policies.

### *Other defined responsibilities*

*The Board of Trustees* is required to oversee the good governance of this policy and will chiefly do this through an annual safeguarding report. Specific safeguarding incidents will be discussed by the Lead Safeguarding Officer with the Chair of the relevant committee.

*The senior staff on the Leadership Team* will act as Safeguarding Officers in the absence of the Director of Services. They will ensure that all staff and volunteers support the expectations of this safeguarding policy.

*The management team* will ensure that safeguarding is a specific conversation for the induction of new staff and a recurring point of review for colleagues who work in higher risk activities.

*Durham University* may offer to support the operations of this Durham SU safeguarding policy and both organisations share an interest in reducing the risk of harm to students. This policy accepts that the Durham SU trustees have their own responsibilities. Any use of University systems does not change the commitment to protect all people from the risk of harm to the best of the Durham SU capabilities and the students' union's accountability.

## **SAFEGUARDING PROCEDURE**

Durham SU expects that all staff will be able to play a role in safeguarding and will be deliver the steps of the safeguarding procedure. Any person should, therefore, be able to directly raise a concern with any member of staff.

### *Reporting*

If any person discloses that they are being abused, if any person who uses Durham SU's service discloses that they are involved in abuse of a person at risk, or if in any situation a member of staff, volunteer or trustee of Durham SU has any reason to believe that abuse is taking place, the following actions must proceed urgently and without delay:

1. Stay calm and listen patiently.
2. Reassure the person that they are doing the right thing in telling you what has happened or has been said.
3. Explain that if they disclose information about harm or potential harm, you have a responsibility to report it.
4. Explain that you will need to do the following:
  - a. obtain emergency medical treatment if it is needed.
  - b. treat the information seriously.
  - c. make relevant notes of the information given, noting the date, time and place of the disclosure along with names of other people present.
  - d. report the disclosure to your appropriate line manager or designated contact.

Seek consent from the person making the disclosure before proceeding any further. If consent is refused, then the advice of the Lead Safeguarding Officer may be sought.

5. Take any reasonable action needed to address immediate risks to the person such as contacting emergency services or support staff, etc.
6. Establish what the person disclosing wants to happen.
7. Record their full name, date of birth and address, and relevant notes of what has been disclosed, noting the date, time and place of the disclosure along with names of other people present. The Lead Safeguarding Officer will keep a log of concerns raised.
8. Discuss the disclosure or suspicion of abuse with your line manager in the first instance or a staff member of the Leadership Team **as soon as possible and on the same day**.
9. If the disclosure occurs out of office hours, contact the Lead Safeguarding Officer on the Out of Hours number provided by the University Security Office at 0191 334 2222.

All Durham SU staff, volunteers and trustees are expected to fully support this procedure and a failure to do so may initiate a formal disciplinary or complaints process.

#### *Things to avoid*

Good practice following a report or disclosure of abuse is to:

- Control reaction, and do not appear sceptical or shocked.
- Only make comments that show empathy and concern. Do not press for more details.
- Preserve any possible forensic evidence.
- Refrain from suggesting that the person has a wash, a bath, or food/drink until after a medical examination.
- Be honest about the fact that you may have to pass on information if asked by someone in authority and may not be able to keep secrets.
- Not make sweeping reassurances.
- Keep away from the abuser, as this any confrontation or information may place the person making the disclosure at further risk.

#### *Referral*

After consultation with the relevant manager or member of the Leadership Team, a decision will be made whether to make a safeguarding referral or an alert to an appropriate authority. If it is agreed that a referral or an alert should be made this must be done on the same working day as the disclosure of abuse is made.

Any complaint or concern raised about Durham SU staff, volunteers, or trustees will be referred to the Lead Safeguarding Officer who will make a decision about the correct use of the disciplinary policy or complaints procedure.

## TYPES OF ABUSE AND NEGLECT DEFINITIONS FROM THE CARE ACT 2014

This is not intended to be an exhaustive list but an illustrative guide as to the sort of behaviour or issue which could give rise to a safeguarding concern.

*Self-neglect* covers a wide range of behaviour: neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding. At Durham SU this could be a staff member whose appearance becomes unkempt, does not wear suitable work clothing and deterioration in hygiene.

*Modern Slavery* encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. At Durham SU you may notice that a student staff member has been missing from shifts and is not responding to reminders from colleagues.

*Domestic Abuse* includes psychological, physical, sexual, financial and emotional abuse. It also includes so called 'honour' based violence. We may see, for example, a colleague may be looking quiet and withdrawn when their brother comes to collect them from sessions, in contrast to their friend whom they greet with a smile.

*Discrimination* is abuse which centres on a difference or perceived difference particularly with respect to race, gender or disability or any of the protected characteristics of the Equality Act. This could be the harassing of a student group member because they are or are perceived to be trans.

*Organisational abuse* includes 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. At Durham SU this could be training without a necessary break.

*Physical Abuse* includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions. This could be a student group activity leader intentionally striking a fellow volunteer.

*Sexual Abuse* includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting. This could be a student who sends unwanted sexually explicit text messages to Course Rep who they work with.

*Financial or Material Abuse* includes 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, or the misuse or misappropriation of property, possessions or benefits. This could be someone taking equipment from a student with dementia.

*Neglect* includes ignoring medical or physical care needs, failure to provide access to appropriate health social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating. This could be a manager not ensuring staff take necessary breaks.

*Emotional or Psychological Abuse* includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks. This could be a staff member threatening another with physical harm and persistently blaming them for poor performance.

*Not included in the Care Act 2014 but also relevant:*

*Cyber Bullying* occurs when someone repeatedly makes fun of another person online or repeatedly picks on another person through emails or text messages, or uses online forums with the intention of harming, damaging, humiliating or isolating another person. It can be used to carry out many different types of bullying (such as racist bullying, homophobic bullying, or bullying related to special educational needs and disabilities) but instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

*Forced Marriage* is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

*Mate Crime* as defined by the Safety Net Project is 'when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act but still has a negative effect on the individual.' Mate Crime is carried out by someone the adult knows and often happens in private. In recent years there have been a number of Serious Case Reviews relating to people with a learning disability who were murdered or seriously harmed by people who purported to be their friend.

*Radicalisation* is an activity or process by which a person or organisation aims to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media.

*Spiritual abuse* is a form of emotional and psychological abuse. It is characterised by a systematic pattern of coercive and controlling behaviour in a religious context. This abuse may include: manipulation and exploitation, enforced accountability, censorship of decision-making, the requirement of secrecy and silence, coercion to conform, control through the use of sacred texts or teaching, the requirement of obedience to the abuser, the suggestion that the abuser has a 'divine' position, isolation as a means of punishment, and superiority and elitism.