

## IMPERIAL COLLEGE LONDON

### CHILD PROTECTION AND SAFEGUARDING - CODE OF PRACTICE

#### COLLEGE POLICY

1. This Code of Practice (including annexes) complements the Child Protection and Safeguarding Policy and provides more detailed guidance for staff on protecting children from harm.

#### RESPONSIBILITIES

2. **The Provost**. The responsibility for oversight of the College's Child Protection and Safeguarding Policy rests with the Provost, with delegated responsibility to the Director of HR and Organisational Change with direction from the College's Safeguarding Committee.

3. **The Director of HR and Organisational Change**. Delegated responsibility for oversight of the College's Child Protection and Safeguarding Policy with direction from the College's Safeguarding Committee.

4. **Child Protection Officer**. Guidance issued under sections 157 and 175 of the Education Act 2002 suggests that educational establishments should have, "a senior member of the establishment's leadership team who is designated to take lead responsibility for dealing with child protection issues, providing advice and support to other staff, liaising with the local authority, and working with other agencies". The College has two nominated Child Protection Officers – the Director of HR and Organisational Change and the Director of Student Services. The local safeguarding officers and referral routes are set out in the flowchart at Annex H.

5. **Lead Safeguarding Officers**. Act as the main contact in the College for the protection of children in line with this policy. Responsible for making referrals to the DBS, the Police and/or the Local Authority Designated Officer as appropriate.

6. **Local Safeguarding Officers**. Act as the main contact in their area for the protection of children in line with this policy and the person to whom staff should report concerns. Responsible for escalating concerns to Lead Safeguarding Officers as appropriate.

7. **Human Resources (HR)**. The HR Division has a responsibility for obtaining DBS checks for members of staff, or prospective staff, in liaison with the individual concerned, and for handling any disclosures made as a result. See paragraphs 24, 27 and 28 regarding student DBS checks, and/or checks relating to non staff volunteers working with the Student Recruitment and Outreach Department.

8. **Faculty Deans, Heads of Departments/ Divisions**. Faculty Deans and Heads of Department/ Divisions and all other managers have delegated responsibility in their own areas supported by Faculty Operation Officers and Faculty Senior Tutors.

9. **Individual staff members**. Individual members of staff are responsible for familiarising themselves with the Policy and informing colleagues and/ or managers of their particular requirements, for example regarding training.

## **REGULATED ACTIVITY AND THE DISCLOSURE AND BARRING SERVICE CHECKS**

10. It is a criminal offence for an employer to knowingly place staff or volunteers who have been barred by the DBS in posts working with children where the staff or volunteer will be carrying out regulated activity, and it is a criminal offence for individuals barred by the DBS to work in or apply to work in those positions. The DBS is responsible for maintaining a list of individuals barred from working with children and for processing requests for DBS checks (criminal record checks). The College is registered with the DBS and will ensure that a DBS check is conducted when required. A DBS check is needed for all staff and students who are engaged in, or will engage in, “regulated activity”<sup>(1)</sup> and the College is also entitled to carry out DBS checks on individual in certain other roles to which an exception under the Rehabilitation of Offenders Act 1974 applies. The College will usually carry out a DBS check when it is legally entitled to do so, even if this is not a legal requirement. There are three levels of check: Standard, Enhanced and Enhanced with Barred List Checks. The HR Division has procedures in place for obtaining the requisite clearance from the DBS for staff. The DBS application form requires input from both the individual requiring the DBS check (the “applicant”) and HR. HR will then submit the form to the DBS for processing. The DBS will send a copy of the disclosure certificate directly to the applicant. The applicant will need to show the original certificate to HR. For posts where DBS checks are an essential and ongoing requirement, the individual will be required to subscribe to the DBS update service which will allow HR to carry out regular checks on the individual’s DBS status.

When recruiting an overseas candidate, it may be necessary to ask the candidate to apply for a criminal records check overseas or certificate of good character (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>).

11. The HR Department are responsible for communicating with the DBS regarding DBS checks for staff members or prospective staff members. There are some circumstances where the DBS will only engage with the individual applicant. See paragraphs 24, 27 and 28 below regarding procedures for students or non staff members undertaking regulated activity.

## **CHILDREN INVOLVED IN COLLEGE ACTIVITIES**

12. Within the College there are several main categories of children (this is not an exhaustive list):
- a. Students under the age of 18 (see paragraphs 13-17).
  - b. Students under the age of 16 (see paragraph 18).
  - c. Children in the Early Years Education Centre (see paragraphs 19-21).

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1. The Safeguarding Vulnerable Groups Act 2006 set out the activities and work considered to be “regulated activity”, which a barred person must not do. The Protection of the Freedoms Act 2012 amended the definition.

With regard to activity relating to children, regulated activity “*comprises in summary:*”

*(i) unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;*

*(ii) work for a limited range of establishments (“specified places”) with opportunity for contact: for example, schools, children’s homes, childcare premises. Not work by supervised volunteers;*

*Work under (i) and (ii) is regulated activity only if done regularly.”*

*Regulated Activity in relation to Children, Factual note by HM Government*

“Regular” means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases, overnight). 2

- d. Children using College sports facilities (see paragraphs 22-23).
- e. Children engaged with Student Recruitment and Outreach activities (see paragraphs 24-26).
- f. Children with whom College staff and students come into contact as a result of studies including placements, research and voluntary activities and children on work experience (see paragraphs 27-28).
- g. Children using facilities through commercial events (see paragraph 29).
- h. Children visiting College events open to the general public (see paragraph 30).

## **STUDENTS UNDER THE AGE OF 18**

13. The College has a duty of care towards registered students who are defined as children. For these students, good practice means that the College will:

- a. Inform parents and guardians that it does not act in the place of a parent;
- b. Have a list of the student's emergency contact details, in particular those of parents and guardians;
- c. Inform the student that he/she may not enter licensed premises or hold office; and
- d. If concerns arise, take appropriate action to safeguard the welfare of such students, taking into account their age.

14. To ensure the above measures are implemented, the procedures set out in the *Imperial College London Policy and Procedure for Admitting Students Under 18 Years of Age* (<http://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/registry/academic-governance/public/academic-policy/admissions/Minors-Policy.pdf>) will be followed and the applicable declaration completed and signed.

15. **Academic Staff.** Within Departments/ Divisions, academic staff will have the primary contact with students under 18. It is the responsibility of the relevant Head of Department/ Division to identify at the earliest possible opportunity children who will be studying in the Department/ Division, and to notify the appropriate members of staff of these students, as well as ensuring that the steps in the paragraph above are carried out. The Head of Department/ Division will have the responsibility to ensure that any staff within the Department/ Division undertaking, or due to be undertaking, regulated activity are DBS checked using the process put in place by HR. Those who will be subject to DBS checks may include (depending on the course and level of study) personal tutors, academic tutors, admissions staff and supervisors. With regard to interviewing students for places on degree programmes, given the short, one-off nature of such interviews, it will be permissible for members of interviewing panels not to have been DBS checked, although as a matter of good practice such interviews should not be carried out by one sole interviewer. It is also preferable for at least one member of the interview panel to have been DBS checked where the interviewee is under 18.

16. **Halls of Residence Staff.** Where a student under the age of 18 is admitted to the College and is to be placed in a College Hall of Residence, Wardens, Sub-Wardens, Assistant Wardens and any staff at student residences engaged in caring for, supervising or providing advice or guidance to children on a regular basis are likely to be carrying out regulated activity and will therefore be subject to a DBS check. Any over 16s (such as partners or older children) living with staff who are carrying out regulated activity on the premises will also require DBS checks. The Director of Student Services will advise the HR Department of new personnel to ensure that necessary checks are made prior to commencement of employment.

17. **Contractors.** The Campus Services Department will notify Estates Facilities to any students under the age of 18 who are staying in Halls of Residence. If a visit by maintenance, security or cleaning staff to a room being inhabited by a child under 18 is necessary, then these staff (either in-house or contracted) must either be:

- a. accompanied by a member of the Residences team; or
- b. DBS checked, where the College is entitled to request a DBS check.

### **ADDITIONAL MEASURES FOR STUDENTS UNDER THE AGE OF 16**

18. If any of the staff mentioned in paragraph 16 above are not able to be DBS checked in time (for example, student choices of modules may not be known in time to ensure that relevant staff have been DBS checked) it is acceptable to have different arrangements for students under 16. For example requiring under 16s to be accompanied by a designated adult/ chaperone at all times, with the student's funding body/ family/ guardians meeting the costs of such arrangements. It is College Policy not to accommodate students under the age of 16 in Halls of Residence. For details of the additional steps in the admissions process relating to students aged under sixteen on entry, see the *Imperial College London - Policy and Procedure for Admitting Students Under 18 Years of Age* (<http://www.imperial.ac.uk/media/imperial-college/administration-and-support-services/registry/academic-governance/public/academic-policy/admissions/Minors-policy.pdf>).

### **CHILDREN IN THE EARLY YEARS EDUCATION CENTRE**

19. All staff working at the Early Years Education Centre are required to be enhanced level DBS and barred list checked before commencing work.

20. Visitors to the Early Years Education Centre will be supervised at all times.

21. The Early Years Education Centre has in place its own detailed child safeguarding policies relevant to the activities undertaken and the recruitment of staff (<http://www.imperial.ac.uk/early-years/about-us/policies-and-procedures/safeguarding-/>)

### **CHILDREN USING THE COLLEGE'S SPORTS FACILITIES**

22. All staff working at College sports facilities who are or will be engaged in caring for, supervising or providing advice or guidance to children on a regular basis are required to be DBS checked before commencing work.

23. External organisations engaged in providing sporting opportunities for children must ensure that they have their own child protection and safeguarding procedures in place, and where appropriate have completed DBS checks on their staff.

### **CHILDREN ENGAGED WITH STUDENT RECRUITMENT AND OUTREACH ACTIVITIES SUCH AS OPEN DAYS, SUMMER SCHOOLS MENTORING AND TUTORING AND OTHER WIDENING PARTICIPATION SCHEMES**

24. All staff (both employees and casual workers) and students who are employed or volunteer to undertake a project with Student Recruitment and Outreach who are or will be engaged in caring for, supervising or providing advice or guidance to children on a regular basis will be required to undergo a DBS check unless they are assisting with a work experience placement (see paragraph 27). Student Recruitment and Outreach offer a DBS checking service for student volunteers and workers engaged with their programmes to use, whereas staff will need to use the service provided by HR.

25. Where outreach activities involving children are organised by the Imperial College Union, the Union Managing Director, in co-operation with the Union President, will ensure that those staff and students involved in regulated activity undergo the relevant checks. The Union will have in place its own DBS checking measures. See also paragraph 28.

26. The Student Recruitment and Outreach division will have in place its own detailed [Safeguarding and Child Protection Policy](#) relevant to the activities undertaken.

### **CHILDREN WITH WHOM COLLEGE STAFF AND STUDENTS COME INTO CONTACT AS A RESULT OF STUDIES INCLUDING PLACEMENTS, RESEARCH AND VOLUNTARY ACTIVITIES AND CHILDREN ON WORK EXPERIENCE**

27. As a condition of admission, students applying for subjects or postgraduate research where they will come into contact with children or vulnerable groups are required to be checked through the DBS. Medical Students on clinical placements are required to be DBS checked and to comply with requirements of the relevant NHS Trust. The relevant Head of Department/ Division will be responsible for ensuring that the relevant checks are carried out in conjunction with the Registry. Staff who undertake work or research with such groups may need to be DBS checked if they have unsupervised, regular access to children or vulnerable groups. Staff who supervise children under 16 who are on work experience placements within the College will require a DBS check if they will be supervising the child for more than three days in a 30 day period and they will not themselves be supervised by someone in regulated activity. In addition, a risk assessment must be undertaken, and suitable arrangements implemented in light of the results of the risk assessment. DBS checks are not required for staff who supervise children on work experience who are aged 16 or over. Guidance on work experience placements is available at <http://www.imperial.ac.uk/human-resources/working-at-imperial/work-experience/>

28. The Imperial College Union will undertake DBS checks where student volunteers are undertaking regulated activity organised by the Imperial College Union, or where it is requested by a host organisation. Where the Imperial College Union works with a partner organisation to provide student volunteers in roles working with vulnerable children or adults, it is the partner organisation's responsibility to undertake DBS checks. This requirement will be stipulated in the agreement with the partner organisation.

### **CHILDREN USING FACILITIES THROUGH COMMERCIAL EVENTS**

29. The College will ensure, through its procurement process, that all commercial activities involving children have appropriate safeguarding policies in place that meet the College's policy and guidance, including risk assessments of space. All commercial clients will be required to disclose any safeguarding issues or concerns that have emerged in connection with any activity on or linked to College premises.

### **CHILDREN VISITING COLLEGE EVENTS OPEN TO THE GENERAL PUBLIC**

30. When arranging an event that may involve child visitors, organisers should ensure that appropriate measures are put in place in line with the College's policy and guidance on working or volunteering with children.

## **GUIDELINES FOR STAFF AND STUDENTS**

It is recommended that staff and students who have access to children, including students under 18, take steps to ensure that they do not put themselves in a position where an allegation can be made against them. Such staff and students must give special consideration to ensuring that they do not become involved in circumstances where an allegation can be raised. Such consideration might involve, but is in no means limited to:

- a. Treating children with respect and dignity at all times, reflecting their age, background, culture and special needs;
- b. Ensuring that interaction with children occurs in the company of others wherever possible to ensure that an allegation of improper behaviour does not arise;
- c. Retaining a professional approach to children which will involve behaviour such as not divulging home telephone numbers or addresses, refraining from any social media interaction, ensuring that there is no physical contact, avoiding inappropriate familiarity, including discussing matters of a sexual nature, maintaining self-control and being sensitive to issues that can be misconstrued; and
- d. Seeking guidance on their own interactions with children if they have any concerns about their appropriateness or the possibility of them being misconstrued from a College Safeguarding Officer, Faculty Senior Tutor, or (if the concern relates to a student under 18) a Lead Safeguarding Officer.

Under no circumstances should a member of staff or student ever:

- a. Engage in rough/boisterous, physical or sexually provocative games with a child, including horseplay;
- b. Share a room with a child;
- c. Engage in any form of inappropriate touching;
- d. Make sexually suggestive comments to a child;
- e. Fail to act upon and record any allegations made by a child;
- f. Do things of a personal nature for children that they are able to do for themselves; or
- g. Invite or allow a child to visit or stay at their home unsupervised.

These guidelines for staff and students will always apply in the context of coming into contact with children, including students under the age of 18 years. It will also apply in situations involving vulnerable adults and is also likely to constitute best practice in situations involving all students over the age of 18.

Further advice on appropriate conduct can be found in the Safer Recruitment Consortium's [Guidance for Safer Working Practice](#).

Any employee or volunteer at the College who comes into contact with children under the age of 18 is considered to be in a position of trust, whether or not they meet the strict legal definition, and any sexual activity between an employee or volunteer and a child with whom the employee or volunteer has come into contact through activities carried out in the course of his or her employment or volunteering will be treated as a very serious disciplinary matter. Anyone who meets the legal definition of "position of trust" under the Sexual Offences Act 2003 and who engages in any sexual activity with a person under 18 is also committing a criminal offence, and such cases will be reported to the Police.

The College has a legal duty to report to the DBS any individual whom it believes ought to be placed on the list of individuals barred from working with children.

A brief guide for staff and students on how to respond if a child makes an allegation of abuse can be found at Annex A.

Some guidance on what to do if staff or students are concerned that a member of the College community (including a child) has indecent images of children in their possession can be found at Annex D.

Approved by the College's Safeguarding Committee March 2018

Approved by the Provost's Board March 2018