



UNIVERSITY OF  
PORTSMOUTH

# Policy for Safeguarding Children and Vulnerable Adults

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# Policy for Safeguarding Children and Vulnerable Adults

## Summary

### What is this Policy about?

This Policy outlines how the University seeks to deliver its social, ethical and legal responsibilities to protect and safeguard children and vulnerable adults to the highest possible standards.

### Who is this Policy for?

All staff who work with children and vulnerable adults on the University's premises or who engage in activities controlled by the University.

### How does the University check this Policy is followed?

The University will review any safeguarding incidents involving children and vulnerable adults to ensure that there was full compliance with this Policy and to identify any need to amend or review the Policy in the light of experience.

### Who can you contact if you have any queries about this Policy?

Further information, guidance and interpretation of this Policy should be sought from the Director of Corporate Governance by contacting 023 9284 3195 or [adrian.parry@port.ac.uk](mailto:adrian.parry@port.ac.uk).

## 1. Introduction

The University is committed to providing a safe and secure environment for children and vulnerable adults. This Policy outlines how the University seeks to deliver its social, ethical and legal responsibilities to protect and safeguard children and vulnerable adults to the highest possible standards.

## 2. The University's responsibilities

- 2.1 The University has specific legal responsibilities to ensure that children and vulnerable adults are safeguarded against the risk of harm and abuse.
- 2.2 The University recognises that abuse or harm or the risk of abuse or harm to a child or vulnerable adult may take many different forms and that individuals may have different perceptions of what constitutes harm or abuse. The University regards harm or abuse as including any physical, sexual or emotional abuse or neglect, bullying, harassment or intimidation. Further guidance on the forms that harm or abuse might take is at Annex A.
- 2.3 It is not the responsibility of the University to investigate harm or abuse. However, it has a duty of care to act if there is cause for concern, to protect the welfare of children and vulnerable adults, and to notify the appropriate agencies about any concerns so that they can investigate.
- 2.4 The lead member of staff within the University with responsibility for safeguarding children and vulnerable adults is the Director of Corporate Governance, or in her or his absence, the Head of Governance Services.
- 2.5 The University will keep this Policy under review to ensure that children and vulnerable adults are safeguarded and that this Policy complies with developments in legislation, regulations and good practice.

## 3. The purpose of this Policy

- 3.1 This Policy sets out the University's corporate arrangements for securing the safety and wellbeing of children and vulnerable adults who are on the University's premises or who engage in activities controlled by the University. It sets out the steps that the University will take to ensure that concerns about a child's or vulnerable adult's wellbeing or risk of harm or abuse to them arising from activities connected with the University can be addressed quickly and appropriately.

- 3.2 Some faculties and departments within the University operate their own specific procedures for securing the safety and wellbeing of children and vulnerable adults in accordance with guidance from relevant professional or sponsoring bodies. Faculties and departments are required to ensure that their own specific procedures comply with the requirements of this overarching corporate Policy.

## 4. Definitions

The University uses the following definitions for the purposes of this Policy:

- ‘Child’ or ‘children’ refers to a person or persons under the age of 18 years.
- ‘Vulnerable adult’ refers to a person who is aged over 18 years who is or may be in need of community care services for reasons of mental health or other disability, age or illness, and is or may be unable to take care of themselves or protect themselves against significant harm or exploitation.
- ‘Safeguarding’ refers to the arrangements made to ensure that all reasonable measures are taken to prevent harm to children and/or vulnerable adults.
- ‘Controlled posts’ refers to posts that have frequent or intensive contact with children or vulnerable adults or have frequent access to sensitive information about children or vulnerable adults.
- ‘Regulated activity’ refers to activities and work that a person who has been barred by the Disclosure and Barring Service (DBS) must not do. It encompasses:
  - activity involving contact with children or vulnerable adults that is of a specified nature (e.g. teaching, training, care, supervision, advice, medical treatment or in certain circumstances transport) carried out on a frequent, intensive and/or overnight basis;
  - activity involving contact with children or vulnerable adults in a specified place (for example, schools or care homes), conducted either frequently or intensively;
  - fostering and childcare; and
  - certain specified positions of responsibility (for example, a school governor or the director of a health and social care trust responsible for the delivery of personal social services, and trustees of certain charities).

These are activities that, generally speaking, may place someone in a vulnerable position, for example, through a relationship of trust or dependency.

## 5. Recruitment and employment of staff

### Declaration of offences

- 5.1 It is illegal for an organisation to knowingly allow a person barred by the DBS to work in regulated activity. The University will therefore:
- i) Require all applicants for employment at the University to declare any criminal convictions on application forms for employment.
  - ii) Require persons appointed to regulated or controlled posts to undertake standard or enhanced DBS checks. If the person appointed is from overseas or has lived overseas for a significant period of time, then checks will be sought from the countries concerned. If such checks are not available from the countries concerned, then the person appointed will be required to make a declaration concerning their previous life history.
  - iii) Exercise its legal right to require existing employees occupying regulated posts or undertaking regulated work to reveal their full criminal history, including any spent convictions and/or undertake standard or enhanced DBS checks. The University may exercise this right as an annual requirement for certain roles.
- 5.2 The University recognises the need to take a proportionate approach to personal and DBS disclosures and will treat all such information in the strictest confidence. The University will not discriminate unfairly on the basis of such information.

### Consideration of offences

- 5.3 Interview panels will ensure that a fair and measured discussion of any declared offences takes place either at the interview or is subsequently arranged. Guidance on the conduct of this discussion should be sought from the Director of Human Resources. Guidance should also be sought from the Director of Human Resources prior to any offer of employment being made.
- 5.4 If a subsequent DBS check shows a conviction or caution or contains other information in relation to a potential or existing employee then the Director of Corporate Governance, the Director of Human Resources and the University Executive Board (UEB) member with responsibility for the area in which that individual intends to or already works, will form a view on whether this is sufficiently serious to constitute an impediment to their employment by the University and should be referred for further consideration under the appropriate University policy. In forming this view, they will take account of factors such as the nature of the conviction or information, time elapsed, and whether this indicates a pattern of behaviour that may place children or vulnerable adults at risk. A confidential written record of this decision will be retained. Guidelines for informing this decision are at Annex B.

## Reporting to the DBS

- 5.5 If the University dismisses or removes someone from regulated activity (or would have done had they not already left its employment) because they have abused or harmed children or vulnerable adults then it has a legal responsibility to report the person concerned to the DBS. This responsibility will normally be undertaken by the Director of Corporate Governance in consultation with the Director of Human Resources.

## 6. Responsibilities of staff

### Statement of good practice

- 6.1 The University has a Statement of good practice for those who come into contact with children and vulnerable adults as part of their work or studies with the University. This Statement is at Annex C and sets out examples of recommended behaviour towards children and vulnerable adults. All staff are expected to be guided by this Statement.

### Declaration of investigations, cautions and criminal convictions

- 6.2 All staff are required to notify the Director of Human Resources if they are the subject of an investigation by the police or other safeguarding agency into an allegation of abuse of a child or vulnerable adult. Disciplinary action may be taken against staff failing to disclose this information.
- 6.3 All staff are required to notify the Director of Human Resources if they receive a police caution or conviction for a criminal offence. Disciplinary action may be taken against staff failing to disclose this information.

### Risk assessments

- 6.4 Members of staff with responsibility for activities at the University or run by the University which involve children or vulnerable adults must ensure that they conduct a risk assessment of the activities involved and take appropriate steps to protect the welfare of the children or vulnerable adults involved. Guidance on producing risk assessments is available from the University's Health and Safety Team.
- 6.5 Members of staff with responsibility for activities at the University or run by the University which involve children or vulnerable adults must confirm with the University's Finance Department that the University has appropriate insurances in place to indemnify the proposed activity.

### Sexual relationships

- 6.6 It is a criminal offence for any person in a position of trust to engage in sexual activity with someone who is subject to this trust and is under the age of 18 years. The University will also consider this to be a disciplinary issue.

## 7. Recruitment, studying and employment of students

- 7.1 The University will require DBS checks to be undertaken for the following groups of students:
- All those offered places on professional programmes requiring placements in regulated positions (including teaching, nursing and social work).
  - All those undertaking paid or voluntary work on behalf of the University in a regulated setting.
  - Students undertaking research which requires unsupervised access to children or vulnerable adults.
- 7.2 Where such students are from overseas or have lived overseas for a significant period of time, checks will be sought from the countries concerned. Students from countries where no such checks are available will be required to make a declaration concerning their previous life history.
- 7.3 If a DBS check indicates that an individual is barred from working with children or vulnerable adults then they will not be offered a place on any course requiring placement in a regulated position, allowed to work as a volunteer in such a position, or to undertake research involving children or vulnerable adults. They may be counselled to seek an alternative course if this is appropriate.
- 7.4 If a DBS check indicates that a student is barred from working with children or vulnerable adults, and that student is already engaged in a programme of study leading to regulated employment, the student's registration on the course will be terminated. They may be counselled to seek an alternative course if this is appropriate.

## Faculty and department Safeguarding Panels

- 7.5 Where a DBS check indicates or the University becomes aware of other evidence of convictions or other information that indicates that children or vulnerable adults might be placed at risk, the faculty or department concerned will establish a Panel, which includes representatives of the appropriate profession if required, to consider the student's or applicant's suitability for the course of study, volunteer position, or research. The Panel should normally be convened within three weeks of the evidence becoming available to the University and its deliberations will be minuted. Students should normally be informed in writing of the decision of the Panel and of the process for any appeal within five working days of the Panel hearing.
- 7.6 Students should be advised in their invitation to the Panel hearing that they are able to access advice and support from the Students' Union Advice Service.

## 8. Reporting suspicions, allegations or actual incidents

- 8.1 The welfare of a child or vulnerable adult must be paramount. Members of staff have a duty to report suspicions, allegations or actual incidents, regardless of whether the information has been disclosed in confidence to them or if they remain unsure of their suspicions. Staff who fail to discharge this responsibility may be liable to disciplinary action.
- 8.2 Staff must not attempt to deal with a suspicion, allegation, or actual incident themselves but must report it through the channels outlined below. All suspicions and allegations will be taken seriously and will be responded to swiftly and appropriately.
- 8.3 As far as possible, the confidentiality of all individuals involved in any allegation, investigation or resulting disciplinary proceedings will be respected by the University. However, there may be circumstances in which it is necessary for the University to share information with parties such as social services, the police, and the parents, guardians or carers of the child or vulnerable adult concerned. Information may also need to be disclosed if there is a public interest imperative. The University cannot therefore guarantee that the confidentiality of any disclosures can be maintained in all circumstances.

### Reporting concerns about staff

- 8.4 In the event of any suspicion, allegation or apparent abuse committed by a member of the University's staff, the matter should be reported to the Director of Corporate Governance as soon as possible.
- 8.5 If it is not possible to contact the Director of Corporate Governance, it must be reported to another UEB member. Outside normal working hours, reports should be made to 023 9284 3418.
- 8.6 On being notified of any suspicion, allegation or apparent abuse involving University staff, the Director of Corporate Governance (or their alternate) shall:
- Take such steps as she or he considers necessary to ensure the safety of the child or vulnerable adult in question and any other child or vulnerable adult who might be at risk.
  - Liaise with the person who reported the original concern and ensure that a report of the incident(s) is completed.
  - Consult with other UEB members if deemed appropriate or advice is required.
  - Report the matter to the local social services.
  - Notify the Vice-Chancellor or, in her or his absence, her or his designated alternate.
- 8.7 If the Director of Corporate Governance is the subject of the suspicion, allegation or the claim of apparent abuse then this must be reported to the Vice-Chancellor.
- 8.8 Any notification of suspicion, allegation or evidence of abuse or harm may result in the Vice-Chancellor or their nominee taking the decision to suspend the member of staff concerned whilst investigations proceed. Suspension in this context is not a disciplinary measure and implies no assumption of guilt.
- 8.9 The University may refer a member of staff to the relevant professional body if there are concerns over their suitability to practise and/or remain on the professional register or equivalent. The Director of Corporate Governance will normally make this referral on behalf of the University.

### Reporting concerns from placements, mentoring schemes, projects or external visits

- 8.10 Staff and students who are undertaking activities at the premises of another organisation should familiarise themselves with the host organisation's safeguarding policies and procedures and the name and contact details of the organisation's safeguarding officer.
- 8.11 Staff with concerns about a child or a vulnerable adult with whom they come into contact in a placement setting or in the course of external visits should follow the procedure in place at the school, hospital or other institution concerned. If, for whatever reasons, the member of staff feels that this is inappropriate then they must refer their concerns to the Director of Corporate Governance who will contact the appropriate agency.

8.12 Students with concerns about a child or a vulnerable adult with whom they come into contact in a placement, through a mentoring scheme, a project setting or in the course of external visits should follow the procedure in place at the school, hospital or other institution concerned. If, for whatever reasons, the student feels that this is inappropriate or they lack the confidence to raise their concerns then they should refer their concern to the member of University staff who is supervising their placement, mentorship scheme or project. This member of staff should then follow the procedure set out in paragraph 8.11.

## Reporting concerns about students

8.13 If a student engaged in activities with another organisation is alleged to have abused a child or vulnerable adult, the allegation will be investigated using the procedures of the school, hospital or other institution under whose auspices the abuse is alleged to have happened. The member of staff supervising the activity must inform the Director of Corporate Governance of the details of the incident. The Vice-Chancellor, on the basis of advice from the department and/or the lead staff member, may decide to suspend the student for the period of the investigation. Suspension in this context is not a disciplinary measure and implies no assumption of guilt. Depending upon the outcome of the investigation, the student may be liable for further suspension, disciplinary action, or subject to the University's fitness to practise procedure.

## Reporting other concerns

8.14 There may be instances when a member of staff receives information in the course of their normal duties about allegations of abuse towards a child or vulnerable adult that are unconnected with the activities of the University or the use of its premises. In such instances, staff must exercise a duty of care and should either encourage the informant to report the matter to the appropriate agencies or, if they remain concerned, make a report themselves. If, for whatever reasons, a member of staff in receipt of an allegation feels that it is inappropriate for them to make the report then they must refer their concerns to the Director of Corporate Governance who will contact the appropriate agency.

## 9. Responsibilities of parents, guardians and carers

- 9.1 The University cannot take responsibility for ensuring the wellbeing of children or vulnerable adults who are on its premises without its knowledge and consent. Parents, guardians or carers who bring children or vulnerable adults onto University premises must take responsibility for their safety and wellbeing and ensure that they do not place themselves at risk, disturb others or damage property.
- 9.2 Unless they are students of the University or are attending the University as part of an authorised visit or activity, children and vulnerable adults are not allowed to enter learning environments, laboratories, workshops or other premises which present hazards or contain valuable or fragile equipment.

## 10. Reporting of accidents involving children or vulnerable adults

Any accident on University premises involving a child or vulnerable adult must be reported to the University's Health and Safety Team immediately and formally recorded on the accident reporting system as soon as possible.

## 11. Communication of the Policy

All staff must be aware of this Policy and must abide by its requirements. It will be published on the University's website in the 'Document Warehouse' to ensure that it is available to all those within the University community who have a responsibility for the wellbeing of children and vulnerable adults.

## 12. Key contacts

Lead staff member for safeguarding children and vulnerable adults (Director of Corporate Governance): 023 9284 3195

University Security (to contact the University's duty manager outside normal working hours): 023 9284 3418

Portsmouth City Council Child Protection Unit: 023 9283 9111

Portsmouth City Council Emergency out of hours: 0300 555 1373

Hampshire Constabulary: 0845 045 45 45

NSPCC (South Hampshire): 023 80 248180

NSPCC Child Protection Helpline: 0800 800 5000

University of Portsmouth Students' Union Advice Service: 023 9284 3478



## 13. Further information and guidance

- 13.1 Further information, guidance and interpretation of this Policy should be sought from the Director of Corporate Governance (023 9284 3195 or [adrian.parry@port.ac.uk](mailto:adrian.parry@port.ac.uk)).
- 13.2 The Disclosure and Barring Service maintains a guidance note of 'relevant offences' that are applicable to the safeguarding of children and vulnerable adults. This can be found at [www.gov.uk/guidance/making-barring-referrals-to-the-dbs#referrals-for-automatic-barring-offences](http://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#referrals-for-automatic-barring-offences).

## 14. Implementation date

This Policy is effective from 1 November 2016.

## Annex A

### Potential indicators of harm, abuse or neglect

Harm, abuse or neglect can take many forms and can include, but not be limited to:

**Physical abuse:** Physical abuse is deliberately causing physical harm to another person. This might involve punching, kicking, biting, burning, scalding, shaking, throwing or beating with objects or implements. It can include giving a child or vulnerable adult alcohol or illegal drugs.

**Emotional abuse:** Emotional abuse is where repeated verbal threats, criticism, ridicule, shouting, lack of love and affection causes a severe adverse effect on a child or vulnerable adult's emotional development. It may feature inappropriate expectations being imposed on a child or vulnerable adult, over-protection and limitation of exploration and learning, or preventing the child or vulnerable adult from taking part in normal social interaction.

**Sexual abuse:** Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the child or vulnerable adult is aware of what is happening. This may involve physical contact or it may involve non-contact activities such as involving children or vulnerable adults in watching sexual activities, producing or looking at sexual images, encouraging children to engage in sexual acts or behaviour, or grooming a child or vulnerable adult in preparation for abuse (including via the internet).

**Neglect or acts of omission:** Neglect is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs in a way that is likely to result in serious impairment of their health, development or wellbeing. It can include failure to provide adequate food, clothing, shelter (including exclusion from home or abandonment), medical care, or protection from physical and emotional harm or danger. It also includes failure to ensure access to education or to look after a child or vulnerable adult whilst under the influence of alcohol or drugs.

**Online abuse:** Online abuse is any form of abuse that happens via the internet, whether through social networks, online games or mobile telephones. It may involve cyberbullying, grooming in preparation for abuse, sexual abuse, sexual exploitation or emotional abuse. In such cases, the abuser may be known to the child or vulnerable adult, they may not be known or they may disguise their real identity.

Children and vulnerable adults can be subject to one or more forms of abuse at the same time. They may display physical symptoms of abuse or neglect in the form of injuries or untreated medical issues; they may exhibit behaviour or knowledge that is inappropriate or unexpected for their age or circumstances; they may appear to be uncomfortable in the presence of certain people or being left alone with them; they may also exhibit aggressive or anti-social behaviour or display symptoms of depression or anxiety.

## Annex B

### Guidelines on considering criminal records and related information

The University must assess criminal records history within the relevant legal framework and in accordance with the principles of applying public law.

Any decision the University makes on the impact of previous offences committed by an individual should be proportionate, fair and reasonable, within its powers, and based upon considerations that are strictly relevant.

The University will consider a number of factors in assessing the risk presented by any individual to children or vulnerable adults. These include:

- Whether the offence poses a cause for concern and is relevant to the work or activity to be undertaken.
- Whether the offence was an isolated incident or whether it is indicative of a pattern of behaviour that may place others at risk.
- The time that has elapsed since the offence occurred.
- The age of the individual at the time of the offence.
- Whether subsequent amendments to the law mean that the offence is no longer illegal.
- Whether there were particular mitigating circumstances at the time that led to the offence being committed.
- Evidence of remorse, positive change and rehabilitation since the offence was committed.

It is also a requirement to gain references and to try to make all reasonable efforts to obtain information about any unexplained gaps in an individual's life history that may give rise to concern.

## Annex C

### Statement of best practice

The University expects all its staff and students to act in an exemplary manner towards children and vulnerable adults and to ensure that their behaviour does not lead to concerns about their integrity and moral standing or to allegations of harm or abuse.

This Statement is not intended to present an exhaustive list but sets out general expectations of behaviour in terms of what the University regards as appropriate behaviour.

University staff and students should at all times:

- i) Treat children and vulnerable adults fairly, equally and respectfully and should not show favouritism or disfavour.
- ii) Be sensitive to the child or vulnerable adult's appearance, race, culture, religious belief, sexuality, gender or disability.
- iii) Act as a good role model and challenge any unacceptable behaviour from others within the University community towards children or vulnerable adults.
- iv) Report allegations or suspicions of harm or abuse of children or vulnerable adults in line with this Policy.
- v) Work, where possible, in an open environment with children and vulnerable adults so that others can clearly observe and hear you.
- vi) Be aware that physical contact and speaking, acting or jesting in certain ways with a child or vulnerable adult may be misinterpreted.
- vii) Avoid physical contact with a child or vulnerable adult unless it is reasonably necessary for health and safety or their wellbeing.
- viii) Respect the right to privacy of a child or vulnerable adult and do not enter any private room occupied by of a child or vulnerable adult alone unless necessitated by an emergency.
- ix) Avoid unaccompanied journeys in a vehicle with a child or vulnerable adult unless necessitated by an emergency.

### Responding to allegations or suspicions

If you receive an allegation of harm or abuse or suspect that this is occurring, then:

DO	DO NOT
Stay calm and remain objective	Do not panic or over-react
Listen, hear and take seriously	Do not probe for more information. Inappropriate questioning may influence how the allegation is received or considered by others at a later date
Give time to allow the child or vulnerable adult to say what they want to say	Do not make assumptions. Do not paraphrase or offer explanations or justifications for actions
Reassure and explain that they have done the right thing in telling you about the incident	Do not promise that complete confidentiality can be maintained
Act immediately in accordance with the procedure in this Policy	Do not try to deal with the allegation by yourself
Make a written record of what was said to you as soon and as accurately as possible using the form outlined below	Do not express your own opinions or conclusions in the report. Do not make a child or vulnerable adult repeat themselves unnecessarily
Report the incident in accordance with the procedures outlined in this Policy	Do not fail to report the incident or delay reporting the incident
Maintain confidentiality about the incident and the people involved	Do not divulge information to people with no role in dealing with the incident

## CONFIDENTIAL ALLEGED INCIDENT REPORT FORM

### Details of the alleged incident

Date of the alleged incident:

Time of the alleged incident:

Where the alleged incident occurred:

Describe the circumstances of the alleged incident (including the names of people allegedly involved):

### Details of the child/vulnerable adult (if applicable)

Full name:

Address:

Home telephone number:

Mobile telephone number:

Gender:

Date of birth:

Nature of alleged injury/harm:

Comments or explanation given by the child or vulnerable adult:

Initial action taken:

### Details of the person completing this record

Name:

Contact details:

Signature:

Date:

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