

## Safeguarding Glossary

For the purposes of the Safeguarding Policy and related procedures, the following definitions will apply:

### **1. Definitions of “child” and “adult at risk”**

<b>Child/Children:</b>	A person/people under the age of 18
<b>Young People:</b>	Children who are 16 or 17 years old
<b>Adult at Risk:</b>	An adult is any person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation. <sup>1</sup>
	In law, an adult is deemed to have capacity to give or withhold consent to social services referrals, medical examinations, etc. If it is believed that an adult is at risk of harm and may need protection, a responsible person must consider if the individual is capable of giving consent. <sup>2</sup> If this is so determined, a professional acting on behalf of the organisation must seek the individual's consent before taking any action, such as, a referral to social services or the police.
	There are some exceptions to this rule where consent is not required. These are:
	<ul style="list-style-type: none"><li>• Where there is a duty to act (e.g. a crime may have taken place); or</li><li>• When it is in the public interest to act (e.g. another person or people, child or adult, is/are put at risk); or</li><li>• When it is suspected that the individual may be under the undue influence of someone else.</li></ul>

<b>Age of Consent:</b>	In the UK, a person can legally consent to sexual activity if they are 16 years old or over. However, it is illegal under the <a href="#">Sexual Offences Act 2003</a> for an adult in a position of trust to engage in sexual activity with a person under the age of 18. Staff employed by the university are in a position of trust when working with Children and Young People.
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### **2. Definitions of Regulated Activity**

*Regulated activity with a child includes:*

- Unsupervised teaching, training or instruction of children (teaching/training provided wholly or mainly for children not courses aimed at/delivered to students who are mainly over the age of 18), 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 overnight (2am - 6am);
- Care (personal and health care) or supervision of children;

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<sup>1</sup> NHS England, ‘Safeguarding Adults’ 2017.

<sup>2</sup> [Mental Capacity Act 2005](#)

- Advice or guidance provided wholly or mainly for children relating to their physical, emotional or educational wellbeing if carried out by the same person frequently (as above);
- Moderating a public electronic interactive communication service likely to be used wholly or mainly by children, carried out by the same person frequently (as above);
- Driving a vehicle being used to convey children.

*Regulated activity with adults at risk includes:*

- Personal care (physical assistance with eating or drinking, toileting, washing or bathing, dressing, oral care or care of the skin, hair or nails provided for reasons of age, illness or disability);
- Healthcare (by a health care professional or a person acting under the direction or supervision of a healthcare professional);
- Social work;
- Assistance in day-to-day matters including handling cash;
- driving the adult to appointments for the purposes of: health care, personal care or social work required due to age, illness or disability;
- People who hold a lasting or enduring power of attorney under the [Mental Capacity Act 2005 \(MCA\)](#), a deputy under the MCA, an Independent Mental Health/Capacity Advocate in respect of the individual.

### **3. Definitions of Abuse/Harm<sup>3</sup>**

<b>Abuse:</b>	A form of maltreatment of a child or adults at risk. Somebody may abuse or neglect an individual by inflicting harm, or by failing to act to prevent harm. Individuals may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults, or another child or children. The abuse of children and adults at risk can be categorised into four areas.
<b>Emotional Abuse:</b>	A form of abuse which may involve the persistent emotional maltreatment of an individual, such as, to cause severe and persistent adverse effects on emotional development. It may involve conveying that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving a child or adult at risk the opportunity 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 children. These may include interactions that are beyond the child or adult at risk’s developmental capability as well as overprotection and limitation of exploration and learning or preventing the individual participating in normal social interaction. It may involve serious bullying (including cyber bullying), causing individuals to

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<sup>3</sup> Definitions taken from [Working Together to Safeguard Children 2018](#)

frequently feel frightened or in danger, or the exploitation or corruption.

**Neglect:**

The persistent failure to meet basic physical and psychological needs is likely to result in the serious impairment of health or development. This may involve factors, such as, inappropriate clothing, food, inappropriate attention, lack of supervision, lack of safety or exposure to undue cold or unnecessary risk of injury. It may also include neglect of basic emotional needs.

**Physical Abuse:**

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to an individual. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Sexual Abuse:**

A form of abuse involving forcing or enticing a child, young person or adult at risk to take part in sexual activities, not necessarily involving a high level of violence, whether the individual 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 children in looking at pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

The following areas of abuse additionally relate (primarily) to adults at risk:

**Financial Abuse:**

The illegal or unauthorised theft or use of a person's property, money or other valuables. Crimes associated with this type of abuse include theft, undue influence and forgery.

**Discriminatory Abuse:**

Treating a person less favourably, and therefore denying their human and/or civil rights, based solely on class or category, i.e. gender, disability, ethnicity, religion, preferred language, etc. Discriminatory behaviours take many forms, but they all involve some form of exclusion or rejection.

**Institutional Abuse:**

Occurs when an individual's wishes and needs are sacrificed to a smooth running of a group, service or organisation. It involves the mistreatment of people brought about by poor or inadequate care or support and is characterised by systematic poor practice including inappropriate use of rules, rituals, routines and/or restrictive practices. These may all damage a person's right to independence, respect, dignity or choice.

#### **4. Additional Terminology**

- Bullying and Harassment:** The terms ‘bullying’ and ‘harassment’ are often used interchangeably, and bullying may be seen as a form of harassment. Bullying and harassment can take place in relation to any individual, who may not necessarily be a child or adult at risk. Bullying and harassment can take place through ‘actively’ harmful behaviour (such as name calling) or through passive behaviour (such as intentionally excluding someone). The behaviour is unwarranted and unwelcome and generally has the purpose or effect of, “violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.” ([Equality Act, 2010](#)).
- Domestic Violence:** [The Domestic Violence, Crime and Victims Act 2004](#) closed a loophole for murder/manslaughter and the 2012 Amendment includes “causing child or adult at risk to suffer physical harm”.
- Extremism:** Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society. Extremism is defined in the [Counter Extremism Strategy 2015](#) as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist.
- Female Genital Mutilation:** FGM is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done. FGM is usually carried out on young girls between infancy and the age of 15, most commonly before puberty starts. It is illegal in the UK and is child abuse.
- Forced/Arranged Marriages:** A forced marriage is one in which one or both parties are married without their consent, unlike an arranged marriage where both parties consent to third party assistance in identifying a spouse. An arranged marriage becomes a safeguarding issue where the person concerned is a child or is an adult who lacks mental capacity. Adults with learning disabilities have the right to get married but must have capacity to consent. No one can consent to marriage on behalf of someone else.
- Hate Crimes:** Hate crimes are crimes motivated by prejudice, hatred or intolerance that intentionally demean or harm individuals and

groups, defined by their actual (or perceived): ethnicity, race, religion and belief, sexuality, gender, conscience, disability, age or lawful working practices. They create an environment in which people experience or could reasonably fear, harassment, intimidation or violence. Hate crime is unlawful and the university will treat it as a form of harassment under this Policy. The university reserves the right to report to the Police any incident which it believes may constitute a criminal offence.<sup>4</sup>

**Modern Slavery:**

This 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.

**Online Abuse:**

Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones. Children and adults at risk may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse. Children and adults at risk can be at risk of online abuse from people they know, as well as from strangers. Online abuse may be part of abuse that is taking place in the real world (for example, bullying or grooming) or it may be that the abuse only happens online (for example, persuading children or adults at risk to take part in sexual activity online).

**Terrorism:**

The current UK definition of terrorism is given in the [Terrorism Act 2000](#). This defines terrorism as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause. The terrorist ‘action’ can be that of individuals acting alone or as part of organised or well-trained groups. Four domains are identified: (a) International terrorism, (b) Northern Ireland related terrorism, (c) Extreme Right-Wing terrorism and (d) other forms of both secular and religious terrorism.<sup>5</sup>

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<sup>4</sup> Please refer to the university’s [Harassment and Bullying](#) webpages as well as our collaborative campaign with KCLSU, [It Stops Here](#).

<sup>5</sup> For further information, please refer to the [Counter-Terrorism and Border Security Act 2019](#)