Document Q4.8.6

CAUSE FOR CONCERN POLICY

Approved by Academic Board – October 2020

Publication Date: March 2020

Next review: August 2021
The University of Law's Support to Study Policy sits under the University of Law's Enabling Student Development and Achievement Policy which has been informed by the Quality Assurance Agency’s Quality Code for Higher Education, specifically the Advice and Guidance for Enabling Student Achievement. The QAA’s Quality Code is the definitive reference point for all UK higher education institutions and sets out how academic standards are established and maintained and how the quality of learning opportunities are assured and enhanced.

Introduction

The University of Law (the University) recognises that it has a duty of care for all students, to protect, with appropriate measures, their health, and wellbeing. The University also has a statutory duty towards children and adults at risk to ensure they are safeguarded against abuse and a statutory duty to have due regard to the need to prevent people from being drawn into terrorism [the Prevent Duty]. This policy should therefore be read in conjunction with the University’s Safeguarding and Prevent Policies.

This policy extends to all members of the University. It is based on the understanding that staff and students collectively form the wider University community and have a shared obligation to be aware of those around them and pass on concerns where a student appears to be experiencing difficulties which seem likely to have a major impact on their own wellbeing or the wellbeing of others.

The University's aim is to ensure that students who need it receive an appropriate level of support to enable them to overcome obstacles in their learning. Most people will experience difficult times and challenges in their lives and being a student can be unsettling and problems can be exacerbated by aspects of university life such as being away from family and friends, studying in a new environment, and course deadlines. Support and assistance provided should wherever possible help students address immediate difficulties and facilitate the successful completion of their studies.

The aim of this policy is to promote the safety and wellbeing of all members of the University and sustain an environment where all can engage fully in a community of learning. For students this engagement includes applying themselves conscientiously to their studies and being considerate and respectful of other students and staff. Where a student is causing significant concern to those around them as a result of physical, mental, emotional or psychological health issues the University may initiate a procedure under the Support to Study Policy.
Cause for Concern Policy

Definitions

6  A child is ‘a person under the age of 18’

7  An adult at risk is defined as any person aged 18 years and 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/herself against significant harm or serious exploitation.

8  Terrorism is defined as the use or threatened use of violence for the purpose of advancing a political, religious, racial or ideological cause.

9  A student is defined as anyone who has accepted a place at the University or is currently studying at the University programme. It continues to apply where a student has completed their period of study but has outstanding assessments.

Responsibility for this policy

10 Ultimate responsibility for the development of clear and effective processes and procedures associated with the quality assurance and maintenance of standards of academic provision and overseeing their application lies with the Academic Board.

Expectation

11 The expectation underlying this Policy is that members of the University community should act and respond whenever and wherever concerns are observed that a student appears to be in difficulty and also appears to be unable to address these difficulties entirely on their own. Early referral and raising of concerns is encouraged to increase the opportunities for providing support and tackling problems at a stage when they are likely to be more manageable.

12 Sometimes students experience difficulties without recognising the impact on their work and engagement with their course or their relationships with those around them. This Policy establishes procedures and guidelines which are designed to enable those supporting students to respond effectively and confidently where concerns have been observed.

13 This Policy is intended to be
   • Visible
   • Usable and adaptable
Identifying difficulties and responding to concerns

14 Students may tell a member of staff or another student that they are experiencing difficulties. It may also be the case that those around the student become concerned because of something that they observe. Guidance for identifying difficulties is contained in Appendix A.

15 Where a member of the University has identified that a student is in difficulty, it is important that the concerns are evaluated to determine if the student is in need of urgent or non-urgent support. Guidance for evaluating concerns is contained in Appendix B.

16 Where concerns have been evaluated, the response should be appropriate to the level of urgency. Guidance for responding to concerns is contained in Appendix C.

17 If the student in difficulty is a child or appears to be an adult at risk, before taking any action under this policy, the concerns should be raised with a Safeguarding Officer who will follow the Safeguarding Procedures.

18 If the concern is that the student may be being drawn into terrorism, before taking any action under this policy, the concern should be raised with a Safeguarding Officer who will follow the Prevent Duty Procedures.

Student confidentiality and data protection

19 The University will collect and process information relating to students in accordance with the University’s Privacy Policy.

20 Employees will comply with the Data Protection Policy when handling personal data. Employees will also, where appropriate, refer to the University’s other relevant policies including the Data Retention Policy and It Acceptable Use Policy.

21 Confidentiality will be contained between the student causing concern and those members of staff who will be directly supporting the student. Passing information onto others will only be done with the student’s consent unless there are reasonable and legitimate grounds for determining that there is a risk to the student or others and it is deemed necessary to breach confidentiality. In sharing information with external parties, only relevant information to allow an adequate risk assessment to take place will be shared.
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22 Whenever possible the University’s Data Protection Officer (DPO) should be made aware in advance of any data being shared without the students consent. In all other cases the DPO will be informed as soon as reasonably practicable.

Monitoring and review of the provision

23 Responsibility for reviewing and evaluating the effectiveness of the Cause for Concern Policy lies with the Academic Board.

Date for next review:

August 2021

Version history:

<table>
<thead>
<tr>
<th>Version</th>
<th>Responsible</th>
<th>Revision summary</th>
<th>Date</th>
</tr>
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<tr>
<td>V1.0</td>
<td>Director of Operational Services</td>
<td>Initial Drafting</td>
<td>03.08.2018</td>
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<td>V1.1</td>
<td>Registry Officer</td>
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<td>V1.2</td>
<td>Senior Quality Officer</td>
<td>Further naming convention clarifications</td>
<td>26/03/20</td>
</tr>
<tr>
<td>V1.3</td>
<td>Head of Student Information and Administration - Quality</td>
<td>Amendment to department names.</td>
<td>August 2020</td>
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Appendix A

Identifying Difficulties – Guidance for Staff and Students

Students may report their difficulty to you

Students may tell you about their concerns directly or indirectly with phrases such as “Things are difficult right now” or “I’ve had a lot going on so I wasn’t able to do my preparation”.

The key thing to do is to listen. It can be helpful to ask open questions to see if they are willing to give you more information such as “Is there anything I can help with?” or “It sounds like you are having a tough time at the moment - would it help to tell me a bit more about it?”

If the student does reveal details of their difficulties it is possible that they will tell you some distressing things. It is important to maintain a calm, patient and understanding demeanour. It is also essential that you do not promise confidentiality to the student – if you promise confidentiality and the student then reveals information that you know should be passed on, such as that they are at risk of harm, you will have put yourself in an untenable position.

The next step is to assess the urgency of the concern [Appendix B below] and then to follow the guidance on how to respond to the concern [Appendix C below].

If the student asks you to promise confidentiality before giving more information you can respond by saying that you cannot promise this but then assure them that you would only do what was appropriate and necessary to assure their wellbeing and safety or that of others. If the student is not satisfied with this response you should explain to the student that they should not reveal any more information to you. You could ask the student if they would consent to you asking a member of one of the University’s support teams to make contact with them and if they do consent you should submit the request via your campus welfare email address, or the online courses welfare email address, with a note of your discussion. If the student will not consent to this you should recommend that they contact our support team by emailing the campus/online courses welfare email address.

Make a written note of your discussion as this may be needed in the future.

Other ways of identifying students who may be in difficulty

You may become aware of students in difficulty because

- the student’s friends or classmates tell you that they think something is wrong
Cause for Concern Policy

- the student is frequently absent from class or fails to submit/sit assessments
- the student is very often late for class and/or unprepared
- the student’s academic performance declines over time
- the student does too much work or appears overly conscientious – this may be because they are anxious or that study is a distraction from something else in their life that is causing them distress
- the student’s behaviour is erratic or disruptive or they are very irritable and easily agitated
- the student appears persistently sad, very tense or is very emotional or lacks emotion
- the student is withdrawn, does not have friends or appears to have difficulty interacting with classmates
- the student lacks concentration, is often tired and/or struggles to think logically or make decisions
- the student’s appearance or behaviour changes
- the student’s appearance is unkempt and/or they have poor personal hygiene
- there are visible bruises, cuts, burns
- the student’s views have become increasingly extreme regarding another section of society or government policy
- the student is observed downloading, viewing or sharing extremist propaganda from the web
- the student is increasingly intolerant of others’ views and beliefs
- the student demonstrates high levels of anxiety, indecision, irritability, hopelessness, despair and distress which cannot be resolved by discussion or explanation
- the student is avoiding contact and help from others
- the student is exhibiting an overwhelming sense of not being able to cope
- the student is preoccupied with odd beliefs and thoughts (be mindful of cultural differences)
- the student is coping through misuse of drugs and/or alcohol, or other high risk behaviours
- the student is physically unwell

If you have observed one or more of the above signs, you may think that you need to gather more information to determine whether the student is a cause for concern and the urgency of the situation. You may want to discreetly ask colleagues if they have any concerns or you may wish to have an informal private conversation with the student to let them know what you have noticed and ask if they need support. You can always ask your Programme Support Lead or a Safeguarding Officer for advice and you should do so without revealing the identity of the student.
Appendix B

Identifying Urgency of Concerns – Guidance for Staff and Students

You are concerned about a student

Non Urgent

Does the student appear
withdrawn/
low in mood/
tearful/
unduly anxious?
Has there been a deterioration in academic performance/attendance
to be exhibiting signs of radicalisation?
AND
the student does not display features considered to be urgent

Urgent/Emergency

Does the student appear
very aggressive or threatening towards others?
suicidal or actively talking about taking their own life?
disorientated or exhibiting psychotic behaviour?
to be under the influence of alcohol &/or drugs?
a victim of assault or abuse?
a risk to others?
Appendix C

Responding to Concerns – Guidance for Staff and Students

PLEASE NOTE whatever the situation you should not attempt to provide advice and support on matters about which you have not received training. If a student has confided in you about a difficulty you should not give them your opinion about what they should do even if you have experienced a similar issue yourself. Everyone is different and has different ways of dealing with situations and it will put additional pressure on the student if they feel that you have an expectation of how they should behave.

1. Urgent/Emergency situations

The situation is an emergency if

- the student has intimated that they have thought about killing themselves and has considered the means of doing so or has a definite plan.
- the student is likely to hurt other people or there is a serious risk to the wellbeing and safety of others
- the student appears to be mentally or physically ill and needs urgent help
- the student is very disturbed or aggressive and others feel threatened

If you are with the student, and it is possible to do so, call a colleague so that you are not acting alone. If one is available call a Welfare Officer or Safeguarding Officer but otherwise call a colleague as soon as possible. If you are not in a safe quiet place try to move to one but avoid being in a very secluded area.

It is important that the student is encouraged to seek help themselves and if they are willing to do so you can facilitate them calling their GP or calling the emergency services. You may need to allow them the use of a phone and you may need to stay with them while they make this call. If they ask you to make the call on their behalf you should do so in their presence.

If the student will not seek help themselves or they are too ill to do so you should tell them that you think they need emergency help and explain your reasons. Tell them that you would like their consent for you to do this but that if they refuse you will make the call in any event because you are concerned for their safety or that of other people. The Data Protection Act 2018 allows the disclosure of sensitive personal information if it is in the vital interests of the individual or the other person.
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If you are with the student, and are able to do so, ask Security to call the emergency services whilst you and your colleague stay with the student if it is safe to do so. Give them your name, location and a description of the situation. Also ask Security to inform the Campus Dean.

Do not accompany the student if they are taken off the premises by the emergency services even if they ask you to do so. It can be helpful to explore the students own support network of family and friends and ask if you can contact the next of kin named when they enrolled on the course. The next of kin details are stored on UNIT-e.

Write up a factual account of what has occurred as soon as possible – this can be in bullet point format but must include date, time, key details of the incident, names of others involved and who you made aware of it. Avoid giving opinion [e.g. rather than say “he seemed suicidal” or “she was aggressive towards me”] give the facts [e.g. “he said that he was going to take an overdose of pills” or “she lunged towards me and I believed she was going to hit me”]. If you believe the student is a child, adult at risk or is being radicalised you should state this very clearly and give the reasons for believing this.

Send your account to your Campus Safeguarding Officer if you believe the student is a child, adult at risk or is being radicalised. Your account will be used to complete a Safeguarding Form [Appendix D]. In all other cases send your account to the Campus Dean or, if the student is studying an online programme, the relevant Programme Director. Your account will be used to complete a Cause for Concern Form [Appendix D].

Seek support for yourself if you need it. Speak to your line manager, HR or contact the Employee Assistance Programme. You should maintain confidentiality and not reveal the students identity.

2. Non urgent situations but significant concerns

Students may present with serious issues but the situation is not an emergency.

If you have concerns that the student is a child, an adult at risk or is being radicalised you should report your concerns to your Campus Safeguarding Officer immediately. For students who would like to raise concerns anonymously there is a facility to send an anonymous web form to the University’s support teams from the ELITE home page.

If the student talks to you about their difficulties listen to them in an empathetic way. Do not be alarmed if they cry – this is a natural reaction to difficult situations and if you appear uncomfortable this could lead to the student feeling embarrassed. Do not feel that you have to fix their problems for them and do not make promises such as “everything will be ok”.

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If this student discusses mental or physical health problems, please tell the student about the Disability Support Service and that you will contact them on the student’s behalf. disabilitysupportservice@law.ac.uk

You can help prevent the situation from escalating and becoming more serious by encouraging the student to contact the welfare email at your campus/online courses welfare address. To maintain confidentiality, if you would like to know if the student does make contact you should ask the student to let you know the outcome.

Raising a concern with the via the welfare email address can lead to a range of responses consistent with the concerns raised and will often include contacting the student to share these concerns and check on the student’s safety and wellbeing. The key people involved in supporting the student will include the student's Personal Tutor and the Programme & Student Lead. Other people may become involved as appropriate and could include the Counselling Manager, Mental Health Advisor, the Disability Support Service Manager, the Head of Student Support and the Campus Dean. An early consideration should be whether a meeting held under the Support to Study Policy would be an appropriate course of action.

Early referral and raising of concerns is encouraged to increase the opportunities for providing support and tackling problems at a stage when they are likely to be more manageable.

In all situations, whether you have spoken to the student or not, you should email the your campus/online welfare inbox to alert support staff that you have concerns. Please give the student’s name and details of your concerns. You may be contacted by a member of support staff for more information but you will not be kept informed of the outcome of your referral. If, on considering all of the available information, members of the support team consider the concern to be significant, a Cause for Concern Form [Appendix D], or where appropriate a Safeguarding Referral Form, will be completed.

3. Supporting students to help themselves

Where you are aware that a student is experiencing difficulties but the difficulties do not appear to be overwhelming the student, you can support the student to help themselves.

If the student has confided in you listen empathetically – it is sometimes enough that someone has taken the time to talk to them. You can ask the student if they are already receiving support from other sources. If not you can provide them with your Campus Advice and Support Booklet or the Online Courses Advice and Support Booklet which is available from the Welfare or StudentInformation team. The booklet is also on the ELITE Student Hub page under Health and Wellbeing. Keep brief, factual and accurate notes of your meetings/discussions with the student.
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If you offer support to the student set very clear boundaries about what your role and remit is. For example you may offer to help the student catch up on missed classes. **Do not offer support which you are not trained to provide. Do not provide your personal contact details** as this can confuse the student about the nature of your relationship with them and create a dependency on you. **Do not communicate with the student outside of office hours.** If you are worried about how the student will cope when you are unavailable there is information about external 24 hour support services in the Campus Advice and Support Booklet which you can draw to the student’s attention.

If you offer ongoing support to a student periodically stop and consider whether you are the best person to do this or you are getting out of your depth. If you think this may be happening consider referring the student to the support team by emailing your campus welfare email/online courses welfare email. Also consider using the Employee Assistance Programme or talk to your line manager without revealing the students details.
## Appendix D

### Cause for Concern Referral Form

**All sections should be completed**

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<th>International? Visa?</th>
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Name and role of person raising concerns

Details of the concerns - please include details of any conversations with the student [please state as factually as you can what the student said] specific incidents [dates, times] observed behaviours etc

Has anyone spoken with anyone other than the student e.g. next of kin?


What actions have been taken or are proposed following referral to the Safeguarding Officer or Welfare? NB if the student has a disability e.g. mental health issue and this has not been disclosed to Disability Support Service please contact DSS and make them aware as soon as possible.

<table>
<thead>
<tr>
<th>Name and role of person completing the form</th>
<th>Date &amp; Time</th>
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