Document Q4.8.1

SAFEGUARDING POLICY

Approved by Academic Board – June 2019

Publication Date: March 2020
Safeguarding Policy

1 The University of Law (the University) recognises that it has a duty of care for all students and accepts a duty to safeguard children and adults at risk against abuse. The University recognises its duty to ensure that relevant checks are carried out on individuals who work with children and/or adults at risk. In addition the University has a responsibility to protect staff from unfounded allegations of abuse and also has a duty to refer any relevant information to the Local Authorities if they have moved or dismissed an individual because of harm or risk of harm to a child or adults at risk. The University recognises its duty under the Counter Terrorism and Security Act 2015 to have due regard when exercising its functions to the need to prevent people from being drawn into terrorism.

2 This policy applies to all staff and students of the University, including those that do not have a specific role in relation to safeguarding matters, and visitors, volunteers and contractors engaged by the University who may come into contact with a child or adult at risk as part of their work or activities. This policy also applies to situations where a staff member or student may pose a safeguarding risk outside of university activities.

3 This policy should be read in conjunction with the following documents;
   - Cause for Concern Policy
   - Safeguarding Procedures
   - Disclosure and Barring Service and Recruitment of Ex-Offenders Policy.
   - Students Under 18 Years of Age Policy and Protocols
   - Prevent Duty Policy
   - Safeguarding and Prevent Guide for Employers with Apprentices

Definitions

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

6 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.

7 Disclosure and Barring Service (DBS) carries out checks on criminal records (formerly CRB checks)
Safeguarding Policy

Responsibility for this policy

8 Ultimate responsibility for the development of clear and effective processes and procedures and overseeing their application lies with the Designated Senior Person for Safeguarding.

Expectation

9 The University has in place, monitors and evaluates arrangements and resources which enable students to develop their academic, personal and professional potential.

10 The University is committed to increasing awareness of issues relating to children and adults at risk, promoting good practice and assisting members of staff in making informed and confident responses in relation to safeguarding.

11 The University will remain mindful of its duty of care and other legal obligations, such as those under the Health and Safety at Work Act 1974, the Safeguarding Vulnerable Groups Act 2006, the Equality Act 2010 and the Counter Terrorism and Security Act 2015. As a Higher Education Provider the University is not subject to legal safeguarding duties regarding children and adults at risk in the same way that schools and further education colleges are however the University will follow best practice by putting all reasonable structures in place to support safeguarding and will take all concerns seriously, respond to concerns promptly and refer to the local authority and/or the police as appropriate.

12 The policy is designed to safeguard children and adults at risk who come into contact with the University community and to ensure that there are clear guidelines and procedures for identifying risk and reporting concerns in relation to safeguarding. Where possible, any external referral will be made with the consent and knowledge of those involved. The University reserves the right to refer without consent where there is a serious risk of harm.

13 In a placement or work based learning environment a member of staff or student should normally report any safeguarding concern in the first instance to the Safeguarding Officer or equivalent of the provider or employer. If the staff member or student feels it is appropriate to do so they may report their concerns to the University under this policy and the associated procedures.
Key Aims and Principles

14 The University is committed to:

14.1 taking all reasonable measures to ensure that the risks of harm to children or adults at risk through the University’s actions or inactions are minimised;

14.2 taking all appropriate actions to address concerns raised about the welfare of children and adults at risk in connection with University business or where a student or staff member may pose a safeguarding risk outside of university activities.

15 The University believes that:

15.1 All children and adults at risk, whatever their age, gender, disability, racial origin, religion, marital status or sexual orientation, have the right to protection from abuse and a right to be safe in the activities that they, or their parents and carers, choose;

15.2 All children and adults at risk should be listened to and their views taken seriously;

15.3 All interventions must be centred on the child/adults at risk;

15.4 Staff need to be aware of how issues of race, gender, disability, culture, sexuality and age impact on an individual’s life experiences and how these issues affect their understanding of, and response to, keeping children and adults at risk safe;

15.5 Abuse can take different forms and includes physical abuse, sexual abuse, emotional abuse as well as neglect and bullying. Abuse can have serious and long term effects in terms of development, health and well-being including to self-esteem and self-image;

15.6 Joint working between agencies and disciplines may be helpful for the protection of children and adults at risk.

16 This policy establishes these commitments and underpins the procedures and guidance which follow. Together, they do not represent a ‘how to’ guide in child & adults at risk protection practice but they do clarify the University’s position in relation to children & adults at risk and its expectations of all staff to act in accordance with those procedures. Additional information and template forms are provided in the Safeguarding Procedures and the Students Under 18 Years of Age Policy and Procedures which staff should ensure are used as appropriate.
University roles and responsibilities

17 The University has in place Safeguarding Officers (SO) and Deputy Safeguarding Officers (DSO) across the campuses to assist staff who may have any concerns about possible risk to a child or adults at risk of harm from abuse. These designated persons do not necessarily have child protection experience but they have received training and will have on-going support to allow them to play this key role in determining, with appropriate advice when necessary, whether, and at what stage, a referral should be made to the appropriate authority. Full details of the responsibilities of the SO and DSO are set out in Appendix A.

18 The University also has in place the post of Designated Senior Person for Safeguarding (DSP). This is the senior strategic role at the University responsible for safeguarding children and adults at risk, reporting to the Executive Board. The DSP’s responsibilities are to:

18.1 ensure the University’s safeguarding policies and related procedures are regularly reviewed and updated;

18.2 ensure that safeguarding remains high priority across the University;

18.3 provide guidance and support to people in designated safeguarding roles;

18.4 ensure all staff are aware of the policies and procedures regarding safeguarding and the Prevent duty and receive appropriate training annually;

18.5 work with an HR Business Partner to carry out a risk assessment of any prospective or current staff member with previous or new convictions;

18.6 make referrals to the relevant authorities in accordance with this policy and associated procedures;

18.7 have access to resources and attend any relevant or refresher training courses at least every two years.

19 Details of the designated safeguarding roles for the University are communicated to new staff during induction and information is publicised at campuses and on the Student Association website.

20 In selecting individuals to occupy designated safeguarding roles, the University is mindful of the need:
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20.1 to ensure they have suitable knowledge of the University’s safeguarding approach;

20.2 to ensure they have suitable knowledge of the wider safeguarding systems and structures;

20.3 to ensure they have suitable knowledge of the University’s duties under the Counter Terrorism and Security Act 2015, the Equality Act 2010, the Human Rights Act 1998, the General Data Protection Regulation (GDPR), Data Protection Act 2018, and The Freedom of Information Act 2000.

20.4 for them to have sufficient seniority to make decisions on behalf of The University of Law;

20.5 for them to be seen by staff as being approachable as well as accessible.

Recruitment and admissions activity

21 The Students under the 18 years of age Policy and Procedures must be followed when dealing with applicants who are under the age of 18 before starting their course. Support measures will be put in place for such students along with advice for staff who come into contact with them on their course.

Storage of records

22 Any cause for concern in respect of a child or adult at risk are required to be reported immediately to a SO or DSO who will hold the record securely. Where the concern is referred to an appropriate authority the report will be retained for 6 years after the last contact with the child or adult at risk. In all other cases the record will be retained for 3 years after the concern was recorded.

23 Any allegation of abuse against a member of staff is required to be reported immediately to the DSP who will hold the record securely, pending investigation of the allegation by the DSP working with HR. Details of allegations that are found to have been malicious will be removed from personnel files and only held confidentially by the DSP for 3 years after the allegation was reported. For all other allegations a record of the allegation together with details of the investigation and action taken, including any referral to an appropriate authority, will be kept on the staff member’s file and a copy will be provided to the staff member.
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Code of behaviours

24 A code of behaviours, contained in Appendix B, has been developed to provide advice which not only will help to protect children and adults at risk, but will also help staff identify any practices which could be mistakenly interpreted and, perhaps, lead to false allegations of abuse.

25 The code of behaviours should guide all actions taken by University staff and anyone else working on behalf of the University in relation to all contact with children or adults at risk through their work. If it is necessary to act contrary to it (for example being in a position of one to one contact with a child) staff should only do so after discussion, and with the approval of, their line manager. Staff who breach this code of behaviours may be subject to disciplinary procedures. External freelance consultants or associates breaching this code will not be offered any future work with, or on behalf of, the University.

Monitoring and review of the provision

26 Responsibility for reviewing and evaluating the effectiveness of the Safeguarding Policy for Children and Adults at risk lies with the DSP, assisted by the SO in each centre. Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

Date for next review:

September 2022

Version history:

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<th>Version</th>
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<th>Revision summary</th>
<th>Date</th>
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<td>V1.0</td>
<td>Staff Services Officer</td>
<td>Initial Drafting</td>
<td>08.05.2014</td>
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<td>V1.1</td>
<td>Centre Director – Birmingham</td>
<td>Revision</td>
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<td>V1.2</td>
<td>Head of International Visa Office</td>
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<td>Learning Support Officer</td>
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<td>V1.6</td>
<td>NSPCC</td>
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## Safeguarding Policy

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<td>V2.0</td>
<td>Registry Officer</td>
<td>Change to coding convention</td>
<td>24/03/20</td>
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<td>Further naming convention clarifications</td>
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# APPENDIX A

## Responsibilities of Safeguarding Officers and Deputy Safeguarding Officers

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>SO</th>
<th>DSO</th>
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<tbody>
<tr>
<td>Act as a source of support, advice and expertise within the centre when deciding whether to make a referral by liaising with relevant agencies</td>
<td>✔️</td>
<td>✔️</td>
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<tr>
<td>Ensure all staff members have safeguarding training during induction, and thereafter annually, to ensure that they are able to recognise and report abuse</td>
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<tr>
<td>Ensure each member of staff has access to and understands the University’s Safeguarding Policy</td>
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<tr>
<td>Ensure any freelance or contracted staff and associates (e.g. visiting tutors, student ambassadors/mentors, volunteers, outside guests and contractors coming on site) are made aware of the University’s safeguarding duties by ensuring that notices are displayed prominently on university premises</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Ensure parents/guardians of students under the age of 18 are given access to the Safeguarding Policy and Procedures</td>
<td>✔️</td>
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<tr>
<td>Ensure that detailed accurate written records of all cases, referrals and concerns are made and kept securely</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Ensure that when a child or adult at risk leaves the University, their protection file is copied for any educational establishment known to us as soon as possible, but is transferred separately from the main student file</td>
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<td>✔️</td>
</tr>
<tr>
<td>Have access to resources and attend any relevant or refresher training courses at least every two years</td>
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<td>✔️</td>
</tr>
<tr>
<td>Liaise with the Campus Dean and DSP to inform him or her of any issues and on-going investigations and ensure there is always cover for this role</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Understand how to recognise and identify signs of abuse and when it is appropriate to make a referral</td>
<td>✔️</td>
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<tr>
<td>Refer cases of suspected abuse or allegations to the relevant authorities</td>
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<tr>
<td>Ensure permitted DBS checks are carried out in accordance with the University’s DBS and Recruitment of Ex-offenders Policy</td>
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<td>✔️</td>
</tr>
<tr>
<td>Work with the line manager and an HR Business Partner to carry out a risk assessment of any prospective or current staff member with previous or new convictions</td>
<td>✔️</td>
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</tr>
</tbody>
</table>
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APPENDIX B

Code of Behaviours

1. Treat children and adults at risk with the same professional standards of respect and care given to either students or members of the public. However, in your contact with children and adults at risk you should also take into account the developmental needs of the individual when planning activities as well as additional legal requirements or responsibilities due to the child’s age e.g. children under 18 should not be encouraged to drink alcohol.

2. Use positive and appropriate language; avoid swearing, never shout or use derogatory language, challenge inappropriate language and never address sexually suggestive jokes or comments to any person.

3. Use physical contact carefully; be aware that any kind of touching or physical contact can be misinterpreted, where physical contact is justified, use it openly.

4. Avoid being alone with a child or adult at risk. In tutoring or mentoring situations, meet in open places or leave the office door open if possible and do not arrange to meet a child or adult at risk alone unless as part of a specific role such as personal tutor.

5. Consider your physical appearance at work. You should dress decently and appropriately.

6. Do not drink alcohol prior to contact with children and adults at risk, do not smoke in front of children and adults at risk and do not take illegal drugs at work.

7. Do not give your personal details to a child or adult at risk, do not connect with adults or children on media sites whose purpose is social interaction.

8. Never invite, or allow, a child or adult at risk you have met through work into your home. Never offer to transport a child or adult at risk alone in your car.

9. Never enter a child or adult at risk’s home unless a responsible adult is present;

10. While the use of humour may help to diffuse a situation, the use of sarcasm should be avoided.

11. Children and adults at risk can develop infatuations towards adults working with them. If you are concerned that this is happening towards yourself you should inform your line manager or appropriate senior member of staff.

12. Never let allegations by a child or adult at risk go unreported, including any made against you. Immediately contact your local Safeguarding Officer.

13. If you have a concern about the wellbeing of a child or adult at risk, as outlined in the Safeguarding Procedures, you should raise this with your local Safeguarding Officer. You might raise an issue of concern if:

   • you have witnessed an incident in which a child or adult at risk is harmed or abused;
   • a child or adult at risk has disclosed or hinted at abuse or harm;
   • you have concerns about a child or adult at risk because of their behaviour or appearance (e.g. injuries, or signs of distress such as uncharacteristic lack of self-care, showing fear, anxiety, withdrawal or depression);
   • you have concerns about a child or adult at risk because of the behaviour of an individual towards them;
   • you are concerned about the behaviour of another member of staff.
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14 If a child or adult at risk tells you about abuse they have experienced, this can be a difficult and distressing experience. You should follow the guidelines in the Safeguarding Procedures.