

Birmingham City University Safeguarding Policy and Process

Effective from 19 September 2022

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1. Introduction

- 1.1 This policy sets out Birmingham City University's approach to providing a safe environment in which to work, learn, and research. The policy applies to all students, including apprentices and students studying at partner institutions; staff; volunteers and visitors to the University, including those delivering University-controlled activity. Exceptionally, where it is in the public interest to do so, this policy can be applied to applicants i.e., anyone who has applied to study with the University or any of our franchise or collaborative partners in the next academic intake. This policy also applies to staff of the BCU Students' Union and activities arranged and delivered by the Students' Union and its member societies.
- 1.2 As necessary, matters raised under this Safeguarding Policy may be referred to any other University Policy or Procedure for further action.
- 1.3 If any activities or events are hosted by another organisation, then that organisation's safeguarding policy (or relevant procedures or policies) may need to be taken into account and may take precedence over this Policy. The decision in relation to this will

be taken at the point that safeguarding concerns are first raised with the University, and a non-exhaustive list of factors to be taken into account will include the nature of the activity or event hosted by the other organisation; the University's relationship with the other organisation; the nature of the referred party's involvement with the organisation; and the nature of the harm to be safeguarded against.

2 Emergency situations

- 2.1 An emergency situation occurs when there is an imminent risk of harm to an individual's physical or mental health, such as someone appearing to be unconscious or sharing plans to harm themselves or another.
- 2.2 If you believe that a member of staff or student is at risk of immediate harm either from themselves or another person, you should call the emergency services by dialling 999. If an incident is taking place on campus, then call Security on 0121 331 6969 (extension 6969 from an internal phone) and they can contact the emergency services as appropriate.

3 Legislative context

- 3.1 The University has a common law duty of care to ensure, so far as is reasonably practicable, the health, safety and welfare of all vulnerable individuals and groups accessing its services and facilities. This includes its obligations under the Safeguarding Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012, and the Care Act 2014, which included key changes to what was meant by a vulnerable adult and adults at risk.
- 3.2 The University's duties are satisfied through application of a range of specific statutory and non-statutory guidance:
 - [Working Together to Safeguard Children \(2018\)](#)
 - [What to do if you are worried a child is being abused \(2015\)](#)
 - [Information sharing advice for safeguarding practitioners \(2018\)](#)
 - [Keeping Children Safe in Education \(September 2022\)](#)
 - [Prevent duty guidance for higher education institutions in England and Wales \(2021\)](#)

4 Definitions

Safeguarding Safeguarding of children includes protecting children from neglect and maltreatment, preventing impairment of children's health or development, ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and taking action to enable all children have the best outcomes. For vulnerable adults, safeguarding describes the activity that is undertaken to protect adults at risk from abuse, harm, ill treatment and neglect.

Prevent duty

Prevent relates to the University's legal duty to prevent people from becoming radicalised and / or being drawn into terrorism.

A Prevent-related concern might arise where a student makes radicalised comments in an online chat, or in social media posts. For example, a student might offer approval of terrorist activity or express extremist political views. A non-exhaustive list of such views includes those associated with:

- faith-based extremism e.g. the views of Al Qa'ida (a proscribed group);
- animal rights e.g. harm targeted at individuals working in animal research;
- far right movements e.g. the views of National Action (a proscribed group);
- other forms of violent extremism and potential terrorism e.g. paramilitary activity in Northern Ireland.

Child

Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.

Vulnerable adult and adult at risk

An adult is any person aged 18 or over. A vulnerable adult has needs for care and support; is at risk of or is experiencing physical, mental or emotional harm or neglect; and as a result of their needs, is unable to protect themselves against harm or neglect or the risk of it. Any adult can suffer neglect or be subjected to abuse. There are many factors which can increase an individual's vulnerability: indicators of possible vulnerability include a mental health issue, dementia, a physical disability, a learning disability, a condition within the autistic spectrum, a significant difficulty related to vision (requiring more than correction through spectacles and contact lenses alone), a significant difficulty related to hearing (requiring more than correction through hearing aids alone), complications related to frailty or a serious illness. In considering safeguarding actions, it is important to consider whether a vulnerable adult has support needs because of one of the issues listed above, regardless of whether support is currently being provided.

DBS check

A pre-appointment safe recruitment check by the Disclosure and Barring Service The University's Policy on Disclosure and Barring Service (DBS) Checks sets out the circumstances in which staff will be subject to different levels of DBS check. .

Harm

Harm includes both abuse and neglect. Some non-exhaustive examples of harm are provided beneath this list of definitions.

Abuse: Maltreatment of a child or vulnerable adult. Somebody may abuse or neglect an individual by inflicting harm, or by failing to act to prevent harm. Abuse can be perpetrated by adults and/or children.

Neglect: The persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs, whether it be adequate food, clothing, hygiene, supervision or shelter. It is likely to result in the serious impairment of an individual's health or development.

4.1 Examples of harm

4.1.1 There are four main categories of abuse that apply to both children and adults at risk:

- Physical
- Emotional
- Neglect
- Sexual

4.1.2 There are additional categories of abuse for adults at risk:

- Modern Slavery/Exploitation
- Organisational/Institutional
- Discriminatory
- Financial
- Domestic
- Self-Neglect

4.1.3 Vigilance is also required around possible harmful online material that may constitute one or more types of abuse. The University's IT department offers guidance on staying safe online and guidance for staff on supporting students who are studying online is available via Mental Health and Wellbeing (see 'Key documents and resources' below).

4.1.4 The [Keeping Children Safe in Education](#) statutory guidance also signposts related safeguarding issues, including:

- Bullying including cyber bullying
- Child sexual exploitation
- Domestic violence
- Drugs
- Fabricated or Induced illness
- Faith abuse
- Female Genital Mutilation (FGM)
- Forced marriage
- Gangs and youth violence
- Gender based violence/ Violence against Women and Girls (VAWG)
- Mental Health
- Private Fostering
- Radicalisation

- Sexting
- Teenage Relationship Abuse
- Trafficking

4.1.5 The same statutory guidance also advises vigilance around issues associated with sexual violence and sexual harassment between young people and the indicators of learners being at threat and/or drawn into serious violence and gang cultures.

4.1.6 Further details of some of these categories is available via relevant pages on the [Mental Health & Wellbeing iCity site](#).

5 Application of the Policy

5.1 The University's safeguarding arrangements are underpinned by key principles:

- all individuals, including children, young people and vulnerable adults, have a right to be protected from abuse regardless of their age, gender, disability, culture, language, racial origin, religious beliefs or sexual orientation;
- the welfare of the child or vulnerable adult is, and must always be, the paramount consideration;
- safeguarding is everyone's responsibility. All individuals acting on behalf of the University are responsible for safeguarding children and vulnerable adults;
- the University's approach to the Prevent duty is underpinned by the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

5.2 Roles and responsibilities

5.2.1 The University will seek to ensure the safety and wellbeing of all children and adults, including vulnerable adults, by ensuring:

- clear roles and responsibilities for the prevention of abuse and neglect and the reporting and referral of safeguarding related concerns;
- safe recruitment practices are in place to ensure all staff and students involved in regulated activity are subject to the appropriate DBS clearance procedures;
- risk assessments and associated internal controls are put in place for activities involving children and/or vulnerable adults;
- provision of appropriate safeguarding training for staff, including in relation to the Prevent duty;
- robust procedures for reporting and handling allegations or concerns about possible abuse and/or neglect of children or vulnerable adults, including the appointment of suitably trained Designated Safeguarding Officers within the University, and external referral, where required to Local Authorities (including the Local Authority Designated Officer where appropriate);
- adequate records are maintained and information is shared appropriately on a need-to-know basis;
- statutory obligations related to the Prevent duty are fulfilled;

- regular consideration of reports relating to safeguarding cases, learning from incidents by improving internal controls as appropriate;
- promotion of a culture which promotes safeguarding, reducing the potential for harm to be caused or threatened.

5.2.2 The following roles ensure that the University will discharge its responsibilities effectively:

Principal Safeguarding Officer (PSO)

The University Executive member responsible for the oversight and coordination of the Safeguarding Policy. In relation to the Prevent duty, this is the University Secretary; in all other safeguarding matters, the PSO is the Deputy Vice-Chancellor (Academic).

Designated Safeguarding Officers (DSO's)

The lead members of staff responsible for the operational delivery and oversight of safeguarding activity, including co-ordination of action between the reporter, operational safeguarding team and other parties as appropriate.

For students, this is the Head of Mental Health & Wellbeing Operations. The Head of Mental Health & Wellbeing Operations is supported operationally by the Mental Health and Wellbeing Casework Coordinator.

For staff, this is the Director of Human Resources.

Operational Safeguarding Team

Members of University staff who are trained to receive and respond to reported concerns and/or allegations of abuse or neglect, or emotional/physical/mental harm and to make internal or external referrals if appropriate. A concentrated pool of operational safeguarding staff is identified, drawn from areas responsible for co-ordinating on a regular basis contact with under 18s and vulnerable adults.

For students, this is the Mental Health & Wellbeing team.

For staff, this is select staff within Human Resources.

Safeguarding Leads

Safeguarding Leads can be contacted for informal advice and guidance with general queries or specific concerns. It is not intended that Safeguarding Leads will be emergency contacts for high risk concerns, but they can be consulted for an informal discussion or further guidance in signposting or raising concerns. A [list of Safeguarding Leads](#) is available on iCity.

5.3 Identifying a concern

5.3.1 A safeguarding concern can be raised where either harm has been caused or where there is a risk of harm. We do not expect any student, member of staff, or visitor to decide whether a child or adult has been harmed or is at risk of harm. However, we do expect concerns are raised using this Policy so that appropriate actions may be taken.

5.3.2 Concerns about students or staff may emerge in a number of ways. Some non-exhaustive examples include:

- Verbally – you may become aware of a concern from direct conversation with a student or staff member or through conversations with fellow students or staff;
- In written communication – you might have an email exchange with the person of concern or with someone known to them that might alert you to a safeguarding issue;
- In person – you might have face to face communication with the person or observe directly that there is a potential concern about their safety.

5.3.3 Situations in which a concern should be raised include (but are not limited to):

- Either a child or adult declares abuse, harm or other inappropriate behaviour;
- There is a concern that a child or adult is being harmed or manipulated, or is at risk of harm or manipulation;
- Changes have been noticed in a child or adult's appearance or behaviour that may be related to harm or manipulation; or
- You become aware that a person presents a risk of harm towards a child or adult in relation to their current or previous behaviour. For example, they have a criminal conviction that involves harming or threatening to harm someone else, or they are involved in the possession of inappropriate images or extremist material.

5.3.4 If the concern relates to an individual outside of the university (for example, the child/relative/friend of a student), you should contact the relevant DSO to discuss appropriate steps. Where concerns relate to third parties, this Policy will not apply; however, support may be offered where possible to ensure that the concerns are appropriately reported and / or addressed.

5.3.5 The University will encourage its staff, students and visitors to report concerns and allegations of abuse and neglect associated with any children, vulnerable adults and adults at risk who are engaged in University-related activities or otherwise using University premises. Acts of abuse or neglect carried out by members of the University community will not to be tolerated and will lead to the instigation of the relevant disciplinary procedures wherever appropriate.

5.4 How to raise a safeguarding concern

5.4.1 A safeguarding concern should be raised as a matter of urgency by completing a report using [Report and Support](#). Ensure to select the 'Report with contact details' option when making a report, and choose 'A safeguarding concern' or 'A Prevent concern' under the field 'I would describe what happened as.' You might wish to speak to the

DSO or a Safeguarding Lead ahead of reporting the concern but in all matters of safeguarding unnecessary delays should be avoided. For emergency situations, see Section 2 above.

5.4.2 Reports should set out all information that may be relevant to the reason for raising a concern, including but not limited to:

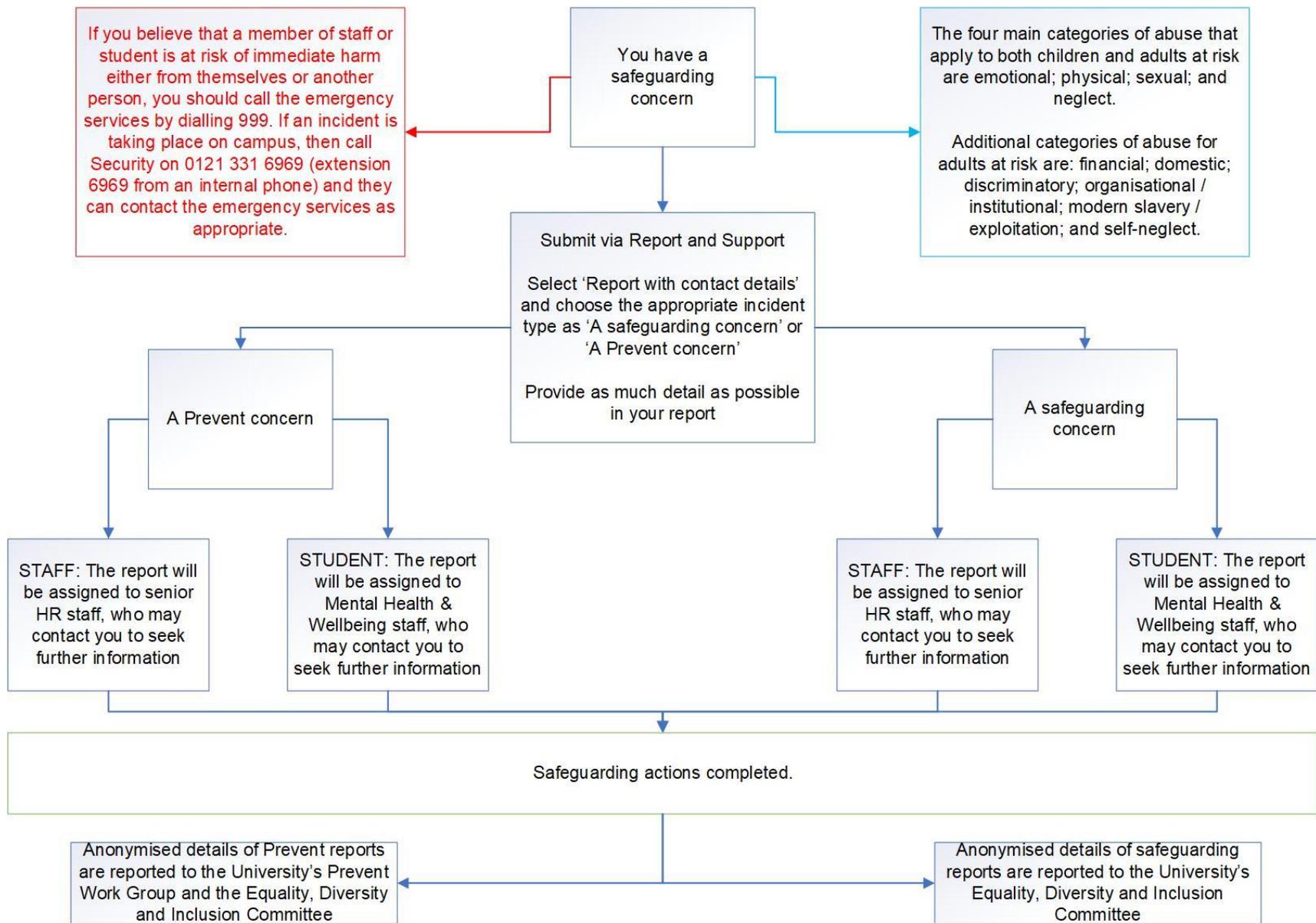
- Names and ID numbers of any student(s) / staff member(s) involved;
- Location of incident;
- Date and time of incident, or date range;
- Contact details for relevant parties;
- Whether or not harm has been caused;
- Nature of harm;
- Any involvement from external agencies / organisations.

5.4.3 If you have evidence to demonstrate or provide further detail of the concerns raised, this can be attached as part of the reporting process in Report and Support.

5.5 What happens after I have raised a concern?

5.5.1 Safeguarding reports will be assigned to a member of the Operational Safeguarding Team for appropriate action to be taken. Reports made in respect of staff members will be dealt with by HR; all other reports will be dealt with by Mental Health & Wellbeing. You will be contacted to confirm receipt of your report, and to seek further information where required. In all cases you will be given sufficient information to confirm that appropriate action has been taken to ensure the safety and wellbeing of the individual reported and/or others. Specific details of actions taken can only be shared where the reported person has given consent.

5.5.2 If you receive any further information related to the safeguarding concern following your report you must forward this information to the DSO.



5.6 Anonymous reports

- 5.6.1 Anonymous reports or concerns will be accepted and acted on, where reasonably possible, as there may be genuine reasons why an individual may not feel able to disclose their identity. However, anonymous enquiries may not facilitate any internal or external investigation process. The identity and / or contact details of the reporter will be actively sought in circumstances where the University reasonably believes the information is required in order to be able to take further action under this Policy; where details are not provided this may limit action that can be taken.

5.7 Malicious reports

- 5.7.1 If a report is determined to have been made frivolously, in bad faith, maliciously, for personal gain or for revenge, disciplinary action may be taken against the person making such an allegation. No disciplinary action will be taken against any member of staff or student who raises a genuine concern that proves to be unfounded.

5.8 Reports of allegations against members of the University community

- 5.8.1 Safeguarding related concerns/allegations made against members of the University community that suggest an under-18 is being harmed or is potentially at risk of harm may be referred to the relevant Local Area Designated Officer(s). The Local Authority Designated Officer is an employee of the local authority and gives advice and guidance to employers, organisations and other individuals who have concerns about the behaviour of an adult who works with children and young people. The relevant Designated Safeguarding Officer (DSO) will decide whether in the circumstances of the particular case, a report to the LADO should be made.

- 5.8.2 Where a safeguarding report makes allegations in regard to the behaviour of a member of University staff or a student, such allegations will be considered under the Staff Disciplinary Policy or Student Disciplinary Procedure (Non-Academic) as appropriate.

5.9 Service hours and out of hours support

- 5.9.1 Safeguarding reports are monitored during office hours, Monday to Friday 9am – 5pm.

- 5.9.2 If you become aware of any urgent safeguarding concerns outside of these hours, you should contact the relevant local authority to report this concern.

- CASS (Birmingham Children's Advice & Support Service): 0121 303 1888 or emergency out of hours 0121 675 4806
- ACAP (Adult & Communities Access Point): 0121 303 1234
- If there is an **immediate risk of harm** to an adult or child, contact Security via 0121 331 6969 where the individual is on campus; or call emergency services on 999.

6 **Reporting and monitoring**

6.1 Safeguarding casework data will be captured through the Report and Support system and a data report will be presented on a quarterly basis to the University's Equality, Diversity and Inclusion Committee; Prevent Working Group; and Board of Governors. More regular and / or ad hoc reports will be produced as required.

7 Training and awareness

7.1 All staff are required to complete mandatory safeguarding and Prevent duty training on joining the University, and a subsequent refresher course on an annual basis. Training modules are available through ERP.

7.2 Staff with defined roles under this Policy (as set out at section 5.2.2) are required to undertake specialised safeguarding training every two years, as well as completing the standard University induction and refresher training.

7.3 The University is committed to developing and embedding an understanding of safeguarding (including Prevent) within its community and encourages staff and students to engage in learning opportunities wherever possible. The DSO's will produce an annual communications plan to ensure that training opportunities are publicised and to help increase awareness of safeguarding issues.

8 Key documents and resources

8.1 The following is a non-exhaustive list of internal documents and resources that support this Policy:

- Under-18's Policy [under review]
- [Criminal Convictions Policy](#)
-
- [Policy for Disclosure and Barring Service \(DBS\) Checks](#) (Staff)
- [Student Disciplinary Procedure \(Non-Academic\)](#)
- [Student Suspensions Guidance](#)
- [Staff Disciplinary Policy](#)
- [Supporting Student Wellbeing During Online Delivery](#)
- Guidance to students for staying safe online [in development by IT]
- [Prevent duty at BCU](#)
- [Policy on relationships between employees and students](#)

8.2 Further information on safeguarding in Birmingham is available here:

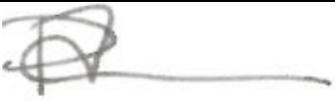
- [Birmingham Safeguarding Adults Board](#)
- [Birmingham Safeguarding Children's Partnership](#)

9 Key contacts

[Mental Health & Wellbeing](#)

[Human Resources](#)

[Security Services](#)

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| Version | 2 |
| Date of Approval | 19 September 2022 |
| Confirmation of approval (signed by Principal Safeguarding Officer) |  |
| Date of Last Revisions | 10 August 2022 |
| Owner | Assistant Director Student Governance, Mental Health and Wellbeing |