

SAFEGUARDING CHILDREN AND ADULTS AT RISK POLICY

Introduction

1. The University of Law (the University) has a duty of care to all students and is committed to providing a safe and secure environment for all who access its facilities and services. The University's Cause for Concern Policy sets out how it promotes the safety and wellbeing of students to sustain an environment where all can engage fully in a community of learning. The University's Students Under 18 Years of Age Policy and Protocols sets out the principles under which the University ensures the care and safety of those under the age of 18 enrolled onto a programme of study. The University's Prevent Duty Policy sets out how the University implements its duty under the [Counter Terrorism and Security Act 2015](#) to exercise its functions with due regard to the need to prevent people from being drawn into terrorism. The purpose of this policy is to ensure that there are arrangements in place to deal appropriately with issues concerned with suspected abuse of children and adults at risk. The procedures for raising safeguarding concerns are set out in the University's Safeguarding Children and Adults at Risk Procedures.
2. The University recognises that it has a duty to ensure that relevant checks, including Disclosure and Barring Service (DBS) criminal record checks, are carried out on individuals who work with children and/or adults at risk. In addition, the University recognises it 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 and the DBS if they have moved or dismissed an individual because of harm or risk of harm to a child or adults at risk. This policy should be read in conjunction with the [Disclosure and Barring Service and Recruitment of Ex-Offenders Policy](#) and [Safeguarding Children and Adults at Risk Procedures](#).

Scope of this policy

3. There is no legislation in this area that specifically applies to Higher Education Institutions. However, the University recognises that it has an ethical and moral duty to safeguard children and adults at risk and follows 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, third sector organisations and/or the police as appropriate.
4. This policy covers children and adults at risk according to the following definitions:
 - A **child** is a person under the age of 18 as defined by the Children Act 2004
 - An **adult at risk** is a person over the age of 18 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 or protect themselves against significant harm or serious exploitation as defined by the Care Act 2014.

5. This policy does not cover
 - students over the age of 18 who may be experiencing difficulties and who need support to overcome those difficulties but do not pose a safeguarding risk. The [Students of Concern Policy](#) sets out how concerns for the safety and wellbeing of students in this position should be raised
 - students living in prison who are the responsibility of the specific institution in which they reside.

6. 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 the University is made aware by a member of staff or student of a safeguarding risk to a child or adult at risk outside of university activities. For the purposes of this policy staff and students are defined as follows:
 - **A member of staff** is anyone who has accepted an offer of employment or is currently employed by the University.
 - **A student** is anyone who has enrolled on a University programme. It continues to apply where a student has taken a break from studies or who has completed their period of study but has outstanding assessments.

7. In accordance with The Public Interest Disclosure Act 1998 and the requirements of the Second Report of the Committee on Standards in Public Life 1996 (the Nolan Committee) members of staff and students may raise issues of public concern without fear of reprisal as outlined in the Whistleblowing/Voicing Concerns Policy and Student Voicing Concerns Policy.

8. This policy should be read in conjunction with the following documents;
 - [Students of Concern Policy](#)
 - [Safeguarding Children and Adults at Risk Procedures](#)
 - [Disclosure and Barring Service and Recruitment of Ex-Offenders Policy.](#)
 - [Students Under 18 Years of Age Policy and Protocols](#)
 - [Prevent Duty Policy](#)
 - [Staff Code of Conduct](#)
 - [Student Code of Behaviour](#)
 - [Student IT Acceptable Use Policy](#)
 - [Student Recruitment Events Safeguarding Procedures](#)
 - [Staff Voicing Concerns Policy](#)
 - [Student Voicing Concerns Policy](#)
 - [Safeguarding and Prevent Guide for Employers with Apprentices](#)

Responsibility for this policy

9. Ultimate responsibility for the development of clear and effective processes and procedures and overseeing their application lies with the Academic Board.

Responsibility for the implementation of these processes and procedures lies with the University's Designated Safeguarding Lead.

Expectation

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 through annual training and updates.
11. This policy is designed 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.
12. 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

13. The University is committed to:
 - 13.1. taking all reasonable measures to ensure that the risks of harm to children and adults at risk through the University's actions or inactions are minimised;
 - 13.2. taking all appropriate actions to address concerns raised about the welfare of children and adults at risk or where a student or staff member may pose a safeguarding risk to others.
14. The University believes that:
 - 14.1. 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;
 - 14.2. all children and adults at risk should be listened to and their views taken seriously;
 - 14.3. interventions must be centred on the child/adult at risk;
 - 14.4. staff training should raise awareness 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;

14.5. staff working, or who may work, with children or adults at risk should have DBS checks in accordance with the University's [Disclosure and Barring Service and Recruitment of Ex-Offenders Policy](#);

14.6. abuse can take many different forms as set out in Appendix A. There is no typical profile of someone who commits abuse, and it can take place in any setting. Abuse can have serious and long-term effects in terms of development, health and well-being including to self-esteem and self-image;

14.7. the duty to protect children and adults at risk from harm extends to protecting them from radicalisation. Radicalisation is the process by which a person comes to support terrorism and forms of extremism leading to terrorism;

14.8. abuse and radicalisation can take place online and it is important to make children, parents and adults at risk aware of the importance of online safety;

14.9. multidisciplinary and multi-agency working may be helpful for the protection of children and adults at risk.

15. This policy establishes these commitments in paragraph 14 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 Children and Adults at Risk Procedures and the Students Under 18 Years of Age Policy and Protocols which staff should ensure are used as appropriate.

University roles and responsibilities

16. The University has in place Safeguarding Officers (SO) and Deputy Safeguarding Officers (DSO) across the campuses and in the Student Recruitment Team to assist staff who may have any concerns about possible risks of harm to a child or adult at risk. 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 B.

17. The University also has in place the post of Designated Safeguarding Lead (DSL). The DSL can be contacted at safeguarding@law.ac.uk. This is the senior strategic role at the University responsible for safeguarding children and adults at risk, reporting to the Executive Board. The DSL's responsibilities are to:

- 17.1. ensure the University's safeguarding policies and related procedures are regularly reviewed and updated;
 - 17.2. ensure that safeguarding remains high priority across the University;
 - 17.3. provide guidance and support to people in designated safeguarding roles;
 - 17.4. ensure all staff complete annual safeguarding and Prevent Duty e-learning programmes which include an assessment module and are aware of the policies and procedures regarding safeguarding and the Prevent Duty
 - 17.5. work with a People Business Partner to carry out a risk assessment of any prospective or current staff member with previous or new convictions;
 - 17.6. ensure referrals to the relevant authorities or organisations are made in accordance with this policy and associated procedures;
 - 17.7. have access to resources and attend any relevant or refresher training courses at least every two years.
 - 17.8. ensure staff in designated roles attend training courses at least every 2 years.
18. Details of the designated safeguarding roles for the University are communicated to new staff during induction and information is publicised on the staff intranet, on the Virtual Learning Environment, in student handbooks, at campuses and on the Student Union website.
19. In selecting individuals to occupy designated safeguarding roles, the University is mindful of the need:
- 18.1. to ensure they have suitable knowledge of the University's safeguarding approach;
 - 18.2. to ensure they have suitable knowledge of the wider safeguarding systems and structures;
 - 18.3. 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](#).
 - 18.4. for them to have sufficient seniority to make decisions on behalf of The University of Law;
 - 18.5. for them to be seen by staff as being approachable as well as accessible.

Recruitment and admissions activity

20. The Students under the 18 years of age Policy and Protocols 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.
21. The Student Recruitment Events Safeguarding Procedures must be followed when organising events which may attract attendees who are under the age of 18.

Record keeping and data protection

22. In reaching a decision to share any information with third parties in implementing this policy the University will adhere to its [Privacy Policy](#) and the data protection principles contained therein. In sharing information the University will only share sufficient and relevant information in order to allow the concern to be appropriately followed up by the appropriate agencies.
23. The University will keep confidential records of the information shared. These will be kept in accordance with the [Data Retention Policy](#).

Codes of behaviours

24. Staff have a duty under the [Staff Code of Conduct](#) to put the welfare of students first, paying particular attention to safeguarding of students under the age of 18 and adults at risk. To assist in carrying out this duty staff should adhere to the code of behaviours set out in Appendix C. Staff who breach the Staff Code of Conduct may be subject to disciplinary proceedings.
25. The University expects good behaviour from each student at all times and in all settings. The standards of student behaviour expected by the University are set in the [Student Code of Behaviour](#). Students who breach the Student Code of Behaviour may be subject to disciplinary proceedings.

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 DSL, assisted by the SO in each campus. Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

Version history:

Version	Amended by	Revision summary	Date
V1.0	Staff Services Officer	Initial Drafting	08.05.2014
V1.1	Centre Director – Birmingham	Revision	12.05.2014
V1.2	Head of International Visa Office	Amended	29.05.2014
V1.3	Learning Support Officer	Amended	18.08.2014
V1.4	Learning Support Officer	Amended	05.09.2014
V1.6	NSPCC	Review	29.09.2014
V1.7	External Consultant	Review	13.10.2014
V1.8	Proofreader	Proofing	18.12.2014
V1.9	Director Operational Services	Amended	18.10.2016
V1.10	Director Operational Services	Amended	20.09.2018
V1.11	Director Operational Services	Amended	11.06.2019
V1.12	Director of Student Experience, Wellbeing and Inclusion	Amended	21.10.21
V1.13	Safeguarding Manager	Amended	08.02.24
V1.13	Approved by Academic Board		8 February 2024

APPENDIX A

Types of Abuse and Safeguarding Issues

Safeguarding Adults

- Physical abuse
- Domestic Violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect and acts of omission
- Self-neglect
- Radicalisation

Safeguarding Children

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect
- Bullying including online bullying and prejudiced based bullying
- Racist, disability, homophobic or transphobic abuse
- Gender based violence
- Peer on peer abuse including bullying and sexual violence
- Radicalisation
- Child sexual exploitation and trafficking
- Child criminal exploitation including county lines
- Serious violent crime
- Risks linked to using technology and social media such as been groomed or radicalised online and accessing or generating inappropriate material such a "sexting"
- Upskirting
- Substance misuse
- Forced marriage
- "Honour" based violence
- Fabricated or induced illness
- Poor parenting
- Homelessness
- Issues that may be specific to the locality

Information about indicators of abuse in the University setting can be found in the Safeguarding Children and Adults at Risk procedures. Information about indicators of radicalisation can be found in the Prevent Duty Policy.

Further information about the types of abuse that may be experienced by adults and the indicators of abuse can be found at <https://www.scie.org.uk/safeguarding/adults/introduction/types-and-indicators-of-abuse>

Further information about the types of abuse and safeguarding issues that may be experienced by children and the indicators of abuse can be found in [Part 1 of Keeping Children Safe in Education](#) and at <https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

Further information about radicalisation and the Prevent Duty can be found at <https://actearly.uk/>

Appendix B

Responsibilities of Safeguarding Officers and Deputy Safeguarding Officers

Responsibility	SO	DSO
Act as a source of support, advice and expertise within the campus when deciding whether to make a referral by liaising with relevant agencies	✓	✓
Ensure all staff members have safeguarding training during induction, and thereafter annually, to enable them to recognise and report abuse	✓	✓
Ensure each member of staff knows how to access the University's Safeguarding Policy	✓	✓
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	✓	✓
Understand how to recognise and identify signs of abuse and when it is appropriate to make a referral	✓	✓
Ensure that detailed accurate written records of all cases, referrals and concerns are made and kept securely	✓	✓
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	✓	✓
Have access to resources and attend any relevant or refresher training courses at least every two years	✓	✓
Liaise with the Campus Dean and DSL to inform them of any issues and on-going investigations and ensure there is always cover for this role	✓	✓
Refer cases of suspected abuse or allegations to the relevant authorities	✓	✓
Ensure permitted DBS checks are carried out in accordance with the University's DBS and Recruitment of Ex-offenders Policy	✓	✓
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	✓	

APPENDIX C

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 Academic Coach.
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 adults 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.

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.