

SAFEGUARDING CHILDREN AND ADULTS AT RISK PROCEDURES

Safeguarding Children and Adults at Risk Procedures

Introduction

This document sets out the procedures for implementing the University's [Safeguarding Children and Adults at Risk Policy](#) where there are allegations or suspicions of abuse of a child or adult at risk. Where the concern is that a child or adult at risk is being radicalised towards terrorism or extremist ideologies or is at risk of being radicalised the University's Prevent Policy should be followed. Indicators of radicalisation can be found in Appendix A of the [Prevent Policy](#).

These procedures apply 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.

Responsibility for reviewing and evaluating the effectiveness of safeguarding procedures lies with the Designated Safeguarding Lead (DSL), assisted by the University's Safeguarding Officers.

The DSL can be contacted by email: Safeguarding@law.ac.uk.

A. Procedures for dealing with allegations or suspicions of abuse

If you become aware of actual or alleged harm to or abuse of a child or adult at risk or you receive information alleging risk to a child or adult at risk posed by an individual, or by the actions or lack of actions of an organisation providing services or activities for children, you must act without delay. This also includes where you may be concerned about a child or adult at risk's behaviour, but there is no evidence of or allegation of abuse.

Abuse can take different forms and includes physical abuse, sexual abuse, emotional abuse as well as neglect and bullying as set out in Appendix A of the [Safeguarding of Children and Adults at Risk Policy](#).

The signs of abuse are not always obvious and those experiencing abuse may not feel able to tell anyone what is happening to them.

Within a University setting the following may be indicators of a safeguarding issue

- the student is frequently absent from teaching sessions or fails to submit/sit assessments
- the student is very often late for teaching sessions and/or unprepared
- the student is studying an online programme and is very reluctant to turn on their camera in teaching sessions or one to one sessions
- 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

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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 expresses feelings of low self esteem
- the student avoids eye contact and is hesitant to engage in conversations
- 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 uses explicit sexual language out of context
- 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 or sexually explicit content 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 misusing drugs and/or alcohol, or taking part in other high risk behaviours

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 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>

All suspicions and allegations of abuse or inappropriate behaviour will be taken seriously by the University and responded to appropriately.

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Responding to reports of abuse

If a child or adult at risk says something or acts in a way that abuse is suspected, the person receiving the information is required to:

- React in a calm and considered way but show concern;
- Tell them that it is right for them to share this information and that they are not responsible for what has happened;
- Take what they have said seriously;
- Only ask questions to ascertain whether there is a concern, but not interrogate them. Do not ask leading questions;
- Listen to them and don't interrupt if the child or adult at risk is recounting significant events;
- Offer reassurance that the problem can be dealt with;
- **Do not give assurances of confidentiality but explain that the information will need to be passed on to those that need to know;**
- If it is an adult at risk consider their mental capacity to give consent – if it is considered that they have capacity, try to gain their consent for information to be passed on.
- Make a comprehensive record of what is said and done immediately and keep all original notes.

Recording reports of abuse

The record should include:

- a verbatim record of the child or adult at risk's account of what occurred in their own words (this could be used in court so needs to be as accurate as possible);
- details of the nature of the allegation or concern;
- a description of any injury. Please note, you must not remove a child or adult at risk's clothing to inspect any injuries;
- dates, times or places and any other information.

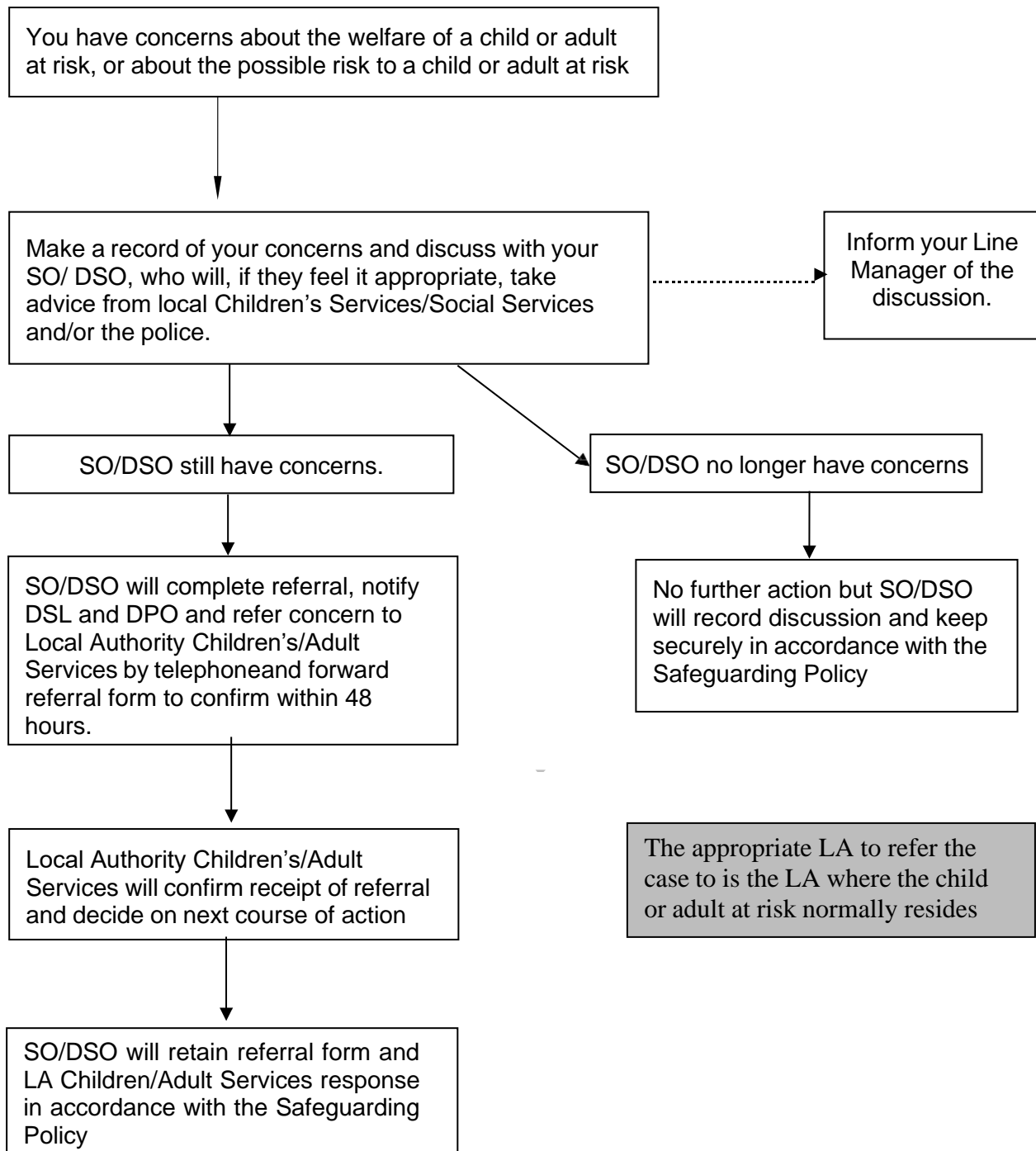
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The incident should then be reported immediately to your Safeguarding Officer (SO) or Deputy Safeguarding Officer (DSO) for action to be taken. Your SO/DSO can be contacted at [SafeguardingTeam\[campus name\]@law.ac.uk](mailto:SafeguardingTeam[campus name]@law.ac.uk) (e.g. SafeguardingTeamBirmingham@law.ac.uk). The SO/DSO will record the details of the safeguarding referral using the University's case management system. (

Remember - it is not your role to investigate disclosures, allegations or information about harm or abuse of children or adults at risk, or risk to them. This is the role of Social Services (and/or the police). It is your role under these procedures to pass on the information to those who are qualified and authorised to do so. If you have any of these concerns you must comply with the following process.

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General child/adult at risk protection procedures



B. Procedures for dealing with allegations or suspicions or abuse against an employee of the University or a person acting on the University's behalf

Staff may be made aware of a concern or receive an actual allegation against a member of staff or person acting on The University of Law's behalf that the person has:

- behaved in a way that has harmed or may have harmed a child or adult at risk;
- possibly committed a criminal offence against or related to a child or adult at risk;
- behaved towards a child/children/adult(s) at risk in a way that indicated he or she may pose a risk of harm in the work regularly or closely done with them.

This guidance relates to allegations against any staff members who are currently working for or on behalf of the University, regardless of whether the University is where the alleged abuse took place. Allegations against a former staff member will be referred to the police.

The University recognises its duty of care to any staff member who is facing an allegation. The University has an Employee Assistance Programme which provides confidential independent support and counselling for all staff members. Any employee facing an allegation will be provided with a named contact for all related matters. The University will also aim to deal with any allegation quickly, fairly and consistently that provides effective protection for the child/adult at risk and at the same time supports the person who is the subject of the allegation.

Every staff member has a responsibility to report any concerns to their SO or directly to the Designated Safeguarding Lead (DSL). Where the allegation relates to the SO the DSL should be the first point of contact. Where the allegation relates to the DSL the SO should report directly to the Director responsible for People and Organisation Development (People and OD).

It is in everyone's interests to resolve cases as quickly as possible consistent with a fair and thorough investigation. All allegations will be investigated as a priority to avoid any delay.

Initial Actions

Upon receiving information of a concern or allegation against a staff member, the Safeguarding Officer (SO) must immediately notify the DSL. The DSL will notify the Director responsible for People and OD.

The DSL should immediately

- Ensure the safety of the child or adult at risk
- Inform the Local Authority Designated Officer (LADO) in the case of an allegation relating to child abuse or the relevant Social Services department where the allegation relates to an adult at risk
- Secure all records relating to the allegation

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The member of staff must not be informed of the allegation and no action must be taken until the DSL has consulted the relevant agencies.

Where following discussion with relevant agencies no action is taken

The initial sharing of information and evaluation may lead to a decision that no further action needs to be taken in regard to the individual facing the allegation or concern, in which case this decision and a justification for it will be recorded by the DSL.

As soon as possible after the decision to take no further action has been made the DSL will agree with the Director responsible for People and OD what information is put in writing to the individual concerned and what action will be taken, if any, regarding those who made the allegation.

As soon as possible the DSL will inform the accused person about the allegation.

Where following discussion with the relevant agencies it is decided to take further action

The possible risk of harm to children and/or adults at risk by an accused person will be evaluated and managed in respect of the individuals involved in the allegations. Suspension on full pay will be considered where there is cause to suspect one or more children or adults at risk are at risk within the University, or where the allegations are so serious that it might be grounds for dismissal. The DSL will discuss the options of suspension and/or alternative duties with the LADO/Social Services, and the People Business Partner. These considerations must be recorded. Alternatives to suspension may include temporary redeployment, change of location, or restricting duties to prevent unsupervised contact with children and/or adults at risk. The arrangements for any suspension and/or alternative action to avoid suspension will be confirmed in writing to the staff member.

The DSL will agree with the LADO/Social Services how an investigation should be undertaken. Usually, it would be carried out by a Safeguarding Officer and a People Business Partner.

Supporting those involved

The employee will receive details of the allegations, next steps, and the likely course of action, as soon as possible, unless there is an objection from the police or social services. The employee will be encouraged to use the Employee Assistance Programme (EAP) and will have a named contact throughout. They will also be encouraged to seek support from a colleague. The employee will be kept informed of the progress of the case.

Parents/Carers for a child/adult at risk will be informed of the allegation as soon as possible if they are not aware of it, with the prior agreement of the LADO/Social Services/Police. They will also be kept up to date with the progress of the case. They will be informed of the outcome of the case where there is not a criminal prosecution,

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including in strict confidence the outcome of any disciplinary process (the full details of the considerations and information will not be disclosed, only the outcome).

If the child or adult at risk may have suffered significant harm, or there may be a criminal prosecution, social services and/or the police will consider what support they need. Additionally, the University has a student counselling service that the student would be encouraged to access.

All involved will be informed of the legal restrictions on reporting or publishing allegations. There is more information in the confidentiality section below.

Confidentiality

The University will collect and process information relating to employees in accordance with the University's [Privacy Policy](#).

The University will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The DSL will agree with the LADO/Social Services/Police:

- Who needs to know and exactly what information can be shared;
- How to manage speculation, leaks and gossip;
- What, if any, information can be shared with the wider community to reduce speculation;
- How to manage press interest if it should arise.

Outcome of Investigations

The following definitions will be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive
- **False:** there is sufficient evidence to disprove the allegation
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence
- **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances.

After the investigation has taken place, the University may invoke the disciplinary procedure, as detailed in the University's disciplinary policy. In some circumstances this may commence prior to the conclusion of any external investigation, for example a police investigation.

If the staff member resigns and subsequently leaves the University, the investigation will continue. If a staff member does not co-operate with an investigation and/or leaves, the

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investigation will still continue and a judgment about whether the allegation can be substantiated or not on the basis of the information available will still be recorded.

Record Keeping

Details of allegations that are found to have been malicious will be removed from personnel files and only held confidentially by the DSL 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.

Employee References

References on behalf of the University may only be provided about current or previous staff by People and OD.. The University has a duty of care to give details in any reference of a substantiated allegation where information is requested about a current or previous employee's suitability to work with children and/or adults at risk.

Cases in which an allegation was proved to be false, unsubstantiated or malicious will not be included in references to other organisations about a current or previous staff member. This includes where there has been a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious.

Information Sharing

In a discussion with LADO/Social Services, the DSL will share all relevant information they have about the staff member who is subject to the allegation and about the alleged victim. Where police are involved, wherever possible we will ask for consent from the individuals involved to share their statements and evidence for use by the University in any internal disciplinary process.

Conclusion of a Case

Depending on the outcome, if the employee is remaining in work (or returning to work from suspension), support will be put in place by the DSL, SO and their manager. They will also consider how the staff member's contact with the person that made the allegation can be best managed if they are still at the University. Where a staff member is dismissed or moved because of harm or risk of harm to a child or adult at risk a referral will be made to the Disclosure and Barring Service.

Malicious Allegations

If an allegation is shown to be deliberately invented or malicious, the DSL in consultation with the Director responsible for People and OD will consider whether any disciplinary action is appropriate for the person who made it or whether the police should be asked to consider if action might be appropriate against the person responsible.

Lessons Learnt

At the end of any investigation, the DSL will work with the appropriate parties to record and identify actions arising from any lessons learnt. If an allegation is substantiated, the DSL will also carry this out in conjunction with the LADO/Social Services.

C. Procedures for dealing with safeguarding concerns within an apprenticeship setting

Employers will be provided with the University’s [Safeguarding and Prevent guide for employers](#).

Whilst apprentices are registered for an Apprenticeship Programme with the University, they fall under the University’s [Safeguarding Children and Adults at Risk Policy](#) and Procedures. Where an employer has their own safeguarding policies, apprentices will be expected to be inducted into the workplace policies and procedures by the employer.

Where a safeguarding related issue occurs in the employment setting the employer should implement its own safeguarding policy and procedure, liaising with external agencies as appropriate. The employer should, as part of its procedures, immediately inform the Safeguarding Officer nominated by the University to work with the employer. Employer procedures should make this clear.

Where the University becomes aware of a safeguarding related issue involving an apprentice, they will contact the employer’s Safeguarding Officer or equivalent.

Where the employer does not have its own safeguarding policy and procedure, the employer will be sent a link to the University’s Safeguarding Policy and Procedure and apprentices should be made aware of these documents. Apprentices will be made aware of the University’s commitment to safeguarding during the University’s induction process and at review meetings.

Version history:

Version	Amended by	Revision summary	Date
V1.0		Initial Drafting and Publication	October 2018
V1.1	Registry Officer	Change to coding convention	March 2020
V1.2	Director of Student Experience, Wellbeing and Inclusion	Amended	October 2021
V1.3	Safeguarding Manager	Amended	February 2024