

NEWMAN UNIVERSITY

Safeguarding of children, young people and vulnerable adults Policy and Procedure

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1. Policy Statement

- 1.1 The University recognises that it has social, moral and legal responsibilities to protect and safeguard the welfare of children, young people and vulnerable adults who are engaged in the institution's activities and services.
- 1.2 All staff and students have safeguarding responsibility and should promote the welfare of students, staff and visitors by being able to identify experience or risk of significant harm, reporting concerns quickly to the appropriate staff member/s.
- 1.3 The University will take all concerns, suspicions and allegations of abuse, harm or risk of harm seriously, responding to them promptly.

- 1.4 The University seeks to ensure that its policies and procedures comply with all current statutory duties and has taken into account its duty of care under the Health and Safety at Work Act 1974, the Rehabilitation of Offenders Act 1974, the United Nations Convention on the Rights of The Child 1989, the Data Protection Act 1998, the Children's Act 2004, the Safeguarding Vulnerable Groups Act 2006, the Care Act 2014 (updated 2015), Working Together to Safeguard Children 2015, and the Counter-Terrorism and Security Act 2015.
- 1.5 The University will ensure that any staff, students, associates or volunteers who have substantial unsupervised, one-to-one contact with children, young people or adults in vulnerable situations will undertake Disclosure and Barring Service (DBS) disclosure, usually at an enhanced level. A satisfactory check will need to be received by the University before the start of work or relevant activities on an unsupervised basis.
- 1.6 Newman University aims to provide a supportive and positive environment for learning and teaching. It is committed to ensuring that the rights of individuals are respected and that each person is treated with dignity, respect and courtesy at all times. Decisions made in accordance with the policy will always seek to be proportionate, fair and consistent.

2. Purpose of the Policy

- 2.1 This policy and associated procedure explains how the University will safeguard children, young people and vulnerable adults and how it will respond to concerns, including the provision of support.
- 2.2 The policy provides all those working for the University (including volunteers, agency staff, contractors and students) with clear guidance on how to identify risks and reporting concerns if they suspect a child, young person or vulnerable adult is experiencing, or at risk of experiencing:
 - Abuse (physical, emotional, psychological, sexual, domestic, financial, exploitative or neglect / abandonment, planned or unplanned, single or repeated acts)
 - Behaviours which cause harm to self or others
 - Forced (not arranged) marriage
 - Radicalisation under the terms of the Prevent agenda
 - Suicidal ideation / intent
- 2.3 The policy and associated procedure provides generic guidance for areas of the University which do not have their own specific procedures.
- 2.4 Appendix iv; Relevant University Policies and Procedures, should also be considered in conjunction with this policy.
- 2.5 This policy is not intended for 'whistle blowing'. Whistle-blowing is where a disclosure is made which a person believes to be in the public interest about suspected wrongdoing at in an organisation. The University has a separate Whistle-blowing procedure that should be following in such circumstances.
- 2.6 There are specific procedures that deal with Academic Misconduct, Fitness to Practise, Disciplinary, student complaints. If after initial investigation, it appears that the issue falls within the scope of any of the above policies, reclassification will be discussed and the appropriate referral made.

3. Scope of the Policy

3.1 The University has visitors, staff and students under the age of 18 years and within the course of its activities, staff, students and visitors may also come in to contact with children, young people or adults in vulnerable situations who are not members of the University. Examples of activities include:

- Teaching, supervision and support of staff and students
- Summer schools, school visits, and other events such as work experience
- Outreach activities taking place on or off campus
- Student Halls of Residence
- Sports Centre
- As research subjects
- Attendance or participation at private functions run by the University
- Children accompanying members of staff or students to work
- Conferences
- On placements
- In other professional and clinical settings
- Field trips, excursions, volunteering and other social activities at both the University and via the Students' Union
- Counselling
- Note; Whippersnappers Day Nursery located on the University campus, though not managed by the University, is covered by separate child safeguarding policies required by Ofsted

3.2 Universities have a duty to prevent anyone (staff, students, associates or visitors), regardless of vulnerability or age, from being drawn into terrorism. This duty must be balanced with the commitment to freedom of speech and academic freedom which are essential principles of Newman University's mission and ethos.

4. Definitions

4.1 Child or young person: This applies to a person who has not yet reached their 18th birthday. In legislation and guidance 'child' typically refers to those under the age of 18 who are still in full time education and 'young person' refers to those under the age of 18 who have left full time education.

4.2 Vulnerable adult: The University considers any person to be vulnerable if they need additional protection or input to enable them to achieve their full potential. An individual's vulnerability can vary depending on the activity being carried out and the people that are present.

Some of the groups the University deem to be vulnerable include, but are not limited to:

- Young people leaving local authority care or have been looked after children
- Carers who are unpaid, overburdened, under severe stress or isolated
- A disabled person who has specific support needs, and as a result of those needs, are unable to protect themselves against the risk of abuse or harm
- A person who is, or has been, subject to abuse
- A person living with or someone who abuses drugs or alcohol
- A person who may be living in unsuitable, temporary accommodation or homeless
- Women who may be particularly vulnerable as a result of isolating cultural factors

The British Medical Association notes that the presence of these factors does not necessarily make someone at risk; it is how they combine and manifest in the individual. A key factor in each case is whether the individual is able to take steps to protect and promote his or her interests.

'The term 'vulnerable' adult is contentious and care must be taken to avoid using it pejoratively or in ways that undermine fundamental rights, interests or freedoms. A clear distinction must be drawn between adults who retain capacity to make decisions and those whose capacity has been lost or impaired'. (BMA guidelines).

- 4.3 Safeguarding: This relates to the action taken to promote the welfare and protection of children, young people and vulnerable adults, and to protect them from harm.
- 4.4 DBS (Disclosure and Barring Service): This statutory body helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It was created in 2012 out of the merger of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).
- 4.5 The University: The term is deemed to include the Students' Union, as both bodies are committed to working together and sharing information in order to safeguard the interests and wellbeing of staff, students and visitors.
- 4.6 Radicalisation: A process by which an individual or group comes to support terrorism and forms of extremism leading to terrorism. Radicalisation can be both violent and non-violent. The University has additional duties under the Counter Terrorism and Security Act 2015, or the Prevent Duty, to prevent individuals within its community from being drawn into terrorism.

5. Roles and Responsibilities

5.1 The responsibilities of all staff

All members of staff have responsibility for safeguarding. Those who come into contact with children, young people and vulnerable adults are in a position of trust and have a duty of care to act if there is a cause for concern. All staff should:

- understand what abuse is
- listen carefully to children, young people and vulnerable adults
- be aware of and act in accordance with the University's safeguarding policy and procedure
- participate in appropriate safeguarding and Prevent Duty training to which the University makes available or requires staff to attend
- consult with and take advice from the University's designated contacts for Prevent where there is reason to believe that a student to whom this policy applies may be at risk of being drawn into terrorism.

5.2 Position of trust and relationships with young people

Staff must not put children or young people at risk of harm by their own conduct. It is a criminal offence for a person who is 18 or over to engage in sexual activity with a person who is under 18, where the older person is in a position of trust. A position of trust is one where the person (who is 18 or over) 'looks after' persons under 18 who are receiving education at an educational establishment. 'Looks after' is defined as caring for, training, supervising or being in sole charge of a child or

children. Therefore, a member of staff who engages in sexual activity with a student aged 16 or 17, even where the relationship is consensual, could incur criminal liability, in addition to being subject to the University's Disciplinary Procedure.

5.3 Safeguarding Officers and Advisers

5.3.1 Role of Safeguarding Advisers:

- offer an initial point of contact, should any student or staff member in the department have any concerns relating to safeguarding
- highlight and champion best practice relating to safeguarding
- undertake appropriate safeguarding training
- ensure appropriate local procedures are in place

Faculty Safeguarding Advisers in Faculties will normally be the Heads of Department.

It is not the responsibility of University staff to investigate, make judgements or provide a response on safeguarding matters.

5.3.2 Role of the Safeguarding Officer (students):

The **Director of Student Services** receives and advises on causes of concern relating to students, arranging internal support and intervention, and overseeing referral to outside agencies, where appropriate.

Ms Siân Howarth
Director of Student Services
s.howarth@newman.ac.uk
0121 476 1811 ext. 2414

5.3.3 Role of the Safeguarding Officer (staff):

The **Director of Human Resources** undertakes DBS checks for relevant staff and investigates allegations relating to staff misconduct. She can be contacted for advice about safeguarding concerns.

Ms Giosi Birkett
Director of Human Resources
g.birkett@newman.ac.uk
0121 476 1811 ext. 2230

5.3.4 Role of the Designated Safeguarding Lead:

The **University Secretary and Registrar:**

- Provides a strategic lead in relation to safeguarding matters and is accountable for the University's safeguarding practice

- Ensures the policy is monitored and reviewed in accordance with changes in legislation, guidance and best practice
- Maintains confidential records of relevant cases and action taken

Ms Andrea Bolshaw
University Secretary and Registrar
a.i.bolshaw@newman.ac.uk
 0121 476 1811 ext. 2210

The **Deans of Faculties and Directors / Heads of Professional Services** must ensure all activities in their areas involving children, young people or vulnerable adults are in accordance with this policy and associated procedures. They are responsible for ensuring there is a local Safeguarding Adviser for their department who is contactable as a local lead for advice and is appropriately trained. Where safeguarding incidents occur within a partner setting (e.g. a school), the partner's Safeguarding policy and reporting procedure should be followed.

Student Support Services staff engaged in wellbeing advice and guidance provide support for those students who make safeguarding disclosures relating to themselves or third parties. Contact the Student Support Services Help Desk on extension 2418 or email studentsupport@newman.ac.uk

5.3.5 The role of the designated Prevent Advisers:

In instances where a concern relates to possible radicalisation and/or extremism as defined by the Prevent Duty, the designated Prevent contacts will consult with the University Secretary and Registrar, who will consider what action is necessary (including referral to external bodies).

Siân Howarth
Director of Student Services
s.howarth@newman.ac.uk
 0121 476 1811 ext. 2414

Margaret Holland
Chaplain
m.holland@newman.ac.uk
 0121 476 1811 ext. 2473

6. Dealing with allegations of abuse or inappropriate behaviour

All staff and students of the University must seek actively to safeguard and promote the welfare of staff, students and visitors. Concerns should be taken seriously and dealt with promptly.

- 6.1 Allegations, concerns or suspicions of abuse or harm should be raised immediately with the local Safeguarding Adviser or Officer or the Lead Safeguarding Officer, explaining the details as clearly as possible. Examples of incidents / situations that should be reported would include those where a child or vulnerable adult:

- Is accidentally hurt
- Is involved in a relationship that is developing in a way which raises a concern that it may be an abuse of trust
- Seems to be becoming attracted to you or to a colleague in a way which worries you
- Has seemed to have misunderstood or misinterpreted something you have done in a way that leads them to believe you are attracted to them
- Has been required to be physically restrained by you to prevent them from harming themselves or others or from causing significant damage to property
- Reports to you alleged abuse regarding a member of the University community or belonging to an external organisation using the University's facilities
- Reports to you alleged abuse of another member of their family who is a child or vulnerable adult
- Has any suspicious or unexplained marks or injuries
- Makes allegations regarding inappropriate behaviour towards them either within or outside of the University

6.2 Staff and students who are unsure of whether or not to pass on a concern may wish to talk first to their manager (staff), personal tutor/module tutor/supervisor (students), or officers of the Students' Union. The decision as to whether to pass on the concern to a Safeguarding Officer however, remains with the staff or student.

6.3 Concerns will be listened to sensitively and in a confidential manner. The identity of the person raising the concern will not be disclosed to the person who is the subject of the concern (unless it becomes apparent that the concern was not made in good faith).

6.4 Students and members of staff should not attempt to investigate concerns or allegations themselves. It is the responsibility of external authorities rather than anyone connected with the University to investigate safeguarding concerns.

6.5 Students and members of staff should not normally make referrals to external authorities themselves other than in consultation with a Safeguarding Officer. This does not override any responsibility to report concerns to relevant professional bodies, but this should normally be done in consultation with the Lead Safeguarding Officer who will normally consult with the appropriate external authority where necessary.

6.6 Where there is a significant risk of harm from a student or member of staff, the Lead Safeguarding Officer will take steps to initiate the suspension of the student or member of staff under the relevant regulations through either the University Secretary and Registrar or the Director of Human Resources, as appropriate.

6.7 In situations where the concern is immediate and significant and a Safeguarding Officer cannot be located, students and members of staff should contact Security on the 24 hour emergency number, ext 2358. Under these circumstances, the student or member of staff may also contact the relevant external authority directly for advice about their concerns (see Appendix X)

- 6.8 If a student or member of staff other than a Safeguarding Officer makes a referral to an external authority, then they must notify the Lead Safeguarding Officer that a referral has been made as soon as reasonably practicable.
- 6.9 In the majority of situations there will not be a report back to the person who has raised the concern. If it is possible to report back to them that their concern has been investigated and found to be baseless, then this will happen, but if it does not happen it does not necessarily mean that the concern was verified. In the majority of cases it is very likely that the person who raises the concern will not see any action occurring. This does not mean that no action is taking place; rather that the case is being handled in the strictest confidence.
- 6.10 In many cases where a concern has been raised, there may be no immediate intervention required. However, the line manager or relevant safeguarding officer, together with the person who first raised the concern, should regularly review the situation and keep a 'watching brief'. Agreement should be made on what may lead to an escalation and when this is referred to the Lead Safeguarding Officer. Often, the involvement of Student Support Services staff will be the only intervention required, in a supportive capacity.
- 6.11 This policy assumes that staff, students and visitors would not raise a concern unless they had a genuine reason to do so. Where concerns are raised in good faith, they will not be subject to any reprisal even if they turn out to be mistaken. However, should concerns be raised vexatiously, the person raising the concern will be investigated and may be subject to disciplinary action.

7. Reporting to External Authorities

- 7.1 The University may be under an obligation to pass on concerns to relevant professional bodies/agencies under certain circumstances. In addition to these responsibilities, the University is under obligation to notify:
- the Multi-Agency Safeguarding Hub (MASH) of actual or potential harm to children
 - the Adults & Communities Action Point (ACAP) of actual or potential harm to adults in vulnerable situations
 - the Channel Programme of actual or potential harm to staff, students, associates or visitors who have been identified as vulnerable to radicalisation
 - The Disclosure and Barring Service (DBS) if it decides to dismiss or remove an employee, student, volunteer or personnel supplier from the University or to prevent them from working with children or vulnerable adults (or would or may have if the person had not left or resigned). The duty to refer to the DBS applies even when a referral has been made to a body such as the MASH or other professional regulator regardless of whether that body has also made a referral to the DBS about the person.
- 7.2 The reports outlined above to the MASH, ACAP or Channel Programme (or equivalent – recognising in different local authorities such agencies may be named differently) will normally be made by one of the Safeguarding Officers. Reports to the DBS will be made by the Lead Counter-signatory for the DBS.

8. Training

All staff and students whose roles and responsibilities include regular contact with children or adults who are potentially vulnerable must be made aware of this Policy, Procedure and related guidance. Safeguarding Officers will receive appropriate training.

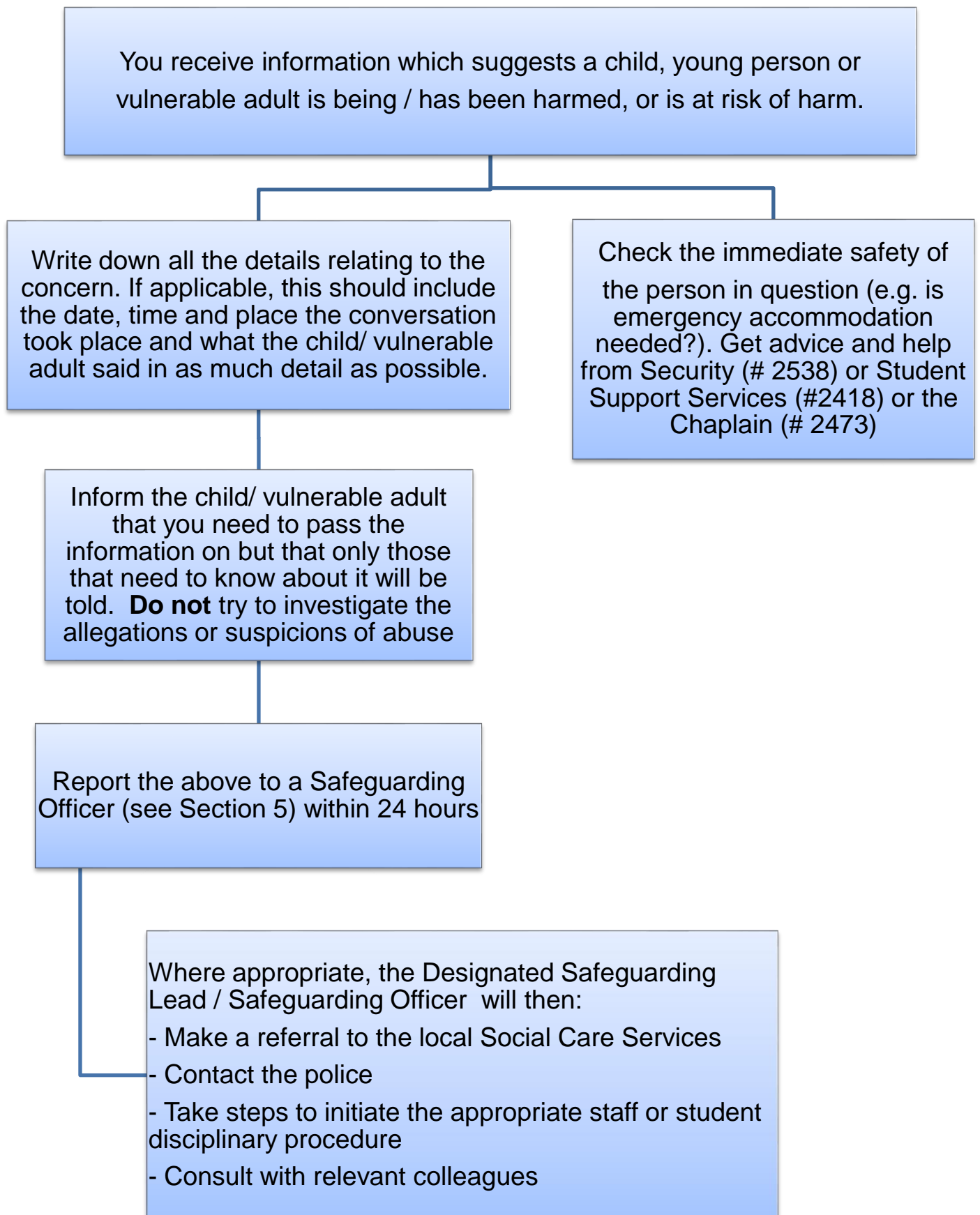
9. Monitoring and Evaluation

The Designated Safeguarding Lead or Safeguarding Officers will record any incidents relating to safeguarding concerns and will report them to the Cause for Concern Group and (in an anonymised form) on an annual basis. This report will be confidential and if any concerns or patterns of abuse emerge these will be dealt with appropriately.

10. Review of Policy and Procedure

The Designated Safeguarding Lead and Safeguarding Officers are responsible for overseeing and updating this Policy and associated procedure particularly with respect to the legal obligations and other external requirements. In the event of no external changes, it will be reviewed initially after one year of operation and thereafter every three years.

Appendix i): Flow diagram for receiving and reporting concerns



Appendix ii): Code of Behaviour and Good Practice

If a child or vulnerable adult makes an allegation or discloses information about a situation where abuse is suspected, the individual to whom the disclosure is made should try to remain calm and, if possible, establish full details, noting the following points:

- React in a calm and considered way, whilst showing concern
- Reassure the individual that it is right for them to share the information and that they are not responsible for what has happened
- Take seriously what the individual has to say
- Do not interrogate the individual but ask questions of clarification to ascertain whether there is a concern that needs to be reported
- Listen to the individual and do not interrupt while they are recounting significant events
- Offer reassurance that the problem can be dealt with
- Do not give assurances of confidentiality but explain that you will need to pass on the information to those that need to know
- Make a comprehensive record of what is said and done as soon as possible after speaking to the individual (and before leaving work for the day). Keep all original notes, as they may be needed as evidence. The comprehensive record should include:
 - A verbatim record of what the individual says has occurred, in their own words. This record may be needed later in any criminal trial and should therefore be as accurate as possible
 - Details of the allegation or concern
 - A description of any injury. Note, however, that you must not remove a person's clothing to inspect any injuries
 - Dates, times or places, and any other information that may be helpful in investigating the allegation
- The incident, allegation or concern should be reported immediately to the Lead Safeguarding Officer for appropriate action to be taken. If the concern actually relates to the Lead Safeguarding Officer, then it should be reported directly to the Vice-Chancellor or Director of Human Resources
- It is not within the remit of any University employee to investigate allegations or suspicions of abuse – where the Lead Safeguarding Officer believes it is appropriate the concerns will be reported to the Police or Social Services.

Appendix iii): Incident / Disclosure Report Form for Safeguarding

(to be updated)

Appendix iv): Relevant University Policies and Procedures

The following is a list of university policies procedures which may be appropriate to refer to when handling a safeguarding issue:

- Academic Regulations
- Accompanied Children in Lectures and Timetabled Activities

- Admissions Policy
- Data Protection Policy
- DBS Policy
- Dignity at Work Policy
- Disclosure of a Disability
- Equal Opportunities Policy
- Fitness to Practise Policy
- Fitness to Study Policy
- Health and Safety Policies, including Risk Assessment
- Mental Health Policy
- Referral and Escalation Policy (Prevent)
- Recruitment of Ex-Offenders Policy
- Research Ethics Framework
- Staff Recruitment Policy
- Student Disciplinary Procedure
- Student Alcohol and Substances Policy
- Whistleblowing procedure

Appendix v): Links to External Sources of Guidance

Concerns about abuse or harm of children:

MASH (Child Protection)

<http://www.birmingham.gov.uk/child-protection>

0121 303 1888

Concerns about abuse or harm of vulnerable adults:

Birmingham Safeguarding Adults Board

<https://www.bsab.org/how-to-report-abuse/>

0121 303 1234

Concerns about someone's mental health:

Birmingham Mental Health teams:

South Birmingham

Phone: 0121 464 7001

North Birmingham

Phone: 0121 675 7626

Emergency Duty Team (outside office hours)

0121 675 4806

Samaritans; call 116 123 or email jo@samaritans.org

Emergencies; call 999 and ask for the Street Triage Mental Health Team

Suspected terrorism:

<https://www.west-midlands.police.uk/keeping-you-safe/behind-the-badge/tackling-terrorism/who-to-contact/index.aspx>