

Birmingham City University Safeguarding Policy

If you believe that a member of staff or student is at risk of immediate harm and you are unable to obtain a response from a Safeguarding Officer, call Security on 6969 as an urgent priority and ask for the Police.

If you are concerned for the safety of a student or member of staff whose location is unknown, contact the Mental Health and Wellbeing Team on 0121 331 5188 who will coordinate with relevant agencies to conduct a 'Safe and Well' or 'Welfare' check.

Purpose and scope

This policy sets out Birmingham City University's approach to providing a safe environment in which to work, study and research. Informed by legislation, this document sets out the definitions, responsibilities and procedures required to ensure the safeguarding of children and vulnerable adults with whom we may have contact.

The policy applies to all students, staff and visitors of the University. Exceptionally, where it is in the public interest to do so, this policy can be applied to anyone who has applied to study with us or any of our franchise or collaborative partners in the next academic intake, or to any former student within 6 months of the end of their studies. As necessary, matters raised under this Safeguarding Policy may be referred to any other University Policy or Procedure for further action.

We work in partnership with various organisations to provide study and research opportunities. It is expected that most partner organisations will have their own approach relating to safeguarding, and that this will complement the University's approach. Where a conflict arises between our safeguarding policy and that of a partner organisation, our policy will normally take priority. Any queries regarding potential conflict between our safeguarding policy and the approach taken by a partner organisation must be referred to the Dean of Students and Learning as a matter of urgency.

Definitions

Child

We define anyone under the age of 18 as a child.

Vulnerable adult

A person over 18 years of age is defined as vulnerable if they are at risk of harm, abuse or manipulation (including radicalisation) as a result of either their social or personal situation.

Harm

Harm can take a number of forms, and can be caused in a number of ways, including:

- Physical – for example, hitting another person or deliberately cutting yourself
- Psychological – for example, saying things which could hurt someone else or which could make them feel vulnerable, alone or isolated. Making threats, trying to control another person, or humiliating someone can be psychological harm. Radicalisation is

the process in which a person begins to hold increasingly extreme views (social, political, or religious) that undermine societal norms or right to free choice. Psychological harm can include bullying in person or online, including 'revenge porn'.

- Financial - for example, unreasonable or excessive borrowing or stealing money or other items. Also, trying to pressure someone else into giving you money or other items because they feel sorry for you.
- Sexual – for example, trying to get someone to take part in sexual activity by using force, threats or bullying. Sexual activity requires both consent to be given and also an understanding of what is being consented to. 'Grooming' occurs when a person uses an emotional bond to gain the trust of a child or vulnerable adult in order to sexually abuse or exploit them, or to trade them (trafficking).
- Neglect – for example, not caring for yourself or someone you are responsible for. This could include not washing regularly, not eating, or having unsafe living conditions.

Harm can happen anywhere: at home, at University, at work or in public. Anyone can be subject to harm; many people do not realise they are at risk of harm. Any person can be the cause of harm as set out in this Policy.

Safeguarding staff and students

The University will:

- Maintain thorough knowledge of safeguarding matters.
- Ensure this policy and accompanying procedures and guidance are regularly reviewed for compliance with relevant legislation¹.
- Provide points of contact for anyone needing to report a safeguarding concern.
- Act on reported concerns as appropriate. This may include carrying out a risk assessment, or making a referral to an external agency.
- Monitor the effectiveness and implementation of this policy.
- Ensure the effective sharing of and training in this policy and its implementation.
- Promote a culture which promotes safeguarding, reducing the potential for harm to be caused or threatened.
- Collate summaries of safeguarding concerns raised and outcomes, where known.
- Identify and carry out risk assessments for all enrolled students under 18 years old.

Safeguarding Officers: roles and responsibilities

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

Principal Designated Safeguarding Officer (PDSO)

The PDSO is responsible for the implementation of the Safeguarding Policy and the University's commitments to safeguarding staff and students, through delegation where appropriate. The role of PDSO is currently held by the Deputy Vice-Chancellor (Academic).

¹ Relevant legislation includes: the Counter Terrorism and Security Act 2015, the Protection of Freedoms Act 2012, the Safeguarding Vulnerable Groups Act 2006, the Data Protection Act 1998, the Equality Act 2010, and the Health and Safety at Work Act 1974.

Designated Safeguarding Officers

The Designated Safeguarding Officers are the Director of Human Resources and the Assistant Director Student Governance, Mental Health and Wellbeing. They will deputise for the PDSO in their absence, depending on whether the concern relates to a student or a person in contact with a student (Assistant Director Student Governance, Mental Health and Wellbeing), or to a member of staff or visitor (Director of Human Resources).

Safeguarding Leads

Safeguarding Leads can be contacted for informal advice and guidance with general queries or specific concerns. A full list of the Safeguarding Leads will be maintained on iCity. It is not intended that Safeguarding Leads will be emergency contacts for high risk concerns, but they can be consulted where the risk of harm is felt to be low or moderate, or where there is uncertainty about whether it is a safeguarding matter. A Safeguarding Lead can re-classify a low- or moderate-level risk as high risk if they feel this is necessary.

Safeguarding Co-ordinator

The Safeguarding Co-ordinator will maintain a network of Safeguarding Leads, ensuring they are fully supported in their role, and will monitor concerns raised and compile reports as required. The Safeguarding Co-ordinator is the Head of Mental Health and Wellbeing.

Raising a safeguarding concern

A safeguarding concern can be raised where either harm has been caused or where there is a risk of harm. Examples of harm, or risk of harm, are often difficult to identify. 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. 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;
- Either a student or member of staff declares information about them or a family member which suggests someone may be harming a child or vulnerable adult;
- 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.

Appendix One includes examples that may be used to support training and awareness-raising in connection with this policy.

A safeguarding concern should be raised as a matter of urgency either by speaking to a Safeguarding Lead or by submitting an online form through iCity. Reports should set out all

information that may be relevant to the reason for raising a concern. Individuals reporting a concern are not expected to make a decision about whether their concern constitutes a safeguarding matter, they are simply highlighting a concern for the University to carry out a risk assessment.

Confidentiality

Where possible you should not provide any personal detail about the person you are concerned about. However, if necessary, the safeguarding officer will ask you to provide personal information about the person you are concerned about, such as name and ID number.

Risk assessment of safeguarding concerns raised

Once a Safeguarding Officer is made aware of a possible safeguarding concern, they will carry out a risk assessment.

It is usually not necessary to do a risk assessment where there is evidence that harm has been caused to a child or vulnerable adult. Where there is risk of harm to a child or vulnerable adult, or no clear evidence of harm having been caused, a risk assessment will be carried out. Risk assessments take place in two stages:

Stage one – defining risk

Using the definitions in this Policy, the following questions will be asked:

- 1) Is a child or vulnerable adult at risk of harm/has a child or vulnerable adult been harmed?
- 2) What kind of harm is it? (Physical, psychological, sexual, financial, neglect).
- 3) How serious is the harm or threat of harm? (Low, moderate, high)
- 4) Is there any suggestion that harm or threat of harm may be repeated or get worse?
- 5) Is there any suggestion that the harm or threat of harm was intentional?
- 6) Has violence been threatened?
- 7) Has there been intimidation?
- 8) How long has the harm or threat of harm been going on?
- 9) What impact has the harm or threat of harm had on the child's or vulnerable adult's independence, health and wellbeing?

Stage two – rating risk

Having answered as many of the above questions in Stage one as possible, a rating of risk is determined. A rating of 'High' should be given to any harm or threat of harm that may cause loss of life, or major injury to physical or mental health; or where there is an increase in either frequency or severity of harm. A rating of 'High' should be given where there is evidence that harm has already been caused. A rating of 'moderate' should be given where no harm has been caused, or there is no clear evidence to rule out a risk as being 'low'. A rating of 'Moderate' should not be given where there is evidence that harm has been caused. A rating of 'Low' is given where the risk of harm is unlikely to occur, for example due to lack of access or contact.

Until the harm or risk of harm has passed, both Stage one and Stage two can be revisited as often as necessary to ensure appropriate management of risk.

Appendix One

Examples of situations that may arise giving reason to consider raising a safeguarding concern.

Example 1

You are in a personal tutorial meeting with Lou when he tells you about Hannah, his expartner. Hannah has threatened to tell the Police that Lou is beating the children they have together unless he gives Hannah more money each week in child support. Lou is distraught as he is already in debt and fears he will not be allowed to see his children anymore and may be arrested.

This is a concern that you should report. It is not for you to determine if Lou is beating the children, but he is being harmed by someone trying to manipulate him to gain more money.

Example 2

Mary is your flat-mate in University accommodation. She used to be very quiet but lately has been hanging around with new people, has started drinking and smoking. Mary goes out most evenings, coming back very late. She is sometimes late for 9.00am lectures but never misses them completely.

Mary's behaviour may not be a safeguarding concern. It seems as though she is adjusting to being at University, and has made new friends who might be having an influence on her. Unless Mary is being manipulated to drink, smoke or go out late, there may be no harm or risk of harm causing the change in Mary.

Example 3

Kamal tells you that he may not be able to attend graduation because his family want him to go on holiday overseas as soon as he finishes his final exams. Kamal tells you that he is concerned that he is going to be forced to marry someone whilst he is on holiday. Two years ago his older brother Tej was taken on holiday after his exams finished and his family hid his passport from Tej until he agreed to marry someone whilst overseas. Kamal is worried the same thing will happen to him: he has no plans to marry and does not want to go on the holiday.

This is a concern that you should report. Kamal is at risk of harm.

Example 4

Jane has been set an assignment to keep a journal of her activities and thoughts for 2 weeks. The journal she submits includes references to her belief that she is being watched and that she feels someone is tampering with her phone. Jane also feels that the nightly news has a hidden agenda as they always report negative stories about her religion. Jane expresses thoughts of frustration and anger about what she feels is happening.

This is a concern that you should report. Although Jane may be exploring politics in her surrounding environment, she may be at risk of radicalisation. It is not for you to determine if Jane could be radicalised, but the apparent tendency to see a conspiracy as well as the feeling that her religion is being treated unfairly in the media may need to be explored.

Example 5

Chen is an international student in her first year but has missed a large number of lectures. She asks to speak to you as she has run out of money. Chen tells you that she started seeing an older man a few months ago and in exchange for him taking care of her and letting her live with him, he has access to her bank account and leaves her with a small amount of credit on her mobile phone. She has no money to get the bus in for lectures and has no money to buy food, relying on what her boyfriend provides.

This is a concern that you should report. Chen is at high risk of harm and may also be at risk of being groomed.

Example 6

Nicholas is in the first year of his teaching degree. He has been on placement in school for two days when he phones the University wanting to report a concern. Nicholas observed a teacher shouting at the class of 7-year-olds and feels that the children are at risk of harm. Nicholas wants to use the school's policy on whistleblowing to report the teacher to OfSTED.

Without further information it does not appear that this is a safeguarding matter, as the teacher may have been shouting to get the attention of the class, rather than intending to cause harm. Unless further information can be provided demonstrating a risk of harm or actual harm caused, this would not be a safeguarding matter.

Example 7

Jim is a Political Science lecturer and has always encouraged in-class debates, asking students for their opinion on controversial subjects (such as hunting and abortion), and then asking them to argue for the opposition. Recently Jim set up a lunchtime debate society but only allows students he has invited to attend. Diane was invited to a meeting and has come to you to express concerns about Jim. She tells you that Jim didn't hold a debate, but spent 20 minutes expressing his support for the English Defence League. Diane feels she heard Jim say that "the Nazis knew how to run things".

This is a concern that you should report. Although encouraging students to think about situations from a different perspective can be useful, the beliefs expressed during the debate society meeting are concerning. The far-right views being expressed by Jim could be an indicator of an extremist view, and possibly having accessed hate rhetoric.

Birmingham City University

Safeguarding: Reporting Process

Any member of the University's community may come into contact with a child or vulnerable adult at any time. The University expects that all staff, students, and visitors will safeguard and promote the welfare of children and vulnerable adults by being familiar with the Safeguarding Policy and this Reporting Process, and by reporting concerns using the information set out below.

As a member of the University community you may become aware of a situation, but not be sure if it is a safeguarding matter. The University does not expect you to know for sure if it is a safeguarding matter. This process allows you to share your concern with a member of staff trained in safeguarding matters who will use the information you provide to determine the best course of action to take. By taking this approach it is likely that a number of matters will be reported which are determined not to be safeguarding concerns. However, it is preferable to have a higher number of matters reported that are not safeguarding concerns, than for one safeguarding matter to go unreported.

This Reporting Process is presented in four broad sections:

- Identifying a concern – this includes support and advice on how to respond, action to take, and seeking informal advice.
- Reporting the concern – this includes how to make a report, and contact by a Safeguarding Lead. The University has a large number of staff trained in safeguarding matters. As such, it is often likely that a safeguarding officer will be able to respond to you within one working day.
- Risk assessment of the concern – this will be carried out by a Safeguarding Officer.
- Escalating the concern.

Confidentiality

Where possible you should not provide any personal detail about the person you are concerned about. However, if necessary, the safeguarding officer will ask you to provide personal information about the person you are concerned about, such as name and ID number.

Keep in mind that some allegations may lead to a criminal investigation, or a referral under the government's PREVENT strategy. Therefore you must not do anything that could endanger a police investigation (for example attempting to conduct your own investigation or using leading questions with anyone related to the situation).

The University may take action to manage the potential of future harm. Such action may involve restricting access to University premises. Whilst there is a limited right of appeal against such action (as set out below), the identity of the person to be safeguarded will remain confidential and will not be shared under any circumstances with anyone felt to be the cause of the risk of harm.

Identifying a concern

You may become aware of a worrying situation in a number of ways. For example a student may speak to you in person, a colleague may write an email to you, or you may see changes in a person that concern you. The following suggestions for actions to take may be adapted depending on how you become aware of a worrying situation:

Do:

- Remain calm;
- Offer a 'listening ear'. This means listening with an open mind;
- Offer reassurance that sharing the information is a positive step;
- Try to record as much information as you can, as accurately as you can. You will need this to pass on to a safeguarding officer;
- Make it clear that you have a duty to refer the concerns on to a safeguarding officer;
- Make notes. They need to be clear and (ideally) without interpretation.

Don't:

- Interrupt or stop any free-recall;
- Question, except to clarify anything you don't understand;
- Discuss the situation with anyone other than a safeguarding officer, your line manager/course director, or an authorised external agency (such as the Police);
- Make the person repeat the details about the situation to anyone else;
- Make promises to keep the information secret.

All concerns should be reported using the Reporting Safeguarding Concerns form (on SharePoint), unless it is not a safeguarding matter in which case it should be reported to your line manager or course director.

Reporting the concern

You should consult the Safeguarding Policy and this Reporting Process. If you are not sure if the concern you have is a safeguarding matter, [contact one of the Safeguarding Leads for informal advice](#).

If, having read the Safeguarding Policy, you feel it is a safeguarding concern and there is an immediate risk of harm to someone, you should contact Security on x6969 (0121 331 6969) and ask them to contact the Police.

If, having read the Safeguarding Policy, you feel it is a safeguarding concern but there is no immediate risk of harm to someone, you should complete the Reporting Safeguarding Concerns form (available from SharePoint). If you are unfamiliar with using SharePoint or do not have regular access to a computer, please speak to your line manager and ask them to raise your concerns for you. Once submitted, the Safeguarding Co-ordinator (or someone nominated to act on their behalf) will review the Reporting Safeguarding Concerns form and assign the matter to a Safeguarding Lead. Having read the submitted form, the Safeguarding Lead will speak to you in person. The purpose of the conversation is to allow the Safeguarding Lead to ask you questions which, based on their training, will assist in both defining the risk, and rating the risk.

Where there is a concern that a person may be at risk of radicalisation, this will be classified as a **PREVENT** concern. If there is an immediate risk of harm, Security must be contacted without delay on x6969 (0121 331 6969). If there is no immediate risk of harm, complete the Reporting Safeguarding Concerns form, indicating the type of harm as 'PREVENT-related'.

Once submitted, PREVENT risks are assigned to either a senior member of Mental Health and Wellbeing, or a senior member of Security who will speak to you in person. The purpose of the conversation is to allow the staff member to ask you questions which, based on their training, will assist in both determining if the risk is PREVENT related, and what action, if any, needs to be taken. The staff member may re-classify the concern if it is felt it is not a PREVENT matter. Such concerns return to the safeguarding assessment process as set out below. However, if it is felt to be a PREVENT matter, a case conference will be called.

Attendance at PREVENT case conferences are as follows:

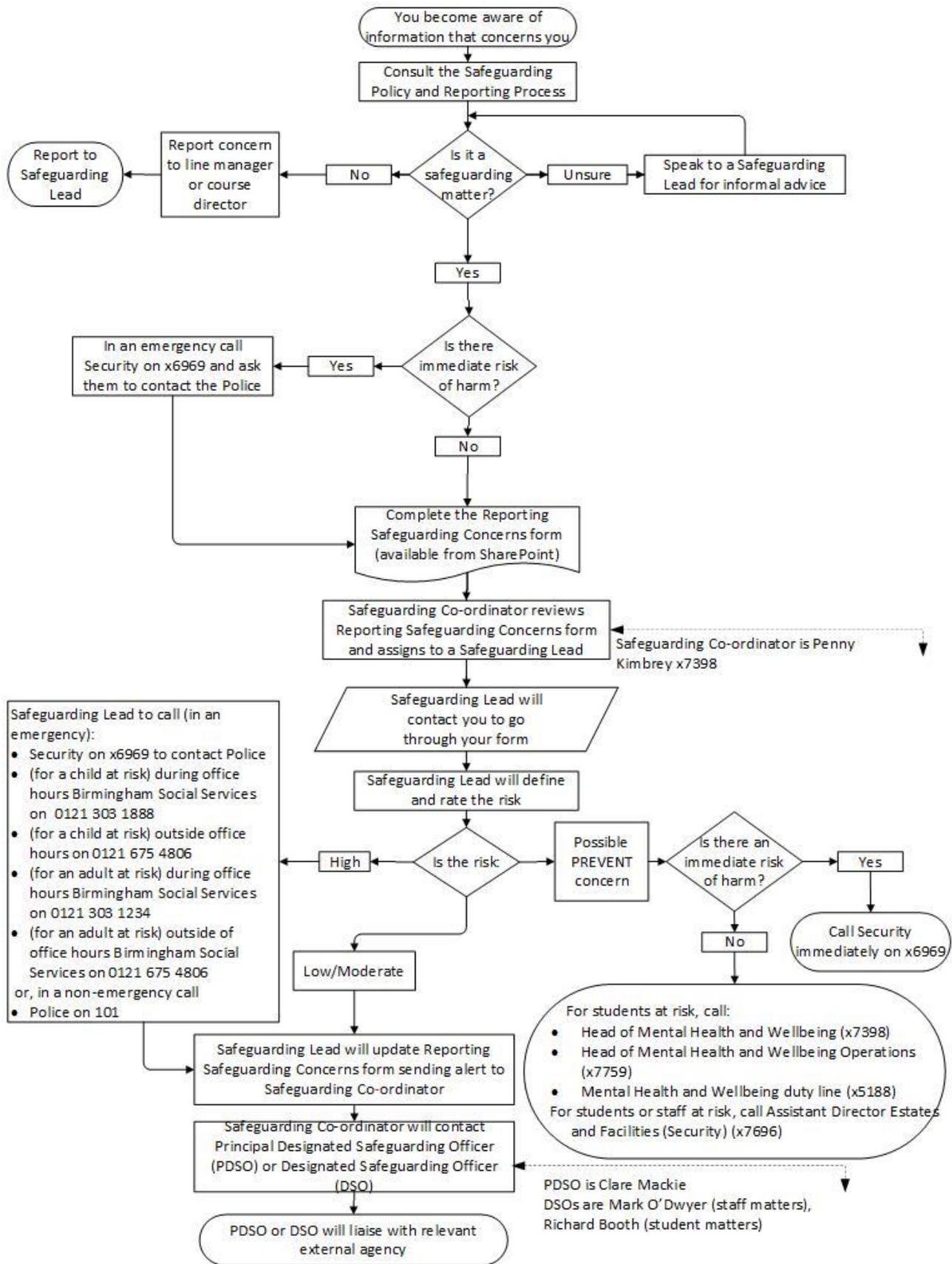
- Member of Vice Chancellor's Office (Chair) (Panellist)
- Assistant Director Student Governance, Mental Health and Wellbeing (or nominee) (Panellist)
- Director of Human Resources (or nominee) (Panellist)
- Assistant Director of Estates and Facilities (Security) (Panellist);
- Executive Dean of relevant faculty (or nominee) (if a student);
- Any other member of staff as identified by the Chair.

The case conference will consider all available and relevant evidence, and reach a decision based on a balance of probabilities. The case conference panel may decide any of the following:

- The case is not PREVENT-related. It may be referred to the safeguarding process for risk assessment;
- The case is not PREVENT-related and does not need to be referred to the safeguarding process;
- The case is PREVENT-related and should be referred to an external agency (for example, police, social services, and/or Channel).

The decision does not have to be unanimous, but in the event of a split decision, the Chair may take the final decision. Once made it becomes a University decision. As such, although one member of staff may be responsible for making a referral to an external agency, they do so on behalf of the University.

Flowchart of process



Risk assessment of the concern

It is usually not necessary to do a risk assessment where there is evidence that harm has been caused to a child or vulnerable adult. Where there is risk of harm to a child or vulnerable adult, or no clear evidence of harm having been caused, a risk assessment will be carried out. Risk assessments take place in two stages:

Stage one – defining risk

The Safeguarding Lead will define the risk using the following questions:

- 1) What kind of harm is it? (Physical, psychological, sexual, financial, neglect).
- 2) How serious is the harm or threat of harm? (Low, moderate, high)
- 3) Is a child or vulnerable adult at risk of harm/has a child or vulnerable adult been harmed?
- 4) Is there any suggestion that harm or threat of harm is likely to be repeated or get worse?
- 5) Is there any suggestion that the harm or threat of harm was intentional?
- 6) Has violence been threatened?
- 7) Has there been intimidation?
- 8) How long has the harm or threat of harm been going on?
- 9) What impact has the harm or threat of harm had on the child's or vulnerable adult's independence, health and wellbeing?

Stage two – rating risk

Having answered as many of the above questions in Stage one as possible, a rating of risk is determined.

A rating of '**high**' should be given to any harm or threat of harm that may cause loss of life, or major injury to physical or mental health; or where there is an increase in either frequency or severity of harm. A rating of 'High' should be given where there is evidence that harm has already been caused.

A rating of '**moderate**' should be given where no harm has been caused, or there is no clear evidence to rule out a risk as being 'low'. A rating of 'Moderate' should not be given where there is evidence that harm has been caused.

A rating of '**low**' is given where the risk of harm is unlikely to occur, for example due to lack of access or contact.

Until the harm or risk of harm has passed, both Stage one and Stage two can be revisited as often as necessary to ensure appropriate management of risk.

Escalating the concern

All cases, irrespective of rating, will be reported to the Principal Designated Safeguarding Officer and/or Designated Safeguarding Officers. This is to ensure that the Safeguarding Policy and Reporting Process are effective and fit for practice, and to inform future revisions of either.

High rated risks must be reported immediately by the Safeguarding Lead by phoning:

- In an emergency:
 - Security on x6969 to contact Police
 - (if a child at risk) during office hours Birmingham Social Services on 0121 303 1888
 - (if a child at risk) outside office hours Birmingham Social Services on 0121 675 4806
 - (if an adult at risk) during office hours Birmingham Social Services on 0121 303 1234
 - (if an adult at risk) outside office hours Birmingham Social Services on 0121 675 4806
- In a non-emergency call the Police on 101.

Once the concern has been reported, the Safeguarding Lead must complete the Reporting Safeguarding Concerns form to alert the Safeguarding Coordinator of action taken.

Moderate rated risks may be addressed through the University using the support services available. However, as necessary, moderate-rated risks may be referred on a non-emergency basis to the Police, Social Services, or other external agency.

Low rated risks do not usually result in a referral to an external agency. This is because the safeguarding concerns have been addressed or no further action is being taken.

Managing risks, taking action

Regardless of the risk rating, there is likely to be some action the University may want to take to help manage any future risk. Where a risk assessment has been carried out, the Safeguarding Coordinator will work with a Safeguarding Lead to determine if there has been any change to the risks posed, updating the risk assessment as relevant. Once the Safeguarding Coordinator is satisfied the risk assessment is current, they will pass it to a Designated Safeguarding Officer to determine what action (if any) should be taken. Where the person at risk is a member of staff, the risk assessment will be passed to Mark O'Dwyer: for students at risk, the risk assessment will be passed to Richard Booth.

The Designated Safeguarding Officer will consider the risk assessment and determine what action should be taken to manage the risks posed. This consideration may include any relevant factor such as:

- The usual work/study location of the person at risk, including any lone or late working;
- The remaining period of enrolment (for any student involved);
- What access permissions the person causing the risk has;
- Whether the person causing the risk and the person to be safeguarded are likely to come into contact as a result of University or Students' Union activity;
- Whether the person to be safeguarded has a fear of future harm.

The Designated Safeguarding Officer will prepare a case summary of their consideration and make any recommendations for action as necessary. Such action may include restricting access to University premises with immediate effect. The recommendations must be proportionate and with supporting justification. For example, if recommending that a

person be denied access to University premises, the justification must clearly indicate which buildings, the reasons why, and for how long.

The case summary and recommendations are submitted to the Principal Designated Safeguarding Officer (Clare Mackie) for review and decision. The decision will be communicated to relevant individuals:

- The person to be safeguarded;
- The associate dean or line manager of the person to be safeguarded;
- Security;
- Accommodation;
- Safeguarding Coordinator;
- Referring Designated Safeguarding Officer.

Right of appeal

Any person who has action taken against them in the interests of safeguarding a child or vulnerable adult will have a limited right of appeal. Appeals must be made in writing to the Principal Designated Safeguarding Officer within 15 working days of receiving her decision.

Appeals can only be made if there is evidence demonstrating that:

- There has been a mistake as to identity. For example, if the University restricts a person's access, but that person can demonstrate the wrong person has been identified as a source of risk;
And/or
- The action being taken to manage the risk is unreasonable or disproportionate. For example, if access is restricted for an unlimited period of time without justification.

Once received, the appeal will be passed for review to the Designated Safeguarding Officer not involved in the preparation of the case summary. The review of the appeal will be concluded within 10 working days.

Learning lessons

The University will keep under review the effectiveness of the Safeguarding Policy and this Reporting Process through:

- Regular meetings of the Safeguarding Officers to review the handling of cases;
- Regular anonymised reports to the University Executive Group of cases considered and referrals made.