

# Safeguarding

## - a quick guide for action

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### What to do if:

- you are the victim of abuse
- you see something you think could be abuse of a child or vulnerable adult
- you suspect that abuse of a child or vulnerable adult has occurred, or may do.

### At UCB

Contact Drew Linforth, Single Point of Contact on 0121 243 0034

### At Placement

*FOLLOW THE PLACEMENT PROCEDURE FOR SAFEGUARDING.* Contact the person at the placement responsible for safeguarding. If he or she is not available, **INSIST** on speaking to the most senior person on site. If all else fails: call 999 and report the incident, then contact your Placement Tutor.

### Remember:

**ALWAYS ...** report as soon as you have a concern;

**ALWAYS ...** make clear notes of anything that happened/was said to you;

**NEVER.....** offer promises of complete confidentiality - you **MUST** report abuse if it has been disclosed to you;

**NEVER .....** investigate with, or without, others;

**NEVER .....** take photographs of marks;

**NEVER .....** ask a child/person to remove any clothing. Be aware of your own vulnerability in this and minimise risk to yourself whilst supporting the child/person.



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# University College Birmingham

## Safeguarding Policy and Procedures 2013/14



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## 1 Introduction and Definitions

1.1 This Policy and the accompanying procedures were approved in October 2013.

1.2 Definitions:

*The Children Act 2004 defines a **child** as a person under the age of 18 years; or a person aged 18, 19 or 20 who—*

*a) has been looked after by a local authority at any time after attaining the age of 16; or*

*b) has a learning disability.*

UCB recognises that there are other defined vulnerable groups (such as adults or those with disabilities) which UCB's staff/students may come into contact with. They will here on be defined as 'vulnerable people' or 'person'.

1.3 It is important that children and vulnerable people are protected from abuse. All complaints, allegations or suspicions must be taken seriously. Staff should strive to create an atmosphere in which all students feel free to discuss any concerns they may have.

1.4 The procedures in this document must be followed whenever an allegation is made that a child or vulnerable person has been abused, or when there is a suspicion that a child or vulnerable person has been abused, or is likely to be abused. The University has a duty to act if there is cause for concern and to notify the appropriate agencies so that they can investigate and take any necessary action.

1.5 Offers of complete confidentiality should never be made since the matter may develop in such a way that they cannot be honoured. Information should be shared on a 'need to know' basis only.

1.6 Although a full investigation should NOT be carried out unless authorised by the Single Point of Contact, a written notification record must be made, as soon as possible, of the nature of the allegation and any other relevant information which may include:

- The name of the person compiling the report and the names of others present/discussed with
- The date and time of compiling the report
- The date, time and place of the alleged abuse
- The name of the complainant and, where different, the name of the child or vulnerable person who allegedly has been abused or is at risk of abuse
- The nature of the alleged abuse
- A description of any injuries observed which are in plain view

- The account which has been given of the allegation

- 1.7 Allegations about abuse of a child or vulnerable person may be difficult to communicate, and particular care should be taken in cases involving children or adults with specific needs and/or learning difficulty.
- 1.8 Where an adult is reporting abuse suffered as a child, the matter should be reported in accordance with the procedures in this document.

## **2 UCB Safeguarding Policy**

### *Aim*

- 2.1 Whilst the prime focus of UCB is to secure the best educational provision for its users, we recognise that the safety, welfare and care of children and vulnerable people is paramount. We are therefore committed to the highest standards at all times in protecting and safeguarding the children and vulnerable people with whom we come into contact.
- 2.2 We will ensure that arrangements are in place for:
  - a) all reasonable measures to be taken to minimise the risks of harm to the welfare of children and vulnerable people;
  - b) all appropriate actions to be taken to address concerns about the welfare of children or vulnerable people, working to agreed policies and procedures in full partnership with other agencies, as appropriate;
  - c) all persons working at UCB to be made aware of this policy.
- 2.3 We recognise that some children and/or vulnerable people may be the victims of neglect, physical, sexual or emotional abuse. UCB staff will often, by virtue of their day to day contact, be well placed to identify such abuse and UCB will provide support to help them deal with needs that arise from such abuse.
- 2.4 UCB aims to:
  - a) Create an atmosphere where all of its students can feel secure, valued and listened to;
  - b) Uphold the highest standards of child/vulnerable person protection both for its own students and for other children and members of the community with which they have contact through placement, etc.;
  - c) Assist staff and students to recognise signs and symptoms of abuse and to respond quickly and effectively to cases of suspected abuse;
  - d) Monitor and support students who are at risk, and those who report such abuse;

- e) Use the curriculum to raise awareness, build confidence and skills;
  - f) Work closely with placement organisations, support external agencies and parents/students as necessary.
- 2.5 UCB will foster an ethos of support for all children/vulnerable people by:
- a) Encouraging self-esteem and appropriate self-assertiveness whilst not condoning aggression or bullying;
  - b) Promoting a caring, safe and positive environment - including briefing those students who may come into contact with children and vulnerable people on their responsibilities;
  - c) Liaising and working together with all other support services and those agencies involved in the safeguarding of children and vulnerable people;
  - d) Notifying Social Care Services and others via the approved mechanisms as soon as there is a significant concern by the Single Point of Contact (see 4.5);
  - e) Providing continuing support to members of the UCB community who are involved in disclosures or allegations of abuse.

#### *Designated Personnel*

- 2.6 a) A Single Point of Contact for staff and students will be identified.
- b) In addition, there will be a senior member of staff with responsibility for Safeguarding.

#### *The Role of Staff and Students in UCB*

- 2.7 All staff and students have a duty to safeguard children and vulnerable people and therefore to report any concerns they have in a timely and appropriate manner. The correct procedure to follow is outlined in section 4 of this document. It should be noted that **NEITHER STUDENTS NOR STAFF SHOULD INVESTIGATE** any concerns or allegations that arise. Instead, they must report these to the appropriate authority:

<b><u>Concerns or allegations about</u></b>	<b><u>Dealt with by</u></b>
<b>UCB Students-</b>	UCB Single Point of Contact for Safeguarding
<b>UCB Staff-</b>	UCB Single Point of Contact for Safeguarding
<b>Children or vulnerable- people in a placement</b>	Adhering, wherever possible, to the placement organisation's Safeguarding, Child Protection or other Policy as relevant.

- 2.8 UCB recognises that all matters relating to Safeguarding are confidential. The UCB Single Point of Contact for Safeguarding will disclose any information about a student to other members of staff on a need to know basis only.

### *Supporting Students*

- 2.9 We will ensure that all students who are likely to come into contact with children or vulnerable people (through, for example, placements) receive a clear briefing on their responsibilities and how to act if they witness abuse, or have an act of abuse disclosed to them.
- 2.10 UCB recognises that involvement in a Safeguarding incident may be stressful and upsetting to students. Support will be provided to the students (within the bounds of confidentiality required by the situation and any legal proceedings) by the Placement Team, the UCB Single Point of Contact for Safeguarding and the University Counsellor.

### *Supporting Staff*

- 2.11 We recognise that staff who have become involved with a Safeguarding incident may find the situation stressful and upsetting.
- 2.12 We will support such staff by providing an opportunity to talk through their anxieties with the designated senior member of staff with responsibility for Safeguarding and to seek further support as appropriate.
- 2.13 All staff are able to access confidential support and counselling, either through the UCB University Counsellor (free), or the UCB Healthcare Scheme organised by Aviva (free if a member of staff is a member of the scheme).

### *Single Point of Contact for Safeguarding*

- 2.14 There will be a single point of contact for all Safeguarding at UCB. This person will be responsible for:
- Adhering to the relevant procedures with regard to referring a child/vulnerable person if there are concerns about possible abuse;
  - Keeping written records of all concerns about a child/vulnerable person even if there appears to be no need to make an immediate referral;
  - Ensuring that all such records are kept confidentially and securely and are separate from child records;
  - Liaison and joint working with Social Care Services, and other relevant agencies.

### *Governing Body*

- 2.15 The Chancellor of the University Corporation is the member of the Governing Body with specific oversight of the practice of this policy and procedures. A report will be made to the Chancellor of any issues concerning staff or students, and action taken in their regard.
- 2.16 The Chair of the Student Services and Standards Committee of the University Corporation is the reserve member of the Governing Body for oversight of the

practice of this policy and procedures and in the absence of the Chancellor of the University Corporation will receive a report on any issues concerning staff or students, and action taken in their regard.

- 2.17 A report will be made each year to the Student Services and Standards Committee on the progress and suitability of Safeguarding practice at UCB.
- 2.18 The two Corporation members with oversight of Safeguarding will be appropriately trained and supported in their role.

### *Parents and Carers*

- 2.19 Parents and carers are recognised as having a legitimate interest in the safety and welfare of students and the children/vulnerable people that may be in their charge. Any parent or carer requesting it will be provided with this policy and associated procedures.
- 2.20 In certain circumstances there may be a need to contact other agencies without first notifying parents or carers. This decision will be made in partnership between UCB and Social Care Services. This is a legal obligation and not a personal decision.

### *Teaching and Learning*

- 2.21 The curriculum will be used, as appropriate, to raise awareness of Safeguarding issues and to build students' confidence so that they have a range of strategies to support their own protection and understanding of protecting others.
- 2.22 UCB will promote child/vulnerable people support services through the provision of contact information to students and staff.

### *Links to other Policies*

- 2.23 The following policies are particularly linked to this policy:
- Equal Opportunities Policy and Procedures (including Supplement 1: Equal Opportunities Code of Practice - Grievance associated with discrimination, harassment, bullying and victimisation);
  - Professional Development Policy;
  - Fitness to Practise Policies;
  - Recruitment and Selection Policy;
  - Contractors and Safeguarding Policy

### 3 Responsibilities and Contacts

#### *The Single Point of Contact for Safeguarding issues*

- 3.1 Drew Linforth, Student Services Manager, is the Single Point of Contact in UCB for all Safeguarding issues. He is the *nominated member of staff* with management responsibility for child protection and also the *designated officer* for adult protection. He can be contacted by ringing internal extension 2234 (0121 232 4034 from outside the University).
- 3.2 In the absence of Drew Linforth:
- a) Michael Harkin, Deputy Vice-Chancellor (Corporate Services), is also trained in Safeguarding and can commence any action necessary- contacted by the same number above.
- b) Ray Linforth, the Vice-Chancellor & Principal, is also trained in Safeguarding and can commence any action necessary- contacted by the same number above.
- 3.3 In the absence of Drew Linforth, Michael Harkin AND Ray Linforth, any serious concerns on Safeguarding (especially where a student, member of staff or other person is potentially at risk of abuse) must be reported to the appropriate authorities (see 4.3 to 4.8 below).
- 3.4 The Single Point of Contact for Safeguarding has access to the procedures issued by the Birmingham Safeguarding Children Board and to the multi-agency guidelines regarding the protection of vulnerable people. If the Safeguarding matter is one that a student or member of staff would find difficult to discuss solely with the Single Point of Contact, appropriate measures will be taken to ensure that a chaperone of suitable nature (e.g. gender, religion) will be in attendance.

### 4 Procedures for Responding to an Allegation

#### *If a Child/Person Wishes to Disclose Something About an Allegation of Abuse:*

- 4.1 It is important to create the opportunity and environment for students, staff or those in their charge to be able to talk about their concerns
- 4.2 On being the witness of an act of suspected abuse, or being the person to whom such an act is disclosed/reported:

#### **Always:**

- Report **as soon as you have a concern**;
- Record information verbatim using the actual words of the child/person and noting any questions he or she raises;
- Note dates, times, who was present, positions in the room, anything factual about the child/person's appearance;



- Pass these notes to the UCB Single Point of Contact for Safeguarding, or person responsible for Safeguarding at a placement organisation, as appropriate;
- If possible use a silent witness.

**Never:**

- Offer promises of complete confidentiality - you **MUST** report abuse if it has been disclosed to you;
- Ask leading questions;
- Ask the child/person to write down their account;
- Investigate with, or without, others;
- Take photographs of marks;
- Attempt any medical judgement;
- Arrange a medical examination;
- Tape/video record an interview;
- Ask a child/person to remove any clothing. Staff should always be aware of their own vulnerability at this point and should take steps to minimise risk to themselves whilst supporting the child/person.

*Reporting an Instance of Abuse*

- 4.3 **Any** suspicion, allegation or incident of abuse must be reported to the Single Point of Contact for Safeguarding **as soon as possible** or, if at a placement organisation, reported to the person responsible at the placement.
- 4.4 If the Single Point of Contact for Safeguarding cannot be contacted within 2 hours of the initial concern arising, the person who has information about suspected abuse must report the matter to the police and/or appropriate local Social Services Department Duty Social Worker and/or appropriate Adult and Communities' Directorate immediately, but normally after consultation with a line manager. Para 4.10 below provides contact numbers. The nominated member of staff should be notified as soon as possible thereafter of the action taken.
- 4.5 The Single Point of Contact for Safeguarding will judge whether the matter should be reported to the police and/or appropriate local Social Services department and/or appropriate Adult and Communities Directorate. The presumption is that the matter will be reported, unless there is good reason not to. If not reported, the reasons for this will be recorded and lodged in the Safeguarding file.

- 4.6 If the Single Point of Contact for Safeguarding judges that the matter should be reported he will telephone and report the matter to the police and/or appropriate local Social Services Department Duty Social Worker and/or the appropriate Adult and Communities Directorate. A written record of the date and time of the report should be made, and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the police and/or local authority Social Services Department and/or Adult and Communities Directorate within 24 hours.
- 4.7 The Single Point of Contact for Safeguarding will discuss with the police or Social Services Department what action will be taken to inform the parents/guardians of the child or vulnerable person: a note of that conversation should be made.
- 4.8 Whilst it is the Single Point of Contact for Safeguarding's responsibility to decide if the matter should be reported by UCB, the person reporting the allegation may, if they are not satisfied with the speed or decision of the Single Point of Contact for Safeguarding, themselves make a report to the appropriate authorities, whilst at the same time informing the Single Point of Contact.

#### *Allegations about Members of UCB Staff*

- 4.9 For the purposes of this policy, 'members of staff' shall be defined as all of those employed by UCB on a part-time or full-time basis in any role, contractors on official business in the University, and official visitors to the University.
- 4.10 On being notified of any Safeguarding matter involving a member of staff, the Single Point of Contact for Safeguarding will:
- Notify the Vice-Chancellor;
  - Take such steps as considered necessary to ensure the safety of the child or vulnerable adult in question and any other child or vulnerable person who might be at risk;
  - Report the matter to the police or appropriate local Social Services department. If the matter relates to a child, it is likely that any such incident will need to be reported to the Principal Officer or Referrals and Advice Officer, Position of Trust Team, Birmingham Safeguarding Children Board on 0121 303 8454. If the matter relates to a vulnerable person and aged 18+, it is likely that any such incident will need to be reported to the Adult and Communities Local office in Aston on 0121 303 4003 (over 65's) or in Yardley (0121 303 2202) (learning disabilities). The out of office hours contact line for the Emergency Contact Team of Adult and Communities is 0121 675 4806.

- Ensure that a written report (see 4.2 above) is made by the person who originally raised the concern.
- 4.11 If the Single Point of Contact for Safeguarding is the subject of the allegation or complaint, the matter must be reported to the University Secretary.
- 4.12 If a complaint has been made against the Vice-Chancellor, the Single Point of Contact for Safeguarding should inform the University Secretary and follow the normal procedure (except the initial notification).
- 4.13 The Single Point of Contact for Safeguarding will decide if it is appropriate to instigate disciplinary proceedings in light of the full circumstances of the incident, including the involvement/likely involvement of the police or appropriate local Social Services department. If it is deemed appropriate to commence these proceedings, the University's standard disciplinary procedures will be used, which may lead eventually (should the conclusion of the procedures be a disciplinary sanction) to a report to the Disclosure and Barring Service.

*When a Student on Placement or a Member of University Staff Visiting a Placement Suspects, or Receives an Allegation of Abuse:*

- 4.14 If the matter relates to an act observed by a student or Placement Tutor in a placement, or is the result of a child or adult in the placement disclosing an allegation of abuse, the student or Placement Tutor must immediately comply with the Safeguarding Policy (or similar relevant document) of the placement organisation. Following notification of the matter to the appropriate person at the placement, students should report the matter immediately to their placement tutor. If it is a member of staff who has observed an act, or was party to a disclosure, they should then contact the Single Point of Contact for Safeguarding. The Single Point of Contact for Safeguarding will decide if any further action is required. If the allegation relates to a serious matter the Single Point of Contact for Safeguarding will inform the relevant authorities immediately, regardless of any action taken by the placement.
- 4.15 The Placement Tutor or Placement Office will contact the Single Point of Contact for Safeguarding and together they will decide if the student should remain at placement or be removed, taking advice on the placement setting from those with responsibility for co-ordination of placements, if necessary. If the student, or a child or vulnerable person in their care, is likely to be in any danger the presumption is that the student will be removed immediately.
- 4.16 The Single Point of Contact for Safeguarding will take into consideration all the available information and will decide on the relevant course of action. This may include referral to the appropriate authorities.
- 4.17 The Single Point of Contact for Safeguarding will inform the Assistant Dean responsible for the student's programme who should ensure that the placement database carries a note that a matter of concern is currently pending at the placement, to ensure that no further students are placed there until the matter has been resolved. No details of the student or nature of the

incident may be recorded on this database. Consideration should be given to withdrawal of all other UCB students at the placement, where appropriate.

### *Written Records*

4.18 The Single Point of Contact for Safeguarding should retain a copy of:

- the report;
- any notes, memoranda or correspondence dealing with the matter;
- any other relevant material.

4.19 Copies of reports, notes etc. should be kept locked in a secure place at all times.

## **5 Disclosure and Barring Service Procedures (DBS)**

### **Student DBS Disclosure Procedures**

#### *Purpose*

5.1 UCB will adhere to the processes and systems relating to the completion of the enhanced disclosure as set out by the DBS.

5.2 A number of UCB programmes require students to come into contact with children and/or vulnerable people. These groups are potentially vulnerable to exploitation and all places on courses that require students to work with children and/or vulnerable adults are therefore provided on condition that enhanced DBS<sup>1</sup> checks are conducted on applicants or students and on condition that those checks disclose no convictions or other information that indicate to UCB that the subject of the check is unsuitable to work with children and/or vulnerable people.

5.3 Other courses, such as Sports Therapy, require students to undergo placement experience, which frequently includes working with children and/or vulnerable people, but placements with such groups are not mandatory. Applicants or students will be required to undergo enhanced DBS checks to enable UCB to determine whether they are suitable to work with children and/or vulnerable people and if they are not suitable, to determine what alternative placement, if any, may be appropriate.

5.4 On some programmes, the DBS enhanced disclosure is part of Fitness to Practise requirements for students and will be used as part of the assessment of eligibility for a place on the course, or for the purposes of assessing progression on the course or for an assessment as to a student's fitness to practise in the particular profession.

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<sup>1</sup> An enhanced DBS check is required where a person regularly cares for, trains, supervises or is in sole charge of children or vulnerable people.

- 5.5 Where a disclosure request results in relevant convictions and relevant non - conviction information coming to light which raises some questions about the suitability of placing a student in a setting with children and/or vulnerable people, action needs to be taken appropriate to the case. This procedure lays out the process for that action.

#### *Programmes Requiring DBS Checks*

- 5.6 Those programmes for which students are required to complete enhanced DBS checks will be approved by, and recorded in the minutes of, the Academic Board's Academic Regulations Sub-Committee. Lists of such courses are available from the University Registry. Students on relevant UCB FE and HE programmes will not be required to undergo an enhanced DBS check every year but will be required to sign a declaration annually (annex 1) in its place. UCB students progressing from an FE programme to an HE programme will be required to undergo a new enhanced DBS check, unless they are registered with the DBS Update Service. Entrants from other institutions will be required to undergo a new enhanced DBS check unless they are registered with the DBS Update Service. Part-time FE students progressing from one level to another **WHILST REMAINING WITH THE SAME EMPLOYER** will not need to submit to a new DBS disclosure.

#### *Student Awareness of the Need for the Enhanced Disclosure.*

- 5.7 Students on programmes which require the completion of the enhanced DBS check will be informed during the recruitment process of this requirement. It is important to note that notwithstanding when the DBS checks have been submitted all offers of a place on programmes requiring enhanced disclosures will be made conditional on the student undergoing an enhanced DBS check which reveals no information from which UCB could conclude that the individual is unsuitable to work with children and/or vulnerable people. This means that if the results of the DBS check lead to such a conclusion, the student will not be permitted to take up the place on the course, or where the check is conducted and/or returned after the beginning of the academic year has begun, will not be permitted to continue on the course. In such circumstances the Dean or his/her nominee will inform the student of the decision.
- 5.8 Ideally where working with children and/or vulnerable people is a requirement of the programme, DBS checks are submitted prior to a student accepting an offer of a place. Students will not however be permitted to take up a placement in which they have full responsibility for children or vulnerable people until UCB has seen the relevant certificate from the DBS. Since many DBS checks take some time to complete, a student may be permitted to undertake a modified form of placement in which they are supervised at all times, but only with the approval of the employer who will have been made aware of the lack of return of a DBS certificate.
- 5.9 At induction students will be reminded of the requirement for DBS disclosures, and informed of UCB's commitment to data protection.

### *Completion of the Enhanced Disclosure Form*

- 5.10 Students on programmes requiring the completion of an enhanced DBS check will complete the relevant form before or during the induction process and pay the appropriate administration fee, currently £44 (2013). Staff will explain the forms, where necessary and complete a validation check before forwarding the completed forms to the Personnel Unit for processing. At all times, the security of the student forms will be of the highest importance.
- 5.11 If a student does not complete the disclosure form, it will not be possible for them to continue on any course where placements with children and/or vulnerable people are a mandatory requirement. Even where this is not mandatory, they may make themselves ineligible for the award they had intended to achieve because of failure to satisfy the requirements of a professional body.

### *Processing of the Forms*

- 5.12 The completed forms will be checked by an authorised Registered Person at UCB and, if satisfactorily completed, signed by them;
- 5.13 Signed forms will be posted to the DBS using the postbox address only;
- 5.14 The DBS responds to the forms by sending a certificate to the student. . The student must then show the certificate to the relevant Dean of School or his/her nominee.

### *An ‘Empty’ Certificate*

- 5.15 If a DBS certificate does not report any matters for consideration, a record is made of the number of the DBS certificate on a database which is available to Placement Officers so that they can see that the student is available for placement. No further action is taken (see security, below).

### *A Certificate with a Comment*

- 5.16 Any DBS certificate containing comments will be considered by the Dean, taking advice where necessary from a member of the Executive Management Team. Should the comment relate to a matter which clearly does not raise doubt about the suitability of the student to work with in settings with children or vulnerable people (e.g. a minor traffic violation) the Dean may decide to treat the notice as ‘empty’ (see above).
- 5.17 If the certificate reveals information of a very serious nature which clearly shows that the applicant/student may be a danger to children or vulnerable adults the matter will be referred immediately to Gary Wood, Deputy Vice-Chancellor (Academic Affairs) for consideration under the relevant University’s Fitness to Practise policy.

5.18 In all other cases, the following procedure will apply:

- The Dean will write (email) to the student requesting that they attend an interview regarding the information disclosed. The letter will remind students that they may bring a supporter to the meeting; for instance a parent or friend;
- At the meeting, the Dean will refer to the certificate provided by the DBS to the student, and will discuss with them the information disclosed. A record of the meeting will be made by the Dean, a copy of which will be provided to the student who will be asked to sign a statement that they were provided with a copy;
- Factors which the Dean may take into account in reaching a conclusion from the meeting are, for example:
  - the relevance of the conviction or other information revealed to the placement activity;
  - the seriousness of the conviction or other matter revealed;
  - the length of time since the offence or other matter occurred;
  - whether there is a pattern of offending behaviour or other relevant matters;
  - the circumstances surrounding the offending behaviour or other matters reported and the explanation offered by the student
  - the requirements of the placement provider - this is very important as providers may have strict requirements with regard to eligibility of placement students and may ultimately determine the availability of placements;
- On the basis of the information on the certificate and the outcome of the interview, the Dean will decide if the student may be:
  - Offered a placement without further investigation or action because in the opinion of Dean the information does not indicate that the student is unsuitable to work with children and/or vulnerable people;
  - Offered a placement subject to placement providers being informed of the nature of the disclosure and subject to the placement provider's willingness to provide the placement to the student in view of the DBS certificate;
  - Refused a placement because the Dean concludes that the student is unsuitable to work with children and/or vulnerable people. In cases where placements with children and/or vulnerable people are a mandatory requirement of the course, the student will not be permitted to remain on the course because he/she will not have fulfilled the condition of admission as set out above i.e. that DBS checks are conducted and certificates reveal no information from which UCB could conclude that he/she is unsuitable to work with children and/or vulnerable people.

- If the Dean decides that placement providers should be informed, the student will be required to give their consent to this (see below, if the student does not consent), and it shall be the student's responsibility to inform the senior manager at the placement of the full circumstances and nature of the information in the DBS certificate. The student will not commence a period of work placement until the placement provider has contacted the Dean to confirm that they are happy to allow the student to be placed at their site. The Dean will ensure, that the precise nature of the information on the certificate has been revealed by the student. The student must inform the Dean if the provider is not happy to host their placement.
- If a student does not give their consent to the placement provider being informed, it may be impossible for them to satisfy assessment or other requirements, making them ineligible for the award they had intended to achieve. In such cases, they may be required to withdraw from the programme.
- A record will be made on the database that the student has been DBS checked by recording the number of their DBS certificate. Notes of any meetings will be held in a locked filing cabinet, but this must not be with their personal file. Access to this information will be restricted - see section on Security.
- If, in light of information coming to notice through an enhanced DBS check, the Dean needs advice on the suitability of a particular student for a programme, they will discuss the disclosed information with Gary Wood, Deputy Vice-Chancellor (Academic Affairs). Further reference to an external specialist advisor is also possible where necessary, and insofar as is reasonably possible, the identity of the student will not be disclosed to the external advisor.

### *Security*

- 5.19 At all times, the security of the personal data involved in this procedure will be ensured.
- 5.20 Information reported in the certificate will not be passed to any other person except a) to persons at the placement provider who are authorised to receive it in the course of their duties (where agreed with the student or where in the absence of the student's consent, UCB believes that failure to pass on the information may put children or vulnerable people at risk), b) to an authorised relevant Senior Manager of UCB (and only to members of staff who can assist in the decision making process with regard to placements or where the information disclosed suggests that there may be a risk to children or vulnerable people within UCB). Copies of DBS certificates must not be made.
- 5.21 DBS certificates will only be processed by UCB for the purposes set out in this policy.



### *Replacement Forms*

- 5.22 The student is required to pay for the initial DBS check and if mislaid any subsequent replacements.

## **Staff DBS Disclosure Procedure**

### *Recruitment*

- 5.23 UCB has in place recruitment procedures which will ensure that every care is taken to protect children and vulnerable people.
- 5.24 The recruitment procedures will include the following:
- Satisfactory references (all offerees)
  - Satisfactory Enhanced Disclosure and Barring Service (DBS) Checks (eligible roles only)
  - Satisfactory checks of the Children's and/or Vulnerable Adults Barred Lists (eligible roles only)
  - Satisfactory UK Residency/Right to work in UK (all offerees)

### *Applicants and the Awareness of the Need for Enhanced Disclosure*

- 5.25 Applicants will be informed during the application process if they would be required to complete an enhanced DBS check. The roles which are eligible for an enhanced DBS check will be listed and recorded in the minutes of, The Academic Board's Professional Development Committee. Lists of eligible roles are available from the Personnel Unit. Any offer of employment will be conditional on the applicant undergoing an enhanced DBS check which reveals no information from which UCB could conclude that the individual is unsuitable to work with children and/or vulnerable adults. This means that if the results of the DBS check lead to such a conclusion, the offer of employment would be withdrawn.

### *Completion of the Enhanced Disclosure Form*

- 5.26 Following the conditional offer of employment, the applicant, where appropriate will be sent the DBS application form to complete.
- 5.27 The completed application form is returned to the Personnel Unit, where a validation check will be carried out. The form will be passed to a Registered Person for processing normally within 2 working days.

### *Renewing DBS Checks for Existing Staff*

- 5.28 All members of staff in eligible roles will be asked to repeat the DBS application process at a period to be decided by the Professional Development Committee. This process will be managed through the Personnel Unit.

### *Processing of the Forms - Applicants and Existing Staff*

- 5.29 The completed forms will be checked by an authorised Registered Person and, if satisfactorily completed, signed by them.
- 5.30 Signed forms will be posted to the DBS using the post box address only.
- 5.31 The DBS responds to the forms by sending an enhanced certificate to the applicant/member of staff only. The applicant/member of staff should then show the Personnel Unit the certificate to enable the appropriate information to be recorded.

### *An “Empty” Certificate*

- 5.32 If a certificate does not report any matters for consideration, a record is made of the disclosure number and the date of the notice on the staff central record which is available to all Personnel Unit staff. No further action is taken (see security, below).

### *A Certificate with a Comment*

- 5.33 Any DBS certificate containing comments will be considered by the Deputy Vice-Chancellor (Corporate Services)<sup>2</sup>. Should the comment relate to a matter which clearly does not raise doubt about the suitability of the applicant to work with children and/or vulnerable people (e.g. a minor traffic violation) the Deputy Vice-Chancellor (Corporate Services) may decide to treat the notice as empty.
- 5.34 If the certificate reveals information deemed to be of a very serious nature which clearly shows the applicant/member of staff may be a danger to children or vulnerable people the following courses of action will apply:

### *Job Applicants*

- The offer of employment with UCB would be withdrawn. The applicant would have the right of appeal against this decision. The appeal must be made in writing to the University Secretary within 10 working days of being informed of the decision, stating the reasons for the appeal.

### *Current Staff*

- The matter will be considered under the Disciplinary Procedure. During the investigation the member of staff concerned would be withdrawn from regulated activity, as appropriate.

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<sup>2</sup> Wherever reference is made to the Deputy Vice-Chancellor (Corporate Services) it shall be read as “Deputy Vice-Chancellor (Corporate Services) or his/her nominee”.

5.35 In all other cases, the following procedure will apply:

- The Deputy Vice-Chancellor (Corporate Services) will write to the applicant/member of staff requesting that they attend an interview regarding the information disclosed.. The letter will remind the applicant/member of staff that they may bring a representative to the meeting; for instance a work colleague or trade union representative.
- At the meeting, the Deputy Vice-Chancellor (Corporate Services) will refer to the applicant/member of staff's copy of the certificate provided by the DBS, and will discuss with them the information disclosed. Minutes of the meeting will be made and copies will be made available to all parties concerned.
- Factors which the Deputy Vice-Chancellor (Corporate Services) may take into account in reaching a conclusion from the meeting are, for example:
  - the relevance of the conviction or other information revealed to the post;
  - the seriousness of the conviction or other matter revealed;
  - the length of time since the offence or other matter occurred;
  - whether there is a pattern of offending behaviour or other relevant matters;
  - the circumstances surrounding the offending behaviour or other matters reported and the explanation offered by the applicant/member of staff.
- On the basis of the information on the notice and the outcome of the interview, the Deputy Vice-Chancellor (Corporate Services) will decide on one of the following courses of action:

*Job Applicants*

- continue with the offer of employment, and associated checks, without further investigation or action because in the opinion of the Deputy Vice-Chancellor (Corporate Services), the information does not indicate that the applicant is unsuitable to work with children and/or vulnerable people;
- withdraw the offer of employment because in the opinion of the Deputy Vice-Chancellor (Corporate Services) the information indicates that the applicant is unsuitable to work with children and/or vulnerable people. The applicant would have the right of appeal against this decision. The appeal must be made in writing to the University Secretary within 10 working days of being informed of the decision, stating the reasons for the appeal.

### *Current Staff*

- continue with the employment, without further investigation or action because in the opinion of the Deputy Vice-Chancellor (Corporate Services), the information does not indicate that the member of staff is unsuitable to work with children and/or vulnerable people;
- if the information indicates that the member of staff is unsuitable to work with children and/or vulnerable people, the matter will then be considered under the Disciplinary Procedure. During the investigation the member of staff concerned would be withdrawn from regulated activity, as appropriate.

5.36 The notes of any meetings will be held in a locked filing cabinet, but not on the personal file. Access to this information will be restricted – see section on Security.

5.37 The Deputy Vice-Chancellor (Corporate Services) may need further advice on the suitability of a particular applicant/member of staff. This advice may be sought from internal or external specialists, and insofar as is reasonably possible, the identity of the applicant/member of staff will not be disclosed.

### *Security*

5.38 At all times, the security of the personal data involved in this procedure will be ensured.

5.39 Information reported in the certificate will not be passed to any other person except to a relevant authorised Senior Manager who can assist in the decision making process with regard to employment. Copies of DBS certificates should not be made.

## **6 Disclosure and Barring Service Reporting**

### *Overview*

6.1 UCB will adhere to the policies, processes and systems as set out by the DBS

6.2 The DBS are responsible for the decision making and maintenance of the two barred lists covering children and vulnerable people.

### *DBS Referral*

6.3 UCB has a duty to refer to the DBS any information about individuals who may pose a risk.

### *Current Staff*

6.4 UCB's duty to refer will apply when the following two conditions have been met:

- a) Permission is withdrawn by UCB for an individual to engage in regulated activity, or would have done so had the individual not resigned, retired,

been made redundant or been transferred to a position which is not regulated activity;

because

- b) UCB think the individual has engaged in *relevant conduct*, satisfied the *Harm Test*; or received a caution or conviction for a *relevant (automatic barring) offence*<sup>3</sup>.

### Students

6.5 UCB is designated by DBS as a 'Personnel Supplier' and has a duty to make a referral to the DBS in respect of a student who has been supplied to a regulated activity provider, where both of the following conditions are met:

- a) UCB ceases to supply a student to a regulated activity provider to engage in regulated activity; or determines that the student should cease to follow a course at UCB; or would have done if the student had not otherwise ceased to engage in regulated activity or ceased to follow the course.

and

- b) The reason is that UCB thinks that the student has engaged in *relevant conduct*; or the *harm test* is satisfied; or the student has received a caution or conviction for a *relevant (automatic barring) offence*.

6.6 Referral will be made to the DBS when UCB has gathered sufficient evidence as part of their investigations, through the Disciplinary Procedure, to support their reasons for withdrawing permission to engage in regulated activity.

6.7 Any referrals to the DBS will be made using the Referral Form as set out in the DBS Referral Guidance document (available at [www.gov.uk/government/publications/dbs-referrals-form-and-guidance](http://www.gov.uk/government/publications/dbs-referrals-form-and-guidance)). In all cases the Referral Form would be authorised and submitted by the Deputy Vice-Chancellor (Corporate Services).

## 7 Placements and this Policy

### *Safety, Risk Assessment and Safeguarding at Placements*

7.1 The safety of students on placement is a key concern. All placements will be assessed for their suitability and continuing safety by the relevant Placement Officer on an annual basis (or before re-use if more than one year passes between placements).

7.2 Whilst many placements include a residential element, no student under the age of 18 will be placed in such a setting, unless under the supervision of a member of the UCB staff, or unless all relevant checks have been carried out on the placement organisation and its staff.

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<sup>3</sup> *Relevant Conduct*, *Harm Test* and *Relevant Offence* are explained in the DBS Guidance Notes for Barring Decision Making Process.

- 7.3 All students under the age of 18 undertaking placements will be visited. This will check not only on the educational experience being gained by the student, but also their safety.
- 7.4 Where there is a concern over a student's safety on placement, they will immediately be removed and will return to UCB. A note will be placed on the placement organisation's file on the placement database to ensure that other students are not sent on placement there until an investigation has taken place and the placement declared safe following a full reassessment by a Placement Officer. In some cases, it may be necessary to remove the placement from the database altogether.

#### *Disclosures Relating to Safeguarding at Placements*

- 7.5 Section 4 above provides information on the procedure to be followed where a disclosure is made in relation to a Safeguarding issue at a placement.
- 7.6 UCB works closely with many schools, nurseries, public bodies and other employers in the provision of placements for students. *This policy does not supersede or replace in any way the policies that a placement provider has in place.* As section 4 of this policy and procedures makes clear, in certain circumstances it is necessary that the procedures of the placement provider are followed before anything else is done. However, where a student or member of staff witnesses an act which raises questions about the safety of children/ vulnerable people, or is the recipient of a disclosure relating to this, UCB has a duty to report the matter to the appropriate authority *whether or not the placement provider also reports it under its own procedures.* In such cases, the Single Point of Contact for Safeguarding will follow the procedures described in section 4.
- 7.7 UCB has a responsibility to placement providers to ensure that they are informed about UCB practices. The Deans responsible for programmes with placements which bring students into contact with children or vulnerable people are responsible for ensuring that placement providers are informed about:
- This policy
  - DBS arrangements for students and staff

### **8 Student Visits and this Policy**

- 8.1 All student visit destinations will be assessed for their suitability and continuing safety by the relevant Assistant Dean or their nominee before their use.
- 8.2 Whilst many visits include a residential element, no student under the age of 18 will be placed in such a setting, unless under the close supervision of a member of the UCB staff, or unless all relevant checks have been carried out on the placement organisation and its staff.

- 8.3 All students undertaking visits will be given clear information on the procedures to be used for reporting safety incidents.
- 8.4 Where there is a concern over a student's safety during a visit, an assessment will be made by the accompanying member of staff (or the approved organisation, if relevant). If their continuing safety cannot be confirmed, they will immediately be removed and will return to UCB. The Deputy Vice-Chancellor (Academic Affairs) must be notified whilst a review of the incident is carried out and any necessary action taken by the relevant Dean. If necessary, a report will be made to the Health and Safety Committee with recommendations for future action. No other student will be allowed to visit the location until it is believed by the Health and Safety Committee that it is once again safe.

## **9 Professional Development**

- 9.1 UCB is a large organisation offering a variety of programmes in a range of subject areas and at a number of different levels of study, not all of which have direct relevance to Safeguarding. Not all members of staff will therefore need to undergo training in Safeguarding. Those members of staff who are identified as relevant will receive training on Safeguarding procedures and will receive updates and refreshers every 3 years. All such staff will undergo training to at least level 1 of the Local Safeguarding Board. It is the University's desire that as many as possible of them will undergo training to level 2.
- 9.2 A record of training will be maintained by the Personnel Unit.
- 9.3 Regular updating sessions will be offered relating to Safeguarding and attendance at Safeguarding relevant events has a high priority for UCB.

## **10. Data Protection and Safeguarding**

- 10.1 The UCB Data Protection policy provides an explanation of the measures taken to ensure security of data. However, concerns about the care and protection of a young person or vulnerable people over-ride the requirements of the Data Protection policy. Where a genuine concern exists that there is a risk to the safety of a student under the age of 18, or a person in their care (child or vulnerable person) then it will be appropriate to share relevant information with an appropriate agency.
- 10.2 Where data on applicants to UCB programmes needs to be shared by the Admissions Office, it will be on a strictly confidential and need to know basis. The Admissions Office will make it clear to applicants that this information will be shared on a very restricted basis within UCB.
- 10.3 Where data on applicants for UCB accommodation needs to be shared by the Student Services Unit, it will be on a strictly confidential and need to know

basis. The Student Services Unit will make it clear to applicants that this information will be shared on a very restricted basis within UCB.

**11. On becoming aware of information that suggests a student may pose a risk to members of the University community, or others.**

- 11.1 Where new information comes to light about an enrolled student, which was not available at the point of enrolment, it should be reported to the Single Point of Contact, who may carry out a Safeguarding Risk Assessment. If such an assessment confirms that the student may pose a risk to the safety of others, the relevant Fitness to Attend procedure in the General Student Regulations will be followed.



## University College Birmingham

[name of UCB School]



### Declaration:

I confirm that I have not received a conviction, caution or reprimand from the police or courts since the date of my last DBS check;

I confirm that I have not been issued with an oral or written warning from any employer (including part-time employment) since the date of my last DBS check;

I confirm that I understand I must inform UCB of any conviction, caution, reprimand or warning issued to me whilst I am a student at UCB, as required by my acceptance of the Code of Professional Conduct and Fitness to Practise.

<b>Name (in BLOCK CAPITALS)</b>

<b>Course</b>

<b>Student ID number (on your ID card)</b>

<b>Signed</b>

<b>Date</b>