

THE UNIVERSITY OF BIRMINGHAM

**SAFEGUARDING CHILDREN
AND YOUNG PEOPLE WITHIN THE UNIVERSITY**

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POLICY ON SAFEGUARDING CHILDREN AND YOUNG PEOPLE WITHIN THE UNIVERSITY

1. Introduction

1.1 The University of Birmingham is committed to ensuring a safe and supportive environment exists for all staff, students and visitors to the University. The University recognises that there are a number of circumstances in which children and young people will come onto University premises or otherwise have contact with University staff, students or contractors.

1.2 This Policy sets out the University's approach to safeguarding children and young people within the University and establishes a number of subsidiary codes of practice, guidance and procedures relating to University activities or areas of perceived risk. It is however expected that those Budget Centres of the University which deal frequently with children will have in place their own detailed procedures to safeguard children, relevant to their particular activities. It is the responsibility of the relevant Head of Budget Centre to ensure that such procedures are in place, are in conformity with this Policy and are approved by Academic Services in consultation with the Senior Child Protection Officer (see Appendix 1 below).

1.3 The University recognises that the success of the Policy will depend on its effective implementation. It will therefore ensure the effective dissemination of this Policy within the University and will provide appropriate training for key staff and others as appropriate. It will conduct a sequence of audits on a cyclical basis and seek to facilitate the sharing of best practice on child protection issues between Budget Centres.

1.4 This Policy will be reviewed after 12 months and thereafter every three years by the Registrar & Secretary or authorised deputy or more frequently as necessary.

1.5 In this Policy the expression "staff" shall mean all persons employed in the service of the University and the expression "students" means any person currently registered for the receipt of instruction in the University.

2. Scope of this Policy

2.1 This Policy and the codes, guidance and procedures established beneath it apply to all University activities involving children and young people under the age of 18, who unless indicated otherwise are referred to throughout the Policy as "children" and "child" shall be construed accordingly. This Policy applies to all staff and students of the University and to contractors engaged by the University who may come into contact with children as part of their work.

2.2 Where it is necessary in this Policy to make the distinction (including in relation to students under 18 years of age), the expression "young people" refers to children aged 16 or 17 years and "young person" shall be construed accordingly.

2.3 For the avoidance of doubt, the Policy does relate to activities carried on at or by the Guild of Students.

2.4 The University recognises that it has certain legal powers and duties to safeguard the welfare of children who come onto its premises or come into contact with its staff

or students, including under the Children Acts of 1989 and 2004, and the Health and Safety at Work etc Act 1974. Additionally, where University staff may be held to occupy a particular position of trust with regard to children with whom they come into contact, an improper relationship with a child in these circumstances is likely to constitute an abuse of trust offence under the Sexual Offences Act 2003. The University also has certain powers, under the Rehabilitation of Offenders Act 1974, to enquire as to the criminal records history of staff or students to assess any risk to children.

3. Areas of Risk

There are a number of activities undertaken or facilitated by the University which bring children into contact with University staff, students, contractors, or onto University premises. The following are identified as activities which present key areas of risk:

- Organised visits, summer schools and other outreach activities on University premises;
- Outreach activities undertaken in schools and other venues away from University premises;
- Children staying in University managed halls of residence;
- Children of University staff or students brought onto University premises;
- Children of University staff living on the University's campus;
- Children attending University premises for sporting or other recreational or social purposes;
- Children being the subjects of research by University staff or students;
- Young people registered as students of the University;
- Young people employed by the University;
- Children carrying out work experience at the University;
- Children attending University Day Nurseries;
- Children attending school holiday Clubs.

4. Child Protection Procedures

4.1 The University recognises its responsibilities to safeguard the welfare of children for whom it is responsible from time to time, and to work closely with statutory and voluntary local agencies to ensure that children are not put at risk of harm or abuse. The University recognises that abuse can take many forms and may be physical, sexual or emotional or may arise through neglect.

4.2 The University has developed Child Protection Procedures (**Appendix 1**), which set out the processes by which University staff or students can report concerns about a child's welfare within the University. The Child Protection Procedures also establish key individuals within the University who are responsible for responding to child protection concerns and liaising with the appropriate agencies.

5. Statement of Best Practice

5.1 The University has drawn up a Statement of Best Practice for staff and students who come into contact with children as part of their work for the University. The

Statement (**Appendix 2**) sets out examples of behaviour towards children which may be regarded as appropriate, and that which may be regarded as inappropriate.

5.2 The principles in the Statement are intended not only to safeguard children from harm but also to ensure that staff or students are not put in a position where their conduct or integrity can be questioned. In the case of a contractor, failure to follow the Statement may result in the termination of their contract.

6. Involvement of Parents

6.1 The University recognises the importance of ensuring that parents or guardians are fully aware of the activities and risks that their children may encounter in University activities. Save where the young person concerned is a student or an employee of the University, parental consent will always be obtained (where appropriate via the child's or young person's school or the event organiser) before the University undertakes an organised activity involving children whether on or away from University premises.

6.2 The University cannot take responsibility for ensuring the welfare of children who are present on University premises without its knowledge. Parents or guardians who bring their children onto the University campus must take responsibility for their safety and welfare and ensure that their children do not disturb others or damage University property.

7. Criminal Records

7.1 The University has a responsibility to take reasonable steps to ensure that its staff, students and contractors do not present a risk of harm to children. Where staff, students or contractors are likely to have substantial unsupervised contact with children the University may in its discretion, to the extent that the law permits, require them to disclose any criminal records they may have by undertaking a Criminal Records Bureau (CRB) Disclosure at the appropriate level.

7.2 The University will act in accordance with the law, the CRB Code of Practice and any other best practice recommendations issued from time to time, and will seek advice as necessary as to its powers to require CRB Disclosures for particular posts or roles. However as a minimum the University through the Human Resources Department will undertake CRB Standard or Enhanced Disclosures in respect of posts or roles, which involve **regularly caring for, training, supervising or being in sole charge of those aged under 18 or vulnerable adults.**

7.3 General guidance on the assessment of criminal records history is set out at **Appendix 3**; departments within the University may operate their own specific guidance and procedures as appropriate (for example in relation to the recruitment of staff and students to programmes in health or social care, education or other professional disciplines involving contact with children and/or vulnerable adults) in accordance with guidance from relevant professional bodies and approved by Human Resources or Academic Services.

7.4 The University recognises the need to take a proportionate approach to the issue of criminal records disclosures and understands that such sensitive personal information must be treated carefully and confidentially. Criminal records information will be sought on a strictly need-to-know basis, and be assessed by authorised senior

members of University staff through a number of appropriate procedural safeguards, in compliance with the CRB Code. Members of staff asked by outside bodies or individuals to undergo a CRB check prior to carrying out University business (eg a school visit) should seek advice from the University's Human Resources.

7.5 The Safeguarding Vulnerable Groups Act 2006 provides for the creation of a new vetting and barring scheme through the Independent Safeguarding Authority (ISA). When the scheme comes into force (expected date late 2009), appropriate staff will be required to register with the ISA and in some cases, an Enhanced CRB Disclosure will also be required. Further information on the scheme is available at www.isa-gov.org/.

8. Health and Safety

8.1 The University tries to ensure that it provides a safe physical working environment for all its staff, students and visitors. However, many of the University's premises will present additional hazards and risks to children and it is not possible for the University to guarantee the safety of children on all of its premises.

8.2 Unless they are students of the University or members of staff, or are attending the University on duly authorised visits or activities, children are prohibited from entering those laboratories, workshops and other premises which present particular hazards or contain fragile or valuable equipment. Those premises which are out of bounds to children should be identified as such but if there is any doubt advice should be sought from the University's Health and Safety Unit or relevant Head of Department.

8.3 Any accident on University premises involving a child must be reported to the University's Health and Safety Unit as soon as possible. The form to be used is available on the University's Health and Safety website.

9. Risk Assessments for Organised Activities

9.1 Save as mentioned in paragraph 9.3 below and except where children are accompanied by their parent or guardian, a risk assessment must be completed by the organisers of any activity specifically intended for children and which brings children onto University premises or into contact with University staff, students or contractors. Once completed, the risk assessment pro forma must be approved by a Child Protection Officer before the activity is undertaken. Guidance on completion of the risk assessment and on the activity generally is available from the University's Health & Safety Unit (www.hsu.bham.ac.uk/).

9.2 The organisers must also ensure that the University's insurers have been adequately informed about the activity and any potential risks, before the activity takes place.

9.3 It is expected that for visits by schools where members of staff of that school are in attendance, the school will complete its own risk assessment and take its own child protection steps in accordance with local education authority guidelines.

10. Students aged under 18

10.1 Occasionally the University may admit a young person as a student of the University, who in most such cases will not be much younger than the rest of his or her cohort. In some circumstances a younger child may be admitted.

10.2 The suitability of a person aged under 18 for admission is a matter to be determined by the relevant Departmental Admissions Team, but once admitted as a student, the University has responsibilities to safeguard that student's welfare. These responsibilities will be set out in local procedures (eg Hospitality & Accommodation Services accommodation policies) and will in practice partly depend on the age and personal circumstances of the young person. However as a minimum, the University will apply the principles set out in this Policy and consider the necessity of carrying out a risk assessment.

11. Implementation

This Policy was approved by the University's Council on 4 February 2009 and takes immediate effect.

APPENDIX 1

CHILD PROTECTION PROCEDURES

A. Introduction

1. The University recognises that abuse or risk of harm to a child may take many different forms and that individuals may have different perceptions of what constitutes harm or abuse. The University regards harm or abuse of a child as including any physical, sexual or emotional abuse or neglect, bullying, harassment or intimidation.

2. These procedures establish a mechanism by which concerns about a child's welfare or risk of harm arising within, or in connection with, the University, can be addressed quickly and appropriately.

3. As far as possible the confidentiality of all individuals involved in child protection concerns will be respected. However there will be circumstances in which it is necessary for a Child Protection Officer or other University staff, students or contractors to share information with third parties such as the local authority, the police or the child's parents or guardians.

Child Protection Officers

4. The University has designated the Director of Legal Services as the University's Senior Child Protection Officer (SCPO).

5. In addition, each Budget Centre will nominate at least one local Child Protection Officer (CPO) in relation to regular activities involving children taking place or organised within that Budget Centre, who may be required to undergo an enhanced Criminal Records Bureau (CRB) Disclosure. The SCPO will maintain a register of such CPOs and the Head of the Budget Centre will notify the SCPO of any changes.

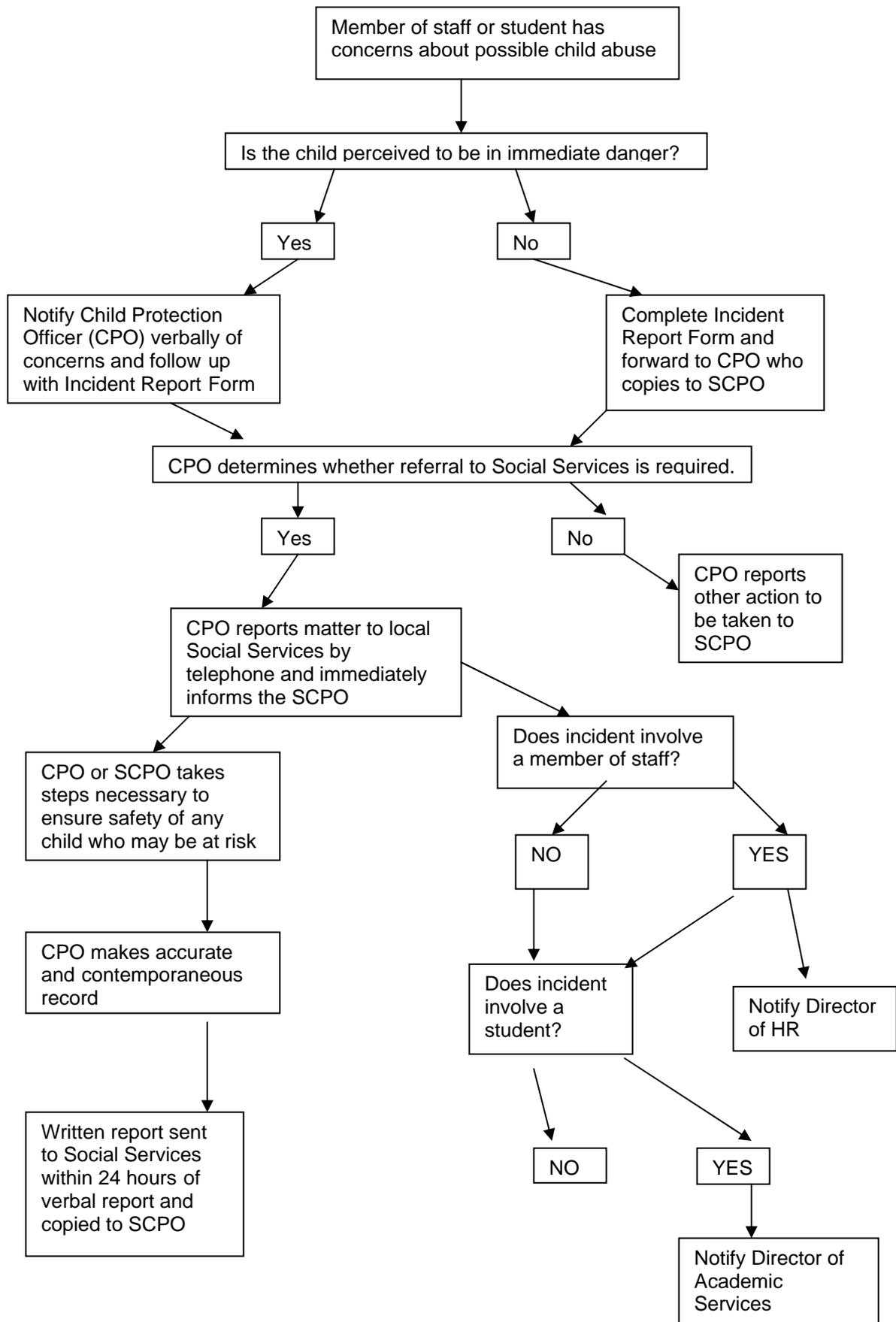
6. When organising specific activities involving children, organisers will nominate an individual to act as CPO for that event or activity.

7. Child Protection Officers have specific responsibility for responding to child protection concerns raised within, or in connection with, the University. They will receive training and guidance appropriate for this role, and in particular on their responsibilities as liaison contacts with the police, the local authority and other relevant local agencies.

B. Procedure for reporting concerns

1. (a) The University expects all staff, students and contractors to be alert to any concerns about the welfare of children and to report any such concerns they may have, however apparently trivial, to a local Child Protection Officer. Staff, students and contractors are also expected to co-operate fully with any police or social care enquiries that may arise into an allegation of abuse. While individual members of the University have the right to report incidents direct to Social Services, where possible they should consult first with the SCPO or a CPO.
(b) If the person who first becomes aware of the concern feels it inappropriate to involve a CPO or SCPO, or disagrees with the CPO or SCPO's view that the matter need not be reported, they should notify the police or the local authority themselves.
2. The person reporting a concern should make a full note of the facts that gave rise to their concern as soon as is practicable, by completing an Incident Report Form (in the form attached within this **Appendix 1**) and should immediately give a copy of this Form to the local CPO, who will in turn provide a copy to the SCPO.
3. Concerns must be reported as soon as possible and where a child may be at immediate risk of harm or abuse, a CPO must be notified verbally straight away and an Incident Report Form completed as soon as reasonably practicable thereafter.
4. (a) It is the responsibility of the CPO notified of a concern to consider the seriousness of the risk or concern and if they deem it appropriate to contact the local authority, police or other appropriate statutory or voluntary agencies in accordance with the specific guidance and training they have received.
(b) Whether or not notification of Social Services is deemed necessary, the CPO shall in any event also notify the SCPO of any other action taken or proposed to be taken arising out of the incident (for example the provision of specific training).
5. The CPO will be responsible for ensuring the child is in a safe environment until the appropriate local agencies have become involved. Where appropriate the CPO will reassure the child concerned of the process underway, and if appropriate to ascertain any relevant factual information. However the CPO should only ask questions of the child that are necessary to clarify whether the child is alleging that abuse has taken place.
6. (a) If the incident or information involves an allegation against a member of staff, the CPO will notify the Director of Human Resources;
(b) If the incident or information involves an allegation against a student, the CPO will notify the Director of Academic Services.
(c) In either case, the student or member of staff concerned will be offered the opportunity to receive appropriate advice or support.
(d) In either case it may be appropriate to suspend the staff member or student from activities that include contact with children until enquiries are complete.

C. Flowchart for reporting procedure



D. Advice on reacting to suspicions or disclosures

What to do	What not to do
Stay calm	Don't panic or over-react. It is unlikely that the child is in immediate danger
Listen, hear and take seriously	Don't probe for more information. Inappropriate questioning may affect how the child's disclosure is received at a later date.
Give time to allow the child to say what they want	Don't make assumptions, don't paraphrase or offer alternative explanations.
Reassure and explain that they have done the right thing in telling	Don't promise confidentiality or to keep secrets or that everything will be OK (it may not be)
Act immediately in accordance with the procedure in this Policy	Don't try to deal with the matter yourself
Make a written record of what was said as soon and as accurately as possible	Don't make negative comments about any alleged abuser
Report to the lead member of staff and/or the Child Protection Officer	Don't "gossip" with colleagues about what has been said to you
Record your report.	Don't make a child repeat a story unnecessarily.

UNIVERSITY OF BIRMINGHAM

CHILD PROTECTION POLICY – INCIDENT REPORT FORM

DETAILS OF INCIDENT

Date of incident:

Time of incident:

Where the incident occurred:

Briefly describe the circumstances of the incident (including names of parties involved):

DETAILS OF CHILD / INJURED PARTY (IF APPLICABLE)

Full name:

Address:

Home telephone number:

Mobile telephone number:

Sex:

Date of birth:

Nature of injury:

Comments or explanation given by child:

Name and contact details of any witnesses:

Initial action taken:

DETAILS OF PERSON COMPLETING REPORT

Name & contact details:

.....
signature

.....
date

APPENDIX 2

Statement of Best Practice

Introduction

The University expects all of its staff, students and contractors while carrying out their duties on behalf of the University to act in an exemplary manner towards children with whom they come into contact, and to ensure that their behaviour does not give rise, whether rightly or wrongly, to questions about their integrity or to allegations of abuse. While not representing an exhaustive list, this Statement sets out general expectations of behaviour in the course of their duties in terms of what may be regarded as appropriate and what may be regarded as inappropriate. Individual Budget Centres may also have specific codes of conduct relevant to their own circumstances and the nature of their work.

University staff, students and contractors are referred to as “University representatives” throughout this Statement.

University representatives should:

- Treat everyone with fairness, equality and respect, and not show favouritism to particular children;
- Be sensitive to children’s appearance, race, culture, religious belief, sexuality, gender or disability;
- Act as a good role model and challenge any unacceptable behaviour from children or from other University representatives;
- Report all allegations or suspicions of child abuse using the University’s Child Protection Procedures;
- Be aware that physical contact with a child may be misinterpreted;
- Consider whether contact with an individual child should involve a colleague being present;
- Retain a professional approach to children, including avoiding physical contact with a child (unless it is reasonably necessary to do so for health or safety reasons, or teaching and learning), and avoiding inappropriate familiarity or making sexually suggestive comments, even in jest;.
- Respect a child’s right to privacy, and in residential accommodation, must not enter a child’s bedroom except in the case of an emergency.

APPENDIX 3

Guidelines On Criminal Records

Assessing criminal records history

The University must assess criminal records history within the relevant legal framework and in accordance with sound public law principles of decision-making as set out below.

Any decision the University makes on the impact of an individual's CRB disclosure should be proportionate, reasonable, within the University's powers, and be based on only relevant considerations (and not irrelevant matters). The decision-maker should be a person or persons of sufficient seniority within the University who is able to act impartially and fairly. It is advisable to give the individual an opportunity to make written or oral representations to the decision-maker before the decision is taken, and written reasons for the decision should be provided.

Factors potentially relevant to assessing risk

Where an individual discloses a criminal offence by way of a CRB Disclosure or otherwise, the University may need to ask for more information from that person, the police or other relevant local agencies in order to assess whether the criminal records history disclosed indicates the individual presents any risk to children or to others.

The University will consider a number of factors in assessing the risk presented by any individual disclosing an offence, including:

- Is the conviction a one-off or are there several?
- How long ago did the offence take place?
- How old was the individual at the time of the offence?
- Is the type of offence relevant to the nature of work or activity which the individual will be undertaking?
- Is the behaviour that constituted the offence a particular cause for concern?
- Were there particular circumstances at the time that led or contributed to the offending?
- What evidence is there of positive change and rehabilitation in the individual's life?
- What is the individual's attitude to the offence- is it one of remorse, and do they take responsibility for the offence and the harm it caused?

As with an application for employment, it is advisable to obtain references as to previous character or competence and to try to obtain information about any unexplained gaps in a person's employment or life history generally that may give rise to concern.