University College Birmingham

Safeguarding processes and procedures 2021-2022

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Purpose and scope of the safeguarding processes and procedures

We are committed to protect children and vulnerable people from harm. The overarching principles that guide our approach to safeguarding and child protection are described in the Safeguarding Policy Statement. This document provides the detail processes we will follow to implement our policy statement.

These processes and procedures apply to all students, staff, governors, volunteers, contractors, subcontractors and visitors to University College Birmingham, irrespective of age, gender, ethnicity and disability.

Contacting the safeguarding team

Staff should normally make use of the online reporting system 'MyConcern', which can be accessed directly on any devise, or via the college portal. This alerts the DSL immediately.

If an incident or allegation requires an immediate response staff should telephone the DSL or DDSL using the numbers below. If you cannot get a response, you should contact the executive team PA. If none of these are available, and the issue is urgent you should consider calling the police.

ALWAYS follow up a concern if you have not had a reply.

Students should contact the DSL using the published telephone number which is printed on the back of their ID cards. Students can also use the dedicated email address safeguarding@ucb.ac.uk.

Designated staff responsible for safeguarding

	Role	
Designated Safeguarding Lead (DSL)	Student Welfare & Safeguarding Manager	Neil McStravick n.mcstravick@ucb.ac.uk Ext. 2351 0121 232 4151
Deputy DSL	Executive Director of further Education – Quality	Nikki Brady n.brady@ucb.ac.uk 0121 232 4388
Deputy DSL	University Secretary and Registrar	Joseph Young or j.young@ucb.ac.uk Ext: 2234 0121 604 1000
Alternative contact for safeguarding team	PA to Executive team	Nicola Baker n.baker@ucb.ac.uk Ext:
Executive Team Member responsible for safeguarding	Vice-Chancellor & Principal	Michael Harkin or Ext: m.harkin@ucb.ac.uk Ext: 2329 0121 604 1000
Governor with specific responsibility for safeguarding	Governor	Via PA to Executive Team

Our policy, and what we will do

The college is committed to safeguarding and promoting the wellbeing of its students. The college recognise that it is the responsibility of all staff to ensure that all students are safe and feel safe in the college environment.

For the purposes of our policy, children are those under the age of 18 years, or a person aged 18, 19 or 20 who has been a looked after child (LAC) by a local authority at any time after attaining the age of 16; or has a learning disability. Vulnerable people include vulnerable adults and those with disabilities.

The college recognises that it forms part of a wider safeguarding framework and system. This framework and system is described in full detail in the statutory guidance Keeping Children Safe in Education (2021).

College managers will:

- Ensure all college staff are able to identify children and vulnerable people who may benefit from early help and know their role in it. This includes identifying emerging problems, liaising with the DSL and wellbeing staff, and sharing information with other professionals to support early identification and assessment.

- Promote positive behaviour consistently through the college's codes of conduct, policies and by example. Ensure that staff use effective de-escalation techniques. Ensure that reasonable force, including restraint, is only used in strict accordance with the legislative framework to protect the individual and those around them.

- Ensure staff are aware of the signs of abuse and neglect so they can identify those who may be in need of extra help, are suffering, or are likely to suffer, significant harm. This will be achieved by providing all staff with information and training on the main categories of abuse: Physical, Emotional, Sexual and Neglect.

- Ensure that staff are aware that behaviour linked to the likes of drug taking, alcohol abuse, truanting and sexting put children and vulnerable people in danger. Ensure that staff are aware of their responsibility to take appropriate action, working with other services as needed and use the college's codes of conduct and policies.

- Ensure all staff members are aware of the college systems which support safeguarding and explain these as part of their induction. Ensure staff understand the risks posed by adults or students who use technology, including the internet, to bully, groom, radicalise or abuse children or vulnerable people.

- Ensure that all staff abide by the college's Code of Professional Conduct, ensuring that staff know how to respond with clear boundaries about what is safe and acceptable; encourage staff to maintain an attitude of 'it could happen here' where safeguarding is concerned.

- The DSL will provide an annual report to the college's Governing Body setting out how the college has discharged its duties to students and staff. The DSL will also provide a termly report to EMT. The DSL will lead on reviewing all safeguarding related data, reports, policies and procedures.

- Implement effective systems to enable rapid reporting and response to concerns, and to maintain confidential records of all allegations, incidents and the actions taken.

- Oversee the safe use of technology and take action immediately if they are concerned about bullying, student well-being, or the miss-use of technology.

- Ensure that any child protection and/or safeguarding concerns are shared immediately with the relevant local authority; Contact, Assessment and Advice Service (CAAS); and/or the police. If a child, young person or vulnerable adult is in immediate danger or is at risk of harm, a referral will be made to CAAS and/or the police immediately by the DSL.

- Provide training and support to the governing body to enable it to discharge its legal duties and to monitor and challenge the actions of leaders and managers.

- Ensure that all members of safeguarding team are be trained up to Level 3 in Safeguarding and have a refresher training every year. All staff and other adults working within the college will be trained to fulfil their role in safeguarding.

Key Roles and Responsibilities

The Role of the Governing Body

The governing body will:
- Ensure that the college promotes an environment and culture in which learners feel safe, secure, valued and respected and know that they will be listened to.
- Review, at least annually, the policy and procedures for safeguarding children and vulnerable people.
- Ensure that there is a designated safeguarding lead, college safeguarding team, and that the DSL and any deputies undertake appropriate training every two years.
- Ensure the college has a senior board level lead to take leadership responsibility for the organisation's safeguarding arrangements.
- Ensure that managers and staff take appropriate action to see that young people and vulnerable people are kept safe.
- Ensure that staff including governors receive safeguarding training and information which is regularly updated.

- Ensure that all adults who have access to students have been checked through the Disclosure and Barring Service (DBS), as to their suitability and that serious concerns are reported to the DBS.
- Ensure effective procedures for reporting and dealing with allegations of abuse against members of staff and in place.
- Ensure safeguarding is regularly discussed and outcomes recorded at Governor meetings.

Designated Safeguarding lead

The designated safeguarding lead will:
- Lead on all safeguarding issues, providing advice, support and training as required.
- Ensure there is a Deputy Designated Safeguarding Lead (DDSL), with clearly defined responsibilities who will provide support to the DSL.
- Ensure all members of staff know the names of safeguarding staff.
- Ensure all members of staff understand their responsibilities in referring any concerns to the safeguarding team, and how to do so.
- Ensure all staff receive training to the required level which is updated as required. Records of safeguarding training to be kept centrally by Human Resources.
- Ensure all relevant safeguarding procedures are kept up-to-date in line with legislation and local agency recommendations.
- Develop effective links with relevant agencies and cooperate as required with requests.
- Attend safeguarding meetings and case conferences.
- Keep written records of reported safeguarding issues.
- Ensure all records are kept securely.
- Provide an annual report on safeguarding to the Governing Body.
- Provide a termly report to EMT.

Human Resources
The head of HR is responsible for:
- Ensuring the college operates safe recruitment procedures and that appropriate checks are carried out on all new staff and volunteers.
- Maintaining the single central record for all staff in accordance with government guidelines.
- Regularly reviewing and updating the college's recruitment procedures to ensure that they take into account current legislation and best practice in safe recruitment.
- Maintain records of training provided for staff.

Deans, deputy deans and heads of department
Deans, deputy deans and heads of department will:
- Read and be familiar with the safeguarding policy and associated procedures.
- Undertake training as directed by the DSL.

- Be vigilant and professionally curious about the safety and welfare of students.
- Promptly report any concerns or disclosures to the DSL.
- Comply with professional standards, college codes of conduct, policies and procedures.
- Ensure that relevant staff in their teams undertake the required safeguarding training.
- Provide students with appropriate information and training in safeguarding at induction and as part of their wider curriculum and studies.

Staff

All staff are responsible for:

- Reading and being familiar with the safeguarding policy and associated procedures.
- Undertaking training as directed by the DSL and their manager.
- Being vigilant and professionally curious about the safety and welfare of students.
- Promptly reporting any concerns or disclosures to the DSL.
- Complying with professional standards, college codes of conduct, policies and procedures.

Creating a Safeguarding Culture – 'Safeguarding is everyone's responsibility'

All members of the university community, including staff paid and unpaid, governors, learners, sub-contracted and franchised staff, volunteers and visitors are responsible and have a collective responsibility for safeguarding and in promoting the welfare of young people and vulnerable people. All of these groups within our college community will be made aware of the college Safeguarding Policy. We are committed to create a 'culture of safety' in which all learners and members of our community are protected from abuse and harm in all areas of its service delivery.

Responsibility for protection of our learners, including young people and vulnerable people must be shared because people are safeguarded only when all relevant agencies and individuals accept responsibility, work with and co-operate with one another. The learning environment will be one in which our learners feel safe, secure, listened to, valued and respected, and are actively encouraged and supported through the curriculum offer, support, work experience, placement and training areas to raise and report on any concerns they have about their own safety and welfare. Children and vulnerable people who are abused or at risk of abuse will be supported within UCB.

Disclosures regarding any incidents relating to abuse or neglect and allegations against persons in a position of trust made by young people or vulnerable adults must always be taken seriously and reported swiftly in line with the university's procedures, and with due regard to the privacy of the young person or vulnerable person and their family.

The university will support staff by providing an opportunity to talk through their anxieties and concerns with the DSL for safeguarding including where they have been directly involved in a safeguarding or Prevent incident/case and need reassurance, advice and help.

Confidentiality, communication, record keeping and information sharing

Keeping Children Safe in Education makes it clear that fears about sharing information **cannot** be allowed to stand in the way of the need to promote the welfare and protect the safety of children: "No single professional can have a full picture of a child's needs – **everyone** who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action". This includes allowing practitioners to share information without consent.

Information sharing is vital in identifying and tackling all forms of abuse. Whilst the Data Protection Act 2018 and the General Data Protection Regulations 2018 place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure, this is not a barrier to sharing information where the failure to do so would result in a child being placed at risk of harm. Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

The DSL will keep all safeguarding records confidential, allowing disclosure only to those who need the information in order to safeguard and promote the welfare of children and vulnerable people. A record will be made of who has viewed a student's record, when and for what reason.

The DSL will cooperate with police and children's social care to ensure that all relevant information is shared for the purposes of child protection investigations under section 47 of the Children Act 1989 in accordance with the requirements of Working Together to Safeguard Children (March 2018), the Prevent Duty Guidance for England and Wales (2015) and Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism (2015).

However, following a number of cases where senior leaders in education institutions had failed to act upon concerns raised by staff, Keeping Children Safe in Education emphasises that **any** member of staff can contact children's social care if they are concerned about a young person.

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 or vulnerable person 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 vulnerable person then it will be appropriate to share relevant information with an appropriate agency.

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.

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.

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 DSL, 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.

Responding to a disclosure or incident

On being the witness of an act of suspected abuse, or being the person to whom such an act is disclosed/reported, or reporting concerns of radicalisation:

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 DSL, or person responsible for safeguarding at a placement organisation, as appropriate
- If possible and appropriate, use a silent witness.

Never:
- Offer promises of complete confidentiality - you **MUST** report abuse or concerns of radicalisation 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 or injuries
- 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 or Radicalisation

Any suspicion, allegation or incident of abuse or radicalisation must be reported to the DSL as soon as possible or, if at a placement organisation, reported to the person responsible at the placement together with reporting the matter as soon as possible to the UCB DSL.

If the DSL, or other staff named, 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 Multi-Agency Safeguarding Hub (MASH), Social Services Department, Duty Social Worker and/or appropriate Adult Social Care Worker immediately, but normally after consultation with a line manager. The DSL should be notified as soon as possible thereafter of the action taken.

The DSL will judge whether the matter should be reported to the police and/or appropriate local MASH and/or Adult 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.

If the DSL judges that the matter should be reported, he will telephone and report the matter to the police and/or appropriate MASH and/or the appropriate Adult and Communities Directorate. A written record of the date and time of the report will 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 MASH and/or Adult and Communities Directorate within 24 hours via the appropriate referral documentation.

The DSL 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.

Whilst it is the DSL'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 DSL, themselves make a report to the appropriate authorities, whilst at the same time informing the DSL.

Responding to an allegation or disclosure relating to a placement provider

If the matter relates to an act observed by a student or Employability Tutor (Placements) in a placement, or is the result of a child or adult in the placement disclosing an allegation of abuse, the student or Employability Tutor (Placements) 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 Employability Tutor (Placements). Where a

placement does not have a safeguarding policy or designated safeguarding person, students should report the matter immediately to their Employability Tutor (Placements). If it is a member of UCB staff who has observed an act, or was party to a disclosure, they should then contact the UCB DSL. The UCB DSL will decide if any further action is required. If the allegation relates to a serious matter the UCB DSL will inform the relevant authorities immediately, regardless of any action taken by the placement.

The Employability Tutor (Placements) or Hired @ UCB Office will contact the UCB DSL 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.

The UCB DSL 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.

The UCB DSL will inform the Head of Department responsible for the student's programme. They should also confirm 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

The UCB DSL should retain a copy of:

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

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

Allegations against staff and adults in a position of trust

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.

Any allegation against staff should be reported directly to the Vice-Chancellor and Principal

On being notified of any safeguarding matter involving a member of staff, the Vice-Chancellor and Principal will:

- Notify the DSL
- Take such steps as considered necessary to ensure the safety of the child or vulnerable person 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 Birmingham Children's Trust; Multi-Agency Safeguarding Hub (MASH) on 0121 303 1888 during office hours or otherwise contact the Emergency Duty Team on 0121 675 4806. The Local Authority Designated Officer (Position of Trust Team) on 0121 675 1669 can also assist if necessary. 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 Access Point on 0121 303 1234.
- Ensure that a written report is made by the person who originally raised the concern.

If a complaint has been made against the Vice-Chancellor and Principal, the University Secretary and Registrar should be notified and follow the normal procedure (except the initial notification).

The DSL 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.

Disclosure and Barring Service checks for students attending placements

Purpose

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

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[1] 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.

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

Other courses, for example FdSc/BSc 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.

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.

Where a disclosure request results in relevant convictions and relevant non-conviction information coming to light which raises 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

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 and hold the appropriate level of check. 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.

Students on programmes which require the completion of the enhanced DBS check will be informed during the recruitment process of this requirement.

Where a student has applied for a course that requires DBS clearance and declared a disclosure on the admissions application form the Admissions Team will refer the student to the Hired Team. The Hired Team will instigate the DBS application process and arrange for the student to go through a referral meeting, ideally prior to the commencement of the course, to ensure they meet the admissions criteria for the course.

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 Executive Dean or his/her nominee will inform the student of the decision.

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 received confirmation of their DBS clearance 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. Where a student has declared a disclosure on their Admissions application form we will start the DBS application process as soon as possible.

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

Students on programmes requiring the completion of an enhanced DBS check will be sent a link within an email from eSafeguarding to complete an online application. UCB will pay the appropriate administration fee, currently £44 (2019) plus a handling charge. Staff will explain the online application which will validate the entries being made. At all times, the security of the student data will be GDPR compliant.

Where a student is unable to provide the identification to meet the online DBS application process students will be asked to go down the fingerprinting route to obtain their DBS clearance. Students will be required to complete a hard copy DBS application form. Identification checks (with what identification is available to the student) will be completed by the Hired Team and the application form will then be sent to UCB's Human Resources department for counter signatory. The form will declare that the student is unable to provide sufficient identification. The DBS will then write to the student and request that they submit two passport photographs and attend an appointment at a local police station to provide finger prints. This route will only be used when all other avenues of obtaining identification have been exhausted.

Once the application has been submitted by the student, appropriate identity evidence will be seen by authorised administrators at UCB. The verification of this evidence will be recorded on the online application form and the application will be sent electronically to eSafeguarding. eSafeguarding will check the application then will submit the DBS application   electronically.

The DBS responds to the applications by sending a certificate to the student. UCB will receive a separate email notification from eSafeguarding (where the eSafeguarding

system has been used) to confirm when a DBS has been completed. Where the student has gone down the fingerprinting route they will be required to get their DBS sighted by the Hired Team.

An 'Empty' certificate

A notification is sent to UCB advising that the certificate has been issued and   is ready for viewing in the database. Certificates that do not contain information (e.g. convictions) are displayed as '*Certificate contains no information'* and list the disclosure certificate number and issue date. Hired team administrators can see that this student is available for placement. No further action is taken

A Certificate with a comment (positive DBS)

Certificates that contain information are issued and the notification to UCB advises *'Please wait to view the applicant certificate'*. The Hired Team will refer these students to the Executive Dean/Deputy Dean/Head of Department. They will then meet the student, review the DBS and decide on the outcome.

If the certificate reveals information of a very serious nature which clearly shows that the applicant/student may cause a risk to children or vulnerable adults, the matter will be referred immediately to the Pro-Vice Chancellor (Curriculum, Teaching and Learning) for consideration under the relevant University's Fitness to Practise policy.

In all other cases, the following procedure will apply:

- The Executive Dean/Deputy Dean or Head of Department 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 Executive/Deputy Dean or Head of Department 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 Executive/Deputy Dean or Head of Department, 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 Executive/Deputy Dean or Head of Department 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

- o 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 Executive/Deputy Dean or Head of Department will decide if the student may be:
    - o allowed to undertake a placement without further investigation or action because in the opinion of the Executive/Deputy Dean or Head of Department the information does not indicate that the student is unsuitable to work with children and/or vulnerable people;
    - o 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;
    - o refused a placement because the Executive/Deputy Dean or Head of Department 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 Executive/Deputy Dean or Head of Department 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 Employability Tutor's responsibility to inform the senior manager at the placement that the student holds a positive DBS. The student will then be required to provide to the employer 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 Employability Tutor to confirm that they are happy to allow the student to be placed at their site. The Employability Tutor will ensure, that the precise nature of the information on the certificate has been revealed by the student. The student must inform the Employability Tutor 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 an UCB approved e-storage facility. 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 Executive/Deputy Dean or Head of Department needs advice on the suitability of

a particular student for a programme, they will discuss the disclosed information with Pro-Vice Chancellor (Curriculum, Teaching and Learning). 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.

For the Physiotherapy and Nursing degrees it will be necessary to hold a panel DBS referral meeting if there is a positive DBS. This will be chaired by Pro-Vice- Chancellor (Curriculum, Teaching and Learning)/Executive Dean and include Programme Manager for Nursing and nominated practice partner. The hired admin team will refer the student to the Executive Dean. The result of the meeting may impact the offer of a place on the course.

Security

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

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.

DBS certificates will only be processed by UCB for the purposes set out in this policy.

Replacement Forms

Although UCB will pay for all students' initial DBS check, if mislaid, any subsequent replacements must be funded by the student directly.

Disclosure and Barring Service checks for staff

Recruitment

UCB has in place recruitment policies and procedures which will ensure that every care is taken to protect children and vulnerable people and that the university meets its statutory duties. The recruitment procedures will include the following:

- Satisfactory references (all offers)
- 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 offers)

Disclosure and Barring Service Reporting

Overview

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

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

DBS Referral

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

Current staff

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*[2].

Students

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

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[2] *Relevant Conduct*, *Harm Test* and *Relevant Offence* are explained in the DBS Guidance Notes for Barring Decision Making Process.

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.

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.

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). In all cases the Referral Form would be authorised and submitted by the Head of HR department.

Placements and this Policy

Safety, Risk Assessment and Safeguarding at Placements

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

Students on placement within nursing, physiotherapy and allied health professions will be subject of audit and compliance in line with the Nursing & Midwifery Council (NMC) and Health Care Professions Council (HCPC). The Executive Dean (School of Health, Sport and Food) will ensure that students are fully conversant with these regulations prior to going on placement.

The assessment of the suitability of a work placement is based on a risk rating for new employers using the guidance below. ALL employers are required to sign and return the Health and Safety commitment form prior to placement with the following action taken based on the risk rating:

High risk – health and safety site visit to be completed prior to placement e.g. production kitchens, bakeries, factories
Medium risk - health and safety site visit to be completed, where possible, prior to placement. Phone call to discuss health and safety if visit not possible.
Low risk - health and safety phone call to discuss health and safety and ensure commitment understanding prior to placement.

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.

All students under the age of 18 undertaking placements will be visited where possible and have contact phone and/or Skype where not. This will check not only on the educational experience being gained by the student, but also their safety.

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 an Employability Tutor (Placements). In some cases, it may be necessary to remove the placement from the database altogether.

Where there is a concern over a student on placement within nursing, physiotherapy and allied health professions; 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 the Executive Dean (School of Health, Sport and Food). In some cases, it may be necessary to remove the placement from the database altogether. Any reassessment will also be in line with the Nursing & Midwifery Council (NMC) and Health Care Professions Council (HCPC).

Student Visits and this Policy

All student visit destinations will be assessed for their suitability and continuing safety by the relevant Head of Department or their nominee before their use.

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 organisation and its staff.

All students undertaking visits will be given clear information on the procedures to be used for reporting safety incidents.

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 Pro-Vice Chancellor (Curriculum, Teaching and Learning) must be notified whilst a review of the incident is carried out and any necessary action taken by the relevant Executive 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.

Professional Development

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.

A record of training will be maintained by the HR Department.

Regular updating sessions will be offered relating to Safeguarding and attendance at Safeguarding relevant events has a high priority for UCB

Appendix A. Types of Abuse and Neglect

Children who may require early help

Staff and volunteers working within the college should be alert to the potential need for early help for children. Staff and volunteers should consider following the procedures identified for initiating early help for a child or vulnerable person who:

- Is disabled and has specific additional needs;
- Has special educational needs;
- Is a young carer;
- Has high needs or additional learning needs;
- Is showing signs of engaging in anti-social, extremist or criminal behaviour;
- Is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health, domestic violence;
- Has returned home to their family from care; and/or
- Has complex home and/or personal lives;
- Is showing early signs of abuse and/or neglect.

Contextual Safeguarding

Contextual safeguarding refers to the importance of considering wider environmental factors in a child's life that may threaten their safety and/or welfare. It is important for everybody who works with children to be aware that safeguarding incidents and/or behaviours can be associated with factors outside college and/or can occur between children. All staff, but especially the Designated Safeguarding Lead (or Deputy) should be considering the context within which such incidents and/or behaviours occur. Contextual Safeguarding is referred to in Working Together to Safeguard Children and Keeping Children safe in Education.

Child Protection and Safeguarding Issues

The statutory guidance 'Keeping Children Safe in Education 2021' provides guidance on a range or abuse or safeguarding issues including:

Abuse
Bullying (including Cyber)
Children & the courts
Children with family members in prison
Children missing from education or care
Child criminal exploitation - County lines
Child sexual exploitation
Domestic abuse/violence
Drug & substance misuse
Fabricated or induced illness
Faith based abuse

FGM
Forced Marriage
Gender based violence towards women & girls
Gangs and youth violence
Homelessness
Modern day slavery and human trafficking
So called 'honour-based' violence
Peer on peer abuse
Preventing radicalisation (the Prevent duty)
Private Fostering
Relationship abuse
Self-harm
Sexting
Sexual violence and sexual harassment
Up Skirting

Abuse

Abuse is a form of maltreatment of a child, this also relates to a vulnerable adult. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. They may be abused by an adult or adults, or another child or children. There are four types of child abuse as defined in 'Keeping Children Safe in Education' as follows:

Physical abuse: A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse: The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse: Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or none penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of,

sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. Sexual abuse of children by other children is a specific safeguarding issue in education.

Neglect: The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to; provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-giver); or ensure access to appropriate care or treatment. It may also include neglect of, or unresponsiveness to, a child's or vulnerable person's basic emotional needs.

Bullying (including Cyber)

While bullying between children and young people is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child's wellbeing and in very rare cases has been a feature in the suicide of some young people. Bullying someone because of their age, race, gender, sexual orientation disability and/or transgender will not be tolerated as the College operates a zero tolerance approach. Bullying can take many forms including: -

Emotional:	**Being excluded, tormented (e.g. hiding things, threatening gestures) Physical: Pushing kicking, punching or any use of aggression and intimidation.**
Racial:	**Racial taunts, use of racial symbols, graffiti, gestures.**
Sexual:	**Unwanted physical contact, sexually abusive comments including homophobic comments and graffiti.**
Verbal:	**Name calling, spreading rumour's, teasing.**
Cyber:	**All areas on internet, such as email and internet, chat room misuse, mobile threats by text message and calls. Misuse of associated technology i.e. camera and video facilities, sexting.**

Children and the court system

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have

witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17 year olds.

The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

Children missing from education

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and can also be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage. Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future. Staff should be aware of their school's or college's unauthorised absence and children missing from education procedures.

Children with family members in prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

Child Criminal Exploitation (CCE)

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator

and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see page 85 for more information), forced to shoplift or pickpocket, or to threaten other young people.

Some of the following can be indicators of CCE:

- children who appear with unexplained gifts or new possessions;
- children who associate with other young people involved in exploitation;
- children who suffer from changes in emotional well-being;
- children who misuse drugs and alcohol;
- children who go missing for periods of time or regularly come home late; and
- children who regularly miss school or education or do not take part in education.

Child Sexual Exploitation (CSE)

CSE occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

The above CCE indicators can also be indicators of CSE, as can:

- children who have older boyfriends or girlfriends; and

- children who suffer from sexually transmitted infections or become pregnant.

The department provide: Child sexual exploitation: guide for practitioners

County lines

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of "deal line".

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children's homes and care homes. Children are often recruited to move drugs and money between locations and are known to be exposed to techniques such as 'plugging', where drugs are concealed internally to avoid detection. Children can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.

One of the ways of identifying potential involvement in county lines are missing episodes (both from home and school), when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism[3] should be considered. If a child is suspected to be at risk of or involved in county lines, a safeguarding referral should be considered alongside consideration of availability of local services/third sector providers who offer support to victims of county lines exploitation.

Further information on the signs of a child's involvement in county lines is available in guidance published by the Home Office.

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[3] national crime agency human-trafficking.

Domestic abuse

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Operation Encompass

Operation Encompass operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

National Domestic Abuse Helpline

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

Additional advice on identifying children who are affected by domestic abuse and how they can be helped is available at:

- NSPCC- UK domestic-abuse Signs Symptoms Effects

- [Refuge what is domestic violence/effects of domestic violence on children](#)

- [Safelives: young people and domestic abuse.](#)

Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes in to the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and/or discussion with the Local Housing Authority should be progressed as appropriate, and in accordance with local procedures, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: [Homeless](#) [Reduction Act Factsheets](#). The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases school and college staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/or require accommodation: [here](#).

So-called 'honour-based' abuse (including Female Genital Mutilation and Forced Marriage)

So-called 'honour-based' abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

Actions

If staff have a concern regarding a child that might be at risk of HBA or who has suffered from HBA, they should speak to the designated safeguarding lead (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers**[4] that requires a different approach (see following section).

FGM

FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

FGM mandatory reporting duty for teachers

Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) places a statutory duty upon **teachers** along with regulated health and social care professionals in

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[4] Under Section 5B(11)(a) of the Female Genital Mutilation Act 2003, "teacher" means, in relation to England, a person within section 141A(1) of the Education Act 2002 (persons employed or engaged to carry out teaching work at schools and other institutions in England).

England and Wales, to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. Those failing to report such cases may face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should **not** be examining pupils or students, but the same definition of what is meant by "to discover that an act of FGM appears to have been carried out" is used for all professionals to whom this mandatory reporting duty applies. Information on when and how to make a report can be found at: [Mandatory reporting of female genital mutilation procedural information](#)

Teachers **must** personally report to the police cases where they discover that an act of FGM appears to have been carried out.[5] Unless the teacher has good reason not to, they should still consider and discuss any such case with the school's or college's designated safeguarding lead (or deputy) and involve children's social care as appropriate. The duty does not apply in relation to at risk or suspected cases (i.e. where the teacher does not discover that an act of FGM appears to have been carried out, either through disclosure by the victim or visual evidence) or in cases where the woman is 18 or over. In these cases, teachers should follow local safeguarding procedures. The following is a useful summary of the FGM mandatory reporting duty: [FGM Fact Sheet.](#)

Forced marriage

Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a

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[5] Section 5B(6) of the Female Genital Mutilation Act 2003 states teachers need not report a case to the police if they have reason to believe that another teacher has already reported the case.

way to coerce a person into marriage. Schools and colleges can play an important role in safeguarding children from forced marriage.

The Forced Marriage Unit has published [statutory guidance](#) and [Multi-agency](#) [guidelines](#), pages 35-36 of which focus on the role of schools and colleges. School and college staff can contact the Forced Marriage Unit if they need advice or information: Contact: 020 7008 0151 or email fmu@fco.gov.uk.

Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

- [Extremism](#)[106] is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces.

- [Radicalisation](#)[107] refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

- **Terrorism**[108] is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

There is no single way of identifying whether a child is likely to be susceptible to an extremist ideology. Background factors combined with specific influences such as family and friends may contribute to a child's vulnerability. Similarly, radicalisation can occur through many different methods (such as social media or the internet) and settings (such as within the home).

However, it is possible to protect vulnerable people from extremist ideology and intervene to prevent those at risk of radicalisation being radicalised. As with other safeguarding risks, staff should be alert to changes in children's behaviour, which could indicate that they may be

in need of help or protection. Staff should use their judgement in identifying children who might be at risk of radicalisation and act proportionately which may include the designated safeguarding lead (or deputy) making a Prevent referral.

The school's or college's designated safeguarding lead (and any deputies) should be aware of local procedures for making a Prevent referral.

The Prevent duty

All schools and colleges are subject to a duty under section 26 of the Counter Terrorism and Security Act 2015 (the CTSA 2015), in the exercise of their functions, to have "due regard[6] to the need to prevent people from being drawn into terrorism".[7] This duty is known as the Prevent duty.

The Prevent duty should be seen as part of schools' and colleges' wider safeguarding obligations. Designated safeguarding leads and other senior leaders should familiarise themselves with the revised Prevent duty guidance: for England and Wales, especially paragraphs 57-76, which are specifically concerned with schools (and also covers childcare). The guidance is set out in terms of four general themes: risk assessment, working in partnership, staff training, and IT policies.

There is additional guidance: Prevent duty guidance: for further education institutions in England and Wales that applies to colleges.

Channel

Channel is a voluntary, confidential support programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. Prevent referrals may be passed to a multi-agency Channel panel, which will discuss the individual referred to determine whether they are vulnerable to being drawn into terrorism and consider the appropriate support required. A representative from the school or college may be asked to attend the Channel panel to

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[6] According to the Prevent duty guidance 'having due regard' means that the authorities should place an appropriate amount of weight on the need to prevent people being drawn into terrorism when they consider all the other factors relevant to how they carry out their usual functions.
[7] "Terrorism" for these purposes has the same meaning as for the Terrorism Act 2000 (section 1(1) to (4) of that Act).

help with this assessment. An individual's engagement with the programme is entirely voluntary at all stages.

Guidance on Channel is available at: Channel guidance.

Additional support

The department has published further advice for schools on the Prevent duty. The advice is intended to complement the Prevent guidance and signposts to other sources of advice and support.

The Home Office has developed three e-learning modules:

- Prevent awareness e-learning offers an introduction to the Prevent duty.

- Prevent referrals e-learning supports staff to make Prevent referrals that are **robust, informed** and with **good intention**.

- Channel awareness e-learning is aimed at staff who may be asked to contribute to or sit on a multi-agency Channel panel.

Educate Against Hate, is a government website designed to support school teachers and leaders to help them safeguard their students from radicalisation and extremism. The platform provides free information and resources to help school staff identify and address the risks, as well as build resilience to radicalisation.

For advice specific to further education, the Education and Training Foundation (ETF) hosts the Prevent for FE and Training. This hosts a range of free, sector specific resources to support further education settings comply with the Prevent duty. This includes the Prevent Awareness e-learning, which offers an introduction to the duty, and the Prevent Referral e-learning, which is designed to support staff to make robust, informed and proportionate referrals.

The ETF Online Learning environment provides online training modules for practitioners, leaders and managers, support staff and governors/Board members outlining their roles and responsibilities under the duty.

Peer on peer/ child on child abuse

Children can abuse other children. This is generally referred to as peer on peer abuse and can take many forms. This can include (but is not

limited to): abuse within intimate partner relationships; bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiation/hazing type violence and rituals.

Sexual violence and sexual harassment between children in schools and colleges

Context

Sexual violence and sexual harassment can occur between children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. Sexual violence and sexual harassment can happen inside or outside of school and online. The college will always undertake a zero tolerance approach to sexual violence and sexual harassment and it is never acceptable and it will not be tolerated.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as "banter",
  "part of growing up", "just having a laugh" or "boys being boys"; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

What is sexual violence and sexual harassment?

Sexual violence

It is important that school and college staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual violence offences under the Sexual Offences Act 2003[8] as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by Penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual Assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent?[9] Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another,
e.g.to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.[10]

Sexual harassment

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference

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[8] See Sexual Offences Act 2003 available at Legislation.gov.uk

[9] It is important school and college staff (and especially designated safeguarding leads and their deputies) understand consent. This will be especially important if a child is reporting they have been raped. More information: here.
4.
Government review of sexual abuse in schools

[10] PSHE Teaching about consent from the PSHE association provides advice and lesson plans to teach consent at Key stage 3 and 4

sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.[11] It may include:
- non-consensual sharing of sexual images and videos;
- sexualised online bullying
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats; and
- upskirting.

Upskirting[115]

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a person's clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

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[11] Project deSHAME from Childnet provides useful research, advice and resources regarding online sexual harassment.

Annex1

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.

Name (in BLOCK CAPITALS)

Course

Student ID number (on your ID card)

Signed

Date