

University of Aberdeen

Safeguarding Policy

1. Introduction

- 1.1 The University, as a charity, has a legal duty to act in the best interests of the charity and, in particular, to act with due care and diligence towards all its stakeholders. The University wishes to ensure that a safe environment is created for students, staff, beneficiaries and volunteers and that the appropriate policies, procedures and practices are in place to make sure that everyone is kept safe. The University wishes to develop a culture that enables anyone to report concerns, whilst making sure that those concerns are dealt with appropriately and in a sensitive manner. This safeguarding policy details how this will work.
- 1.2 In order to achieve this the University will do the following:
(Responsibilities are detailed in the Appendix)
- 1.2.1 Follow charity law and other specific statutory duties.
 - 1.2.2 Assess safeguarding risks and address them where necessary
 - 1.2.3 Put steps in place relevant to the size and work of the University
 - 1.2.4 Make sure policies and procedures are effectively applied in practice throughout the organisation.
 - 1.2.5 Review safeguarding policies and procedures at least once every 12 months. If there are gaps, make sure that any new policies or procedures are in line with the University's purposes and the law.
 - 1.2.6 Encourage a safe environment so that students, staff, volunteers, and beneficiaries feel that they can speak up when they think something is going wrong.
 - 1.2.7 Be decisive with any action taken
 - 1.2.8 Be transparent when incidents do occur, and learn if things go wrong
 - 1.2.9 Ensure that serious incidents are reported to OSCR (using the Notifiable Events system) and other relevant bodies.
 - 1.2.10 Identify suppliers, third parties and external clients it engages with to ensure they have a similar safeguarding policy in place for collaborative projects involving Vulnerable Adults at Risk, students, staff and volunteers and Children under the age of 18.

2. Scope

- 2.1 This policy sets out the University's duty to safeguard all children and vulnerable (protected) adults at risk, including visitors attending University events; potential students met off-campus; students, staff and volunteers who are part of the University; or others who come into contact with University staff, representatives or students in the course of their work. The Safeguarding policy applies broadly to all staff, students and volunteers, although specific responsibilities fall to certain roles and individuals. For staff (which may include volunteers and students in training, placement or in roles of responsibility), this policy sets out the University structures, guidance and procedures for identifying potential risk, abuse, harm or neglect, and for reporting concerns, internally and, where required, beyond the University.
- 2.2 The University is committed to providing a safe environment for all children and vulnerable adults at risk who may come into contact with the University through

teaching, research, outreach, or other activities. All University staff and volunteers have a duty of care towards the student body and should always operate under the safeguarding policies of the University thereby remaining appropriate in their conduct towards, and in the company of, children and vulnerable adults at risk.

- 2.3 The University cannot act "*in loco parentis*", and ultimate responsibility for children rests with those who do have parental responsibility. The University recognises that some vulnerable adults at risk may have an appointed representative e.g. mental health advocate, legal/enduring power of attorney.
- 2.4 Part of the scope of this policy is to seek to support activities involving children and vulnerable adults at risk and to provide an assurance to all students, staff, volunteers and visitors that safeguarding is treated seriously by the University and the requirements of this policy will be undertaken/discharged in an effective and timely manner.
- 2.5 The University has a Lead Safeguarding Officer/Contact, a Principal Safeguarding Officer/Contact and a network of Designated Safeguarding Officers/Contacts where required. These Officers/Contacts will work with other agencies where appropriate to ensure legal and regulatory compliance and to achieve the aims of this policy. Current post holders' details can be found [here](#).

3. Aims

- 3.1 This policy and guidance aims to:
 - 3.1.1 Provide a clear procedure to follow if a safeguarding concern arises
 - 3.1.2 Provide a definition of 'Children' and 'Vulnerable Adults at Risk' in the context of the safeguarding duty
 - 3.1.3 Provide guidance and procedures that promote safe practice and challenge poor and unsafe practice across all University activities and premises
- 3.2 The policy provides information to enable staff to identify instances in which there are grounds for concern about the welfare of a child, vulnerable adult at risk, student, staff member or volunteer, whether arising from home, community or the University environment, and to understand the appropriate actions to take, to keep them safe.
- 3.3 The University Nursery (Rocking Horse) is covered by a separate Child Protection policy and relevant regulatory requirements. In clinical settings appropriate NHS safeguarding procedures apply.
- 3.4 The Aberdeen University Student Association (AUSA) has its own safeguarding policy. Where issues arise that are relevant both to AUSA and to the University, the organisations will work together to address these issues.
- 3.5 The University has a separate policy for circumstances where children accompany their parent(s)/guardian(s) onto any part of the University campus. Further information can be found on the Health and Safety web pages.
- 3.6 This policy also supports and interacts with the University's policies and guidance in relation to its 'Prevent duty' - supporting and safeguarding students who may be at risk of being drawn into terrorism or into extremist ideologies which place students at risk of being drawn into terrorism ("radicalisation") (Counter-Terrorism and Security Act 2015).

Our policies and guidance under 'Prevent' also support and guide researchers and students whose academic activities relate to persons or subject matters that may fall under the Counter-Terrorism and Security Act 2015.

- 3.7 This Policy should be read in conjunction with the University's policies, procedures and guidelines referred to within the policy.
- 3.8 The University is committed to increasing awareness of safeguarding issues relating to children and vulnerable adults at risk, students, staff and volunteers promoting good practice and assisting members of staff to make informed and confident responses in relation to safeguarding issues.
- 3.9 This policy is also designed to safeguard children and vulnerable adults at risk who come into contact with the University community, and the staff working with children and vulnerable adults at risk, to ensure that there are clear guidelines and procedures for identifying risk and reporting concerns.

4. Allegations and Concerns

- 4.1 Staff, students and volunteers working in direct contact with children or vulnerable adults at risk may come across possible signs of harm and/or abuse. In each circumstance the individual needs to ensure that any concerns for the wellbeing of a child or vulnerable adult are reported to the appropriate person as quickly as possible and, at most, within 24 hours. The reporting procedure is detailed in the flowchart at Appendix 2.

5. Allegations relating to staff, volunteers, students

- 5.1 The University has a duty of care to its staff, students and to those engaged in a voluntary capacity and will seek to manage and minimise the stress inherent in circumstances where an allegation is made against a member of staff, student or volunteer. Support for the individual is key to fulfilling this duty. It is essential that any allegation of abuse made against a member of staff, student or volunteer is dealt with fairly, quickly and consistently, in a way that provides effective protection for the child/vulnerable adult at risk, and at the same time supports the person who is the subject of the allegation. The quick resolution of allegations of abuse should be a clear priority to the benefit of all concerned.
- 5.2 The University recognises its responsibility for the wellbeing of staff. Any employee who considers that they themselves may be an adult at risk, can seek support from line management. The staff member may also seek additional help and guidance from his/her trade union. These sources of support are available equally to a member of staff who faces allegations of inappropriate behaviour, abuse and/or neglect. (Please see Staffnet for further information). Any staff member who considers that they have been subject to inappropriate behaviour or abuse will also have access to the Discrimination, Harassment and Bullying Policy. The University also has a policy in relation to Reporting of Sexual Violence.

6. Safeguarding in relation to Students and potential students

- 6.1 The University takes a risk management approach to safeguarding in organising learning and teaching and delivery of services to students and the public. Professional Services, and Schools are required to carry out risk assessments in respect of

activities that involve children or vulnerable adults at risk, and make reasonable, proportionate adaptations to those activities. Further advice is available from Health and Safety.

- 6.2 The safeguarding and conduct policies of the University apply to staff and agents of the University as a minimum standard, wherever and whenever they are acting on behalf of the University. When visiting schools and colleges, staff should ensure they are aware of the local safeguarding policies and procedures for the premises and the point of contact for raising safeguarding concerns within the setting.
- 6.3 University staff are not expected to take responsibility for students in other educational establishments. Students remain the responsibility of their regular staff members. University staff should avoid situations where they might be left alone with students from other establishments, should ensure that the room/space is appropriate to the situation, and should always offer the student the choice to be accompanied by a person of their choosing.
- 6.4 The University reserves the right to refuse admission to students, if it judges that the adaptations necessary to safeguard that individual's wellbeing go beyond what is reasonable and proportionate. Where adaptations are reasonable and proportionate, the University will put in place measures in order to control risks and ensure safeguarding and wellbeing.
- 6.5 The University will ensure that its guidance for applicants reflects the fact that some will be aged under 18 years at the commencement of their programme of study, and will include appropriate information about the nature of the University environment, which will include links to the University's broader safeguarding policy and contacts. Applicants may request that this guidance also be copied to the applicant's guardian(s)/parent(s) for information, both at the point of offer and prior to enrolment.

7. Students - Criminal convictions and risk

- 7.1 The University acknowledges that some applicants may have criminal conviction(s) or be subject to police investigation prior to making an application to the University. Equally students may be subject to a criminal investigation, charged with an offence or convicted of a criminal offence during their time at the University. Further information on how this is addressed is detailed in the paragraphs below.
- 7.2 Under the General Data Protection Regulations applicants on non-professional programmes do not need to declare spent or unspent convictions or simple cautions, reprimands or final warnings.
- 7.3 If the programme or course requires contact with children or vulnerable adults at risk then applicants and students are required to declare **all** convictions and cautions and PVG Scheme membership may be required. Further advice can be sought from the Registry (for current students). Such programmes would include for example Medicine, Dentistry and Education. Please refer to the Protection of Vulnerable Groups (PVG) policy [here](#).
- 7.4 A number of programmes may be exempt from requiring PVG Scheme membership but may still be subject to requirements of a professional validating body in relating to working in a chosen profession. Applicants for such programmes are advised to seek

advice from such professional bodies, regarding the impact of criminal conviction(s) on their chosen career.

- 7.5 Any information provided will be treated in line with University Policy and the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018.
- 7.6 Where a conviction is disclosed which indicates that the individual poses a risk to children or vulnerable adults at risk, the University has the right to deny admission to a student. Relevant offences include one or more of the following:
- 7.6.1 Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in actual bodily harm.
 - 7.6.2 Sexual offences, including those listed in the Sexual Offences Act 2009.
 - 7.6.3 The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
 - 7.6.4 Offences involving firearms.
 - 7.6.5 Offences involving arson.
 - 7.6.6 Offences involving terrorism.
- 7.7 If a student were to be convicted outside the United Kingdom for an offence listed above, this is also considered a relevant offence.

8. Safeguarding in relation to students working studying or volunteering in another organisation

- 8.1 The safeguarding and conduct policies of the University apply to staff, students and recruiting agents of the University as a *minimum standard*, wherever and whenever they are acting on behalf of the University. This can include time spent studying in one of the University's international partner higher education institutions, or on University recognised work placements.
- 8.2 International Safeguarding Standards also set a basic benchmark for organisations working and volunteering with children across the world. These include; a policy for safeguarding, the people to implement safeguarding and procedures to follow: <https://www.keepingchildrensafe.org.uk/how-we-keep-children-safe/capacity-building/resource-library>
- 8.3 Amongst the areas of guidance which are universally accepted, those that are most widely respected are the United Nations rights agenda which apply to children, older people and disabled people. It is recommended that individuals make themselves aware of this guidance.
- 8.4 In each setting they visit, whether University or elsewhere, University staff, students and volunteers should make themselves aware of the local safeguarding policies, procedures and point of contact for raising concerns.

9. Safeguarding in relation to Staff/Work Experience

- 9.1 The University has a responsibility for the safety of its students and therefore reserves

the right to deny employment to individuals where information obtained from Disclosure Scotland as a result of the application for PVG Scheme membership suggests that they might pose a danger to that community. Please see PVG Policy.

- 9.2 The University reserves the right, in accordance with its employment policies and procedures, to suspend and/or dismiss staff members from employment or from undertaking a specific role with respect to that employment (e.g. academic staff acting as personal tutor). This may be in circumstances where the individual acquires or extends a relevant criminal record, or where they have withheld information about their criminal record at the point of employment. Disciplinary action may also be taken against staff, in accordance with the University's employment policies and procedures for a failure to comply with the requirement to declare criminal convictions.
- 9.3 All staff, students, and volunteers are reminded of the offence of abuse of positions of trust under the Sexual Offences Act 2009.
- 9.4 The University obtains PVG Scheme membership for all staff, students or volunteers undertaking regulated work. The University has procedures to evaluate information about an individual's criminal record, and make sensible, fair and consistent judgements about whether the individual is safe to engage (or remain engaged) in the employment, role or office.
- 9.5 Many staff, students and volunteers are engaged in roles that are not 'regulated work', yet are involved in activities that may also involve children or vulnerable adults at risk. As outlined above, the University takes a risk management approach to the delivery of learning and teaching and University-managed activities involving the wider public. All staff, students and volunteers are expected to follow the relevant code of practice/conduct and maintain standards of conduct befitting those who are role models and influential figures in the lives of others.
- 9.6 Young people employed by the University, and children and young people on work experience at the University, must have an individual risk assessment which details any risks associated with the role and controls which have been put in place to mitigate these risks. Further guidance is available from Health and Safety and Human Resources.
- 9.7 It is the responsibility of Heads of Schools/Sections to ensure that a risk assessment is completed before offering work experience and apprenticeships or before employing someone under the age of 18. Further advice is available from Health and Safety [here](#).
- 9.8 Staff working with a child or young person should familiarise themselves with this policy.

10. Contractors' staff working on University premises

- 10.1 It is the responsibility of the contractor as the employer of staff working on the University's premises to ensure that each individual has been recruited appropriately to the role they are undertaking, and that PVG Scheme memberships have been acquired for all appropriate roles in accordance with the eligibility criteria. In line with the University's duty of care, the University will request confirmation from the employer that each worker requiring PVG Scheme membership has it.
- 10.2 Any staff of a contractor whose roles give them contact with children or vulnerable adults

at risk in the course of their duties for the University will abide by the safeguarding and practice policies of the University, and may be required to attend appropriate training.

11. Safeguarding - Other groups

- 11.1 Where children of students, staff members or visitors are present on the University estate or premises used by the University, they remain the responsibility of their parent/guardian or teachers, unless they are enrolled as students, or are otherwise involved in a University-managed activity (see below).
- 11.2 Safeguarding the wellbeing of children visiting the University estate or premises used by the University (without their parent/guardian) is the responsibility of the organiser of the activities in which the child is participating.
- 11.3 Safeguarding the wellbeing of service users of the University is the responsibility of the organiser of the service they are accessing within the overall remit of this policy.

12. Working with vulnerable Adults at risk in research

- 12.1 The University is committed to ensuring that the highest standards of care and respect are given to all research participants and subjects. The Research Governance Handbook <https://www.abdn.ac.uk/staffnet/research/research-governance-304.php> sets out the policies and procedures that apply to research that involves human participants. This includes good practice in obtaining informed consent, transparency and accountability in the aims and objectives of the research and committing to ensure the safety and best interests of all those who agree to participate, and the information and data obtained in the course of these research projects.
- 12.2 All research proposals that involve human participants are reviewed by an ethical review panel or board. Where the research involves NHS patients, staff or premises, it will be reviewed by the North of Scotland Research Ethics Service. The reviews adopt a risk based approach and require the identification and mitigation of risks to participants, including those who are considered to be at risk.
- 12.3 The University offers training in research ethics and governance which is mandatory for postgraduate students and highly recommended for all other researchers, technicians and other staff who support research involving human participants.

13. Developing Local Procedures

- 13.1 Any local procedures and codes of practice developed by a specific research group, School or Service will be subject to approval by the Safeguarding Steering Group.
- 13.2 The following general principles must apply to all local procedures and codes of practice.

14. Planning an activity

- 14.1 Any member of the University who has responsibility for organising an activity involving children or vulnerable adults at risk must nominate an individual to act as the

Designated Safeguarding Officer for the activity. (See appendix for further information)

Activities should:

- be designed so that appropriate training and supervision is available to those working with children or vulnerable adults at risk;
- minimise occasions on which members of the University will need to work alone in an unsupervised way with children or adults at risk ; and
- be appropriately risk assessed.

- 14.2 Every activity which involves children or vulnerable adults at risk should be risk assessed and the assessment should consider how the risks identified can be minimised and should also outline the local processes for reporting concerns, as well as taking account of Health and Safety considerations. This may form a part of an application for ethics approval.
- 14.3 Training requirements and records of training undertaken should be recorded in the risk assessment.
- 14.4 Completed risk assessments must then be made available to all staff or volunteers involved in the activity.
- 14.5 Any pre-employment or pre-activity checks (including PVG Scheme checks) should be carried out in accordance with the University's PVG Policy.
- 14.6 Children and vulnerable adults at risk who are participating in a University activity must, as part of their induction to the activity, be given clear information about how, and to whom, they can report concerns about any member of the University with whom they will be interacting. More than one point of contact should always be given and the details of the University's Safeguarding Officers included (in addition to the contact details of the Designated and Deputy Designated Safeguarding Officer(s) for the activity) so that complaints can be made directly to these officers, where appropriate.

15. Training

- 15.1 Any member of the University who will be planning activities with/for children or vulnerable adults at risk is required to be appropriately trained.
- 15.2 Training for all categories of Safeguarding Officers is required on a regular basis and when policies and procedures change substantially.
- 15.3 Activity organisers for regulated activities (e.g. residential courses for young people which may include fieldtrips) are highly recommended to access relevant training.
- 15.4 The line manager should ensure a post-holder is trained appropriately following a requirement for the post-holder of any role to be subject to a PVG Scheme membership check.

16. Whistleblowing (Public Interest Disclosure)

- 16.1 Whistleblowing is an important aspect of a safeguarded institution whereby staff, students and volunteers are encouraged to share genuine concerns about a colleague's behaviour, in confidence, with the relevant Lead Safeguarding Officer.
- 16.2 There may be situations whereby staff, students or volunteers have genuine concerns about the conduct of a colleague towards a child or adult. All members of the University have the right and the responsibility to raise concerns, without prejudice to

their own position, about the behaviour of staff, students, volunteers, or others, which may be harmful to those in their care and will receive appropriate support when doing so.

16.3 In accordance with legislation, the University will support and protect those staff, students, volunteers and others who, in good faith and without malicious intent, report suspicions of abuse or concerns about colleagues and their actions. Whistleblowing should be part of transparent work practices and is not intended to set up mistrust or suspicion among staff and volunteers.

16.4 Staff who want access to free confidential advice about whistleblowing can contact Public Concern at Work <http://www.pcaaw.co.uk/>

17. **Dealing with Suspicions or Allegations of Abuse**

17.1 Concerns for the safety and wellbeing of children, young persons or vulnerable adults at risk could arise in a variety of ways and in a range of different settings which may not necessarily be linked to the University. For example:

- 17.1.1 A child may report or display signs of abuse;
- 17.1.2 Someone may hint that a child is a risk;
- 17.1.3 Someone may hint that a colleague or student is an abuser;
- 17.1.4 An individual may witness or hear about abuse in another organisation;

17.2 An individual may be supporting an adult who indicates that other children and young people may be being abused by someone who abused them as a child.

17.3 It is essential to act quickly and professionally in all cases of suspected abuse. The course of action taken will depend on the specifics of the situation. In all cases it is vital that accurate records are maintained of allegations, concerns, decisions and reasons for actions. Records of subsequent actions should be maintained in a secure file. Files may be electronic or paper based. All files must be kept securely in line with the Data Protection Act and the GDPR. (See appendix for further information)

17.4 Any allegations or suspicions of abuse or concerns about the welfare of a child, young person or vulnerable adult at risk should be reported using the procedures as shown in the Guidelines. Members of staff must discuss concerns, suspicions or allegations with one of the University's Designated Safeguarding Contacts. The Designated Safeguarding Contacts are responsible for referring cases to the Lead Safeguarding Officer/Contact.

17.5 The Lead Safeguarding Officer/contact will decide whether to refer a case to Social Services and/or the police for them to consider what, if any, further action should be taken.

17.6 Concerns should be recorded and sent to the Designated Safeguarding Contact and the Lead Safeguarding Officer/contact as soon as possible after the disclosure takes place.

17.7 Any allegation by a child, young person or vulnerable adult at risk against a

member of staff, another student or a volunteer should be reported immediately to the relevant Designated Safeguarding Contact. In dealing with any such allegation the University has a duty of care both to the child, young person or vulnerable adult at risk concerned and to the member of staff, student or volunteer against whom the allegation is made.

17.8 The Designated Safeguarding Contact should discuss all such cases with the Lead Safeguarding Officer/contact who will decide whether to refer the case to Social Services and/or the Police for them to consider what, if any, further action should be taken.

17.9 Where the allegations involve a member of staff the Lead Safeguarding Officer will ensure that allegations are investigated in line with the Disciplinary Policy as appropriate.

17.10 Where allegations involve a student the Lead Safeguarding Officer will initiate student disciplinary procedures as appropriate.

17.11 Where a member of staff, student or volunteer is working on behalf of the University with young people at an external organisation the allegation should be reported using the organisation's safeguarding procedure. The member of staff, student or volunteer should also alert the Designated Safeguarding Contact that such a report has been made. The Designated Safeguarding Contact will inform the Lead Safeguarding Officer/contact.

17.12 Students or members of staff may disclose that they were the subject of historical abuse by someone unconnected with the University. In such circumstances there is not necessarily a need for action. However, allegations of historical abuse may raise concerns that other children, young people or vulnerable adults may be at risk. If the individual has provided sufficient information to identify the alleged perpetrator, the University may have an obligation to share this information with the relevant authorities. Advice about appropriate action should be sought from the Lead Safeguarding Officer/Contact.

17.13 If an allegation of historical abuse does not raise concerns that other children or young people may be at risk the individual may still wish to report the abuse. The Lead Safeguarding Officer/Contact can provide advice about how to do this.

17.14 If an allegation of historical abuse is made against a member of staff or student of the University the Lead Safeguarding Officer/Contact will make a referral to the local Social Services department, and/or the Police where there is a significant risk of harm to a child, and take steps to initiate the appropriate staff or student disciplinary procedure when appropriate.

18. Policy Implementation and Review

18.1 This policy document constitutes the general policy that applies to all areas of activity in the University. Please also refer to the Safeguarding Code of Practice.

18.2 It is the responsibility of the Safeguarding Steering Group to review this policy annually. All versions will be dated and approved versions signed by the Chair of the Safeguarding Steering Group.

18.3 The University will further develop the policy where necessary in line with changes in legislation and best practice guidance and following internal review of the effectiveness of existing procedures.

19. Other Relevant Policies

- Admissions Policy
- Control and Management of Contractors Policy
- Criminal Finances Act
- Discrimination, Harassment and Bullying in the Workplace
- Equality and Diversity Policy Statement
- Fraud Policy
- Protection of Vulnerable Groups Policy
- Recruitment and Selection of Staff
- Research Governance Handbook; Policy and Guidelines on Good Research Conduct
- Staffing Policy: Staff and Students Conflict of interest
- Staffing Policy on Volunteering
- Policy and Procedure on Public Interest Disclosure (Whistleblowing)
- Code of Practice on Student Discipline (Non-Academic)

20. Definition of a Notifiable Event (Charities)

When problems occur, it is important for trustees to address them vigorously and transparently – the Office of the Scottish Charities Regulator (OSCR) have a Notifiable Events system which should be used in circumstances like this.

A notifiable event could be:

- fraud and theft
- significant financial loss
- incidents of abuse or mistreatment of vulnerable beneficiaries
- a lack of charity trustees required to make a legal decision
- when a charity has been subject to a criminal investigation or an investigation by another regulator or agency; sanctions have been imposed, or concerns raised by another regulator or agency
- when significant sums of money or other property have been donated to the charity from an unknown or unverified source
- suspicions that the charity and/or its assets are being used to fund criminal activity (including terrorism)
- charity trustees acting improperly or whilst disqualified.

Approved by Operating Board September 2018

Appendix 1 - Definitions/terminology

For the purposes of this policy and appendix, the following definitions will apply:

For the purposes of this policy, the term 'Vulnerable Adult' will be synonymous with 'Vulnerable Adult at Risk.'

1. Key Definitions and Concepts

1.1 Adult Support and Protection (Scotland) Act 2007 refers throughout to "adult". In terms of Section 53 of the Act, "Adult" means a person aged 16 or over.

1.2 "Adult at Risk" is defined in Section 3(2) of the "Adult Support and Protection (Scotland) Act 2007" as adults who:

- are unable to safeguard their own well-being, property, rights or other interests;
- are at Risk of Harm; and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

1.2.1 The presence of a particular condition does not automatically mean an adult is an "adult at risk". Someone could have a disability but be able to safeguard their well-being etc. It is important to stress that all three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others.

1.3 'Child' is any person under the age of 18; 'Children' are to be construed accordingly and can be defined in different legal contexts:-

1.3.1 Section 93(2) (a) and (b) of the Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the age of 16 and 18 who are still subject to a supervision requirement by a Children's Hearing can be viewed as a child. Young people over the age of 16 may still require intervention to protect them.

1.3.2 The United Nations Convention on the Rights of the Child applies to anyone under the age of 18. However, Article 1 states that this is the case unless majority is attained earlier under the law applicable to the child.

1.3.3 Any person under the age of 18 in cases concerning: Human Trafficking; sexual abuse while in a position of trust (Sexual Offences (Scotland) Act 2009) and the sexual exploitation of children under the age of 18 through prostitution or pornography (Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005)

1.3.4 A "Child" is defined under the Children and Young People (Scotland) Act 2014 as someone who has not attained the age of 18.

Particular care shall be afforded to a Child under the age of 16.

- 1.4 Abuse (and neglect) is a form of maltreatment of a child or an Adult at Risk. Somebody may abuse a child or an Adult at Risk by inflicting, or by failing to act to prevent, significant harm to the child to the Adult at Risk. There are three key different types of abuse that can be identified. Physical abuse is the causing of physical harm to a Child or young person or Adult at Risk. Emotional abuse is persistent emotional neglect or ill treatment of a Child causing severe and persistent adverse effects on the Child's emotional development. Sexual abuse is any act that involves the Child or young person or Adult at Risk in any activity for the sexual gratification of another whether or not it is claimed that the child either consented or assented.
- 1.5 "Harm" towards Adults at Risk is defined in Section 53 of the Adult Support and Protection (Scotland) Act 2007 as:
- conduct which causes physical harm,
 - conduct which causes psychological harm (for example by causing fear, alarm or distress),
 - unlawful conduct which appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement or extortion),
 - conduct which causes self-harm.
- 1.6 "Harm" towards Children can be defined as the ill treatment or the impairment of the health or development of the Child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. In this context, "development" can mean physical, intellectual, emotional, social or behavioural development and "health" can mean physical or mental health
- 1.7 "Risk of Harm" is defined in Section 3(2) of the Adult Support and Protection (Scotland) Act 2007 that an "Adult" is at risk of "Harm" if:
- another person's conduct is causing (or is likely to cause) the adult to be harmed, or
 - the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm
- The definition of "Adults at Risk" requires an assessment to be made about the "Risk of Harm" to the individual at the outset.
- 1.8 "Risk towards Children" in the context of this Safeguarding Policy, risk is the likelihood or probability of a particular outcome given the presence of factors in a Child's or young person's life. What is critical with respect to child protection is the risk of significant harm from abuse or neglect.

2. Designated Safeguarding Officers:

Lead Safeguarding Officer (LSO): The LSO is the University Secretary, who has overall accountability and strategic responsibility for safeguarding children and vulnerable adults at risk within the University.

Principal Safeguarding Officer (PSO): The PSO is the Director of People who has

responsibility for overseeing the implementation of the Safeguarding Policy within the University and to provide leadership and support to Designated Safeguarding Officers.

Designated Safeguarding Officers (DSO): These are officers appointed in Academic Schools and Professional Service departments where there are programmes or activities where staff and/or students work with children, and vulnerable adults at risk as part of their roles.

One or more **DSO** will be appointed to take responsibility for safeguarding within that programme or activity. The DSO will normally be the organiser or coordinator of the programme or activity. Depending on the scale of activity there may be one or more nominated.

Deputy Designated Safeguarding Officer (DDSO): A deputy may be appointed to support the DSO and may be the first point of contact for the activity involving children/vulnerable adults at risk.

Research DSO: For Research activities it will be the responsibility of the Head of School to ensure that a Designated Officer is appointed for any research activities or funded research project involving children or vulnerable adults at risk. The Designated Officer will usually be the person with overall responsibility for the activity (e.g. Principal Officer). The Designated Officer may appoint a Deputy Designated Safeguarding Officer (DDSO) who is involved in day-to-day activity to support the DSO.

3. Roles and Responsibilities

Effective safeguarding requires key role holders to understand their responsibilities and to ensure these are carried out. These roles and responsibilities are set out here. Unless stated otherwise, an individual with a particular responsibility may devolve the tasks associated with this responsibility to others. The overall responsibility remains the role holders.

The **Lead Safeguarding Officer** is responsible for:

- Ensuring compliance in this area;
- Oversight and management of safeguarding policies;
- Implementing and promoting this Policy;
- Ensuring this Policy is easily accessible to staff and students;
- Ensuring that the Policy is monitored and reviewed in accordance with changes in legislation and guidance on the protection of children;
- Ensuring that appropriate University staff are provided with information, advice and training about safeguarding;
- Establishing and maintaining contacts with the relevant authorities;
- Keeping up to date with current policy and legislation and updating the University accordingly.

The **Deputy Safeguarding Officer** will deputise for the Lead Safeguarding Officer.

Principal Safeguarding Officers: have responsibility for overseeing the implementation of the safeguarding policy within the University and provide leadership and support to

Designated Safeguarding Officer.

Designated Safeguarding Officers/Contacts are responsible for:

Providing support, advice and guidance to staff and students about this Policy;
Referring cases of suspected abuse or allegations to the Lead Safeguarding Officer/Contact;
Liaising with the Lead Safeguarding Officer/Contact to inform her/him of any issues and ongoing investigations;
Ensuring detailed and accurate written records of referrals/concerns are kept and that they are secure and confidential;
Ensuring appropriate levels of training are provided to staff within their area;
Assisting in the review of safeguarding policies and procedures.
Informing the Lead Safeguarding Officer/Contact of any changes to the Designated Safeguarding role holder in their area.

The **Director of Marketing & Student Recruitment** is responsible for:

Advising on the admission and support of students who are aged under 18 (in conjunction with the Academic Registrar and Director of People).

The **Director of People** is responsible for:

Monitoring the welfare of students who are aged under 18 (in conjunction with the relevant Heads of School);
Advising on the screening of students who, as part of their programme of study, go on placements or to conduct research which involves working with children, young people or vulnerable adults.
Advising on the employment of staff who are aged under 18, including those on work experience schemes;
Monitoring the welfare of staff who are aged under 18 (in conjunction with the relevant Head of School, Section);
Providing guidance on whether individuals who are employed in any capacity by the University should be subject to PVG Scheme membership.

Director of Health, Safety & Wellbeing is responsible for:

Providing advice and guidance about risk assessments for activities with groups of young people on campus.

Heads of School and Directors of Professional Services are responsible for:

Ensuring appropriate risk assessments are carried out for relevant activities;
Identifying staff, students and volunteers who will have frequent contact with children and young people who may require a PVG check;
Liaising with Human Resources to ensure that appropriate PVG checks take place;
Monitoring the welfare of staff who are aged under 18 (in conjunction with the Director of People);
Monitoring the welfare of students who are aged under 18 (in conjunction with the Director of People);
Ensuring safeguarding concerns are reported to a Designated Safeguarding Contact;
Ensuring Admissions Tutors understand the implications of recruiting under 18s to their

programmes.

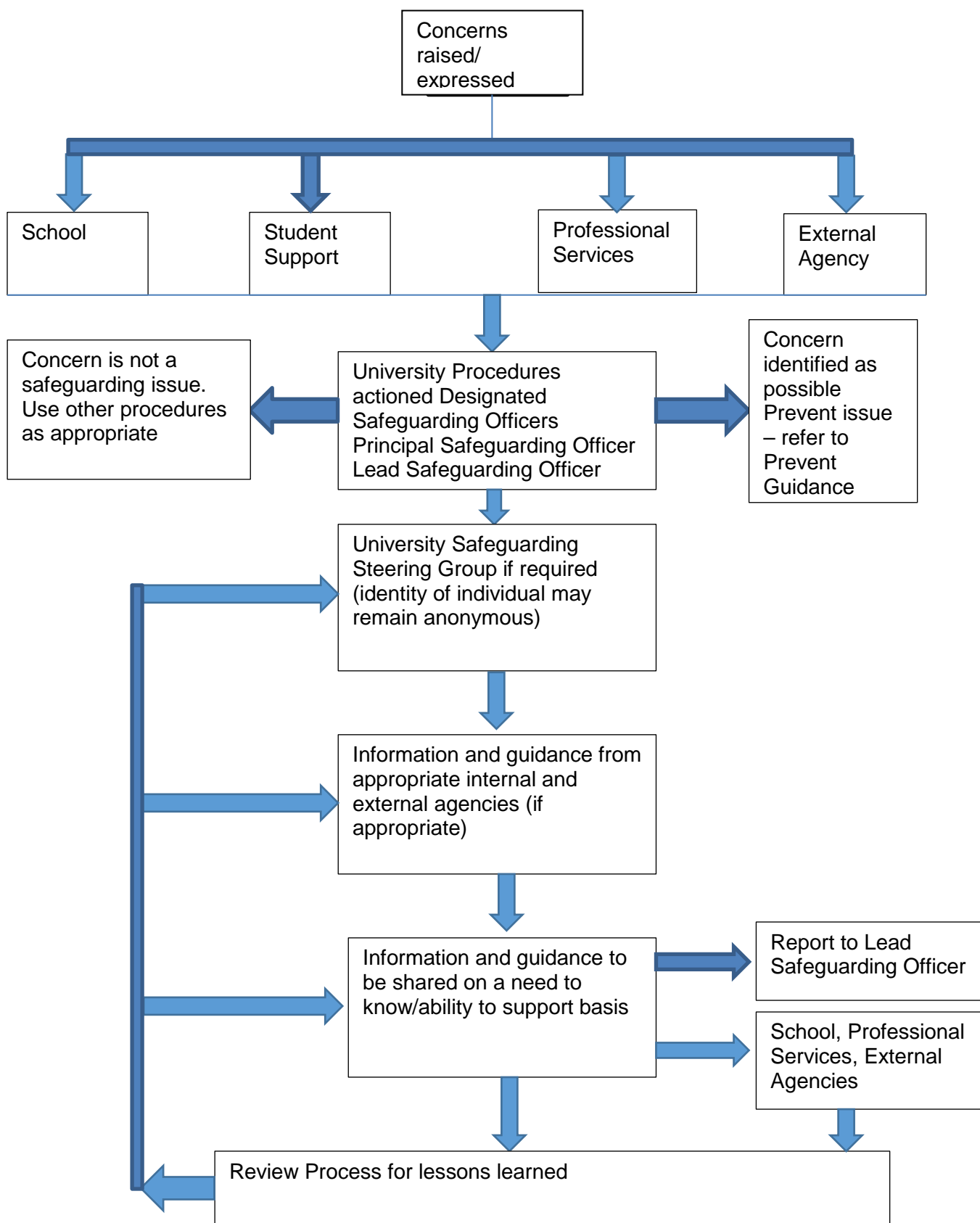
All staff are responsible for:

Reporting any concerns about safeguarding individuals to their Head of School/Section or Designated Safeguarding Contact.

All staff and/or students who intend to, or may be put in the position of, working with children, young people or vulnerable adults at Risk are responsible for:

Ensuring that they understand the implications of this Policy before commencing any programme, event, visit or other activity.

Appendix 2



| | |
|-----------------------------------|---|
| Title | Safeguarding Policy |
| Author / Creator | Catherine Cook – HR Partner |
| Owner | Director of People |
| Date published / approved | Approved September 2018 |
| Version | 1 |
| Date for Next Review | September 2019 |
| Audience | All Staff |
| Related | Protection of Vulnerable Groups, Admissions, Contractors, Equality and Diversity, Discrimination, Harassment and Bullying, Fraud, Recruitment and Selection, Research Governance Handbook, Staff and Student conflict of interest, Volunteering, Public Interest Disclosure, Code of Practice on Student Discipline |
| Subject / Description | This policy sets out the University's duty to safeguard all children and vulnerable (protected) adults at risk, visitors, students, potential students, staff and volunteers who are part of the University or come into contact with University staff, representatives or students. |
| Equality Impact Assessment | Yes |
| Section | HR |
| Theme | Employment, Students, Governance and Compliance, Research and Knowledge Exchange |
| Keywords | Safeguarding, Child, Vulnerable (protected) Adult at risk |