



# Safeguarding Policy

POL142

Lead Officer (Post):	Dean of Students
Responsible Office/ Department:	Student Services
Responsible Committee:	Finance and General Purposes Committee
Review Officer (Post):	Student Support Manager
Date policy approved:	01/09/2019
Date policy last reviewed and updated:	01/09/2019
Date policy due for review:	01/03/2022
Date of Equality Impact Assessment:	09/01/2019
Date of Privacy Impact Assessment:	Click or tap to enter a date.

Accessible versions of this policy are available upon request. Please contact the Governance and Policy Officer on 01463 279000.

## Policy Summary

Overview	<p>Why is the policy required?</p> <p>This policy is required to fulfil the safeguarding obligations of the University of the Highlands and Islands and all Academic Partners.</p>
Purpose	<p>What will the policy achieve?</p> <p>The policy will provide a unified approach to safeguarding across the network and ensure parity of student experience.</p>
Scope	<p>Who does the policy apply to?</p> <p>The policy applies to the University and all Academic Partners.</p>
Consultation	<p>Who has been consulted on the policy, and who will be notified?</p> <p>The policy has been developed by a group of practitioners from the University and Academic Partners to ensure that best practice is reflected in the policy and accompanying procedures.</p>
Implementation and Monitoring	<p>Who will be responsible for implementing and monitoring the policy, and what resources/ costs will be incurred?</p> <p>The University and Academic Partners are responsible for ensuring that the policy and procedures are followed in their own organisation.</p>
Risk Implications	<p>What are the risk implications of this policy?</p> <p>This policy will reduce risk for the University and Academic Partners by ensuring that best practice from across the partnership is being shared and followed.</p>
Link with Strategy	<p>How is this policy linked to University strategy?</p> <p>This policy supports the University's commitment to provide a safe and supportive learning environment for all, aligned with the Strategic Theme of "Our Students", responding to the diversity of our student population by enhancing inclusive practice, and widening access and participation. It also aims to ensure the University discharges its duty of care and meets legislative requirements on safeguarding.</p>
Impact Assessment	<p>Equality Impact Assessment: Completed 09/01/19. No action required.</p> <p>Privacy Impact Assessment:</p>

## 1. Policy Statement

- 1.1 The policy outlines our commitment to provide a safe and supportive learning environment for all. In addition, the policy sets out strategies to manage known risk (and any potential risk) to ensure all are protected from harm, abuse, neglect or exploitation.
- 1.2 The University of the Highlands and Islands recognises and complies with our legal and statutory obligations that arise from legislation including the Protection of Children (Scotland) Act 2003, the Adult Support and Protection (Scotland) Act 2007, the Counter-Terrorism and Security Act 2015, the Children and Young People (Scotland) Act 2014 and other relevant guidance and regulations.

## 2. Definitions

- 2.1 **Safeguarding:** Involves carrying out our 'Duty of Care' responsibilities in relation to minors, children, adults at risk, students and staff, ensuring the safety and welfare of all. It involves protecting people's health, wellbeing and human rights, thus enabling all to live and study free from harm, abuse, neglect or exploitation. It is fundamental to high quality learning and engagement.
- 2.2 **Duty of Care:** Our responsibility to use professional expertise and judgement to protect and promote the best interests of students and staff, and to ensure that we exercise an appropriate level of care towards them, as is reasonable within the parameters of our relationship.

Please read and consider Appendix 1 for further important information and definitions that help partners fulfil their safeguarding duties.

## 3. Purpose

- 3.1. Safeguarding, and the emerging agendas connected to safeguarding and duty of care are posing ever increasing challenges and demands in tertiary education. It is a key part of our remit and responsibilities to manage any real (or potential) risk we face, including online, as a learning community.
- 3.2. Our duty is to provide a safe and supportive learning environment for all users. For example, recent Scottish and UK government legislation has placed new legal duties and obligations on all Colleges and Universities.
- 3.3. The increasing demands and complexity of these responsibilities make it imperative that the University and all Academic Partners utilise and develop shared expertise, models, systems and processes to meet these challenges going forward.
- 3.4. The following underpinning principles are shared by the University and all Academic Partners:
  - 3.4.1. We will utilise a system of named staff (Safeguarding Leads) in the University and each Academic Partner with key responsibilities and duties linked to this role.
  - 3.4.2. We are committed to Continuing Professional Development and ongoing safeguarding training, especially for Safeguarding Leads.
- 3.5. **Criminal Convictions**
  - 3.5.1 We encourage all applicants and students to disclose information about any criminal convictions or police proceedings which may affect their ability to complete key aspects of their programme or placement. This includes personal restrictions or other

conditions arising from court orders or parole conditions e.g. travel, contact with others and use of equipment.

3.5.2 We will offer support and guidance to applicants/students with criminal convictions about course selection and career planning, and advise on the scope for any potential course or placement adjustments.

3.5.3 We have a duty of care to students, staff, visitors and clients to provide a safe and secure environment for all, and will undertake a risk assessment in the event of receiving criminal offence data relating to an applicant/student, to ensure that we do not admit or retain individuals who may pose a significant risk to our community.

3.5.4 We undertake to ensure that, by this policy and related procedures, we operate in consideration of all relevant statutory legislation and professional body requirements.

## 4 Scope

4.1 This policy applies to the University and all Academic Partners.

4.2 This policy applies throughout University and Academic Partner premises and campuses, including:

- Student accommodation managed by the University or Academic Partners directly
- Sports facilities
- Nurseries operated by the University or Academic Partners
- Any other areas or facilities where University or academic partner activities are carried out

4.3 This policy applies to activities undertaken by all students as part of their studies, including but not limited to:

- Work placements and work experience
- Summer schools, field trips and outreach activities

4.4 This policy applies in all environments, including physical and virtual (e.g. social media and online learning platforms).

## 5 Exceptions

5.1 This policy does not apply to accommodation advertised by or signposted to by University or Academic Partners (e.g. privately managed student accommodation or listings of private tenancies)

5.2 Third parties using University or Academic Partner facilities (e.g. Highlands and Islands Student Association, other academic institutes, external sports clubs and societies)

5.3 Students attending activities organised and hosted by another academic institute or body e.g. conferences, symposiums, sports tournaments and society gatherings.

5.4 Safeguarding considerations related to studying abroad, ERASMUS or work placement should be referred to the relevant policy (see Section 9).

## 6 Notification

6.1 All staff are responsible for safeguarding students through their student journey and will be made aware of any changes to the policy.

6.2 Safeguarding Leads will be briefed and trained on the policy and procedures.

6.3 The policy will be publicly available on our website.

- 6.4 We will make information available about our Safeguarding Lead and how to contact them. This information will be available both on our website and the University of the Highlands and Islands website.
- 6.5 The regional Student Support Group (SSG) will include any updates to the policy or procedure as an agenda item to ensure that staff group have a forum to discuss changes and best practice.

## 7 Roles and Responsibilities

- 7.1 University Court is responsible for approving the policy, ensuring the legal compliance of the policy and ensuring that it is followed. University Court is also responsible for ensuring the strategic effectiveness of the policy.
- 7.2 Principals / Senior Management Teams are responsible for operational compliance with the policy set by the University Court, and making recommendations to the Board about updates to the policy. Principals / Senior Management Teams are also responsible for ensuring the operational effectiveness of the policy and making provision for training for all staff.
- 7.3 Safeguarding Leads – are accountable responsibilities as detailed in the Safeguarding Procedures.
- 7.4 Line managers are responsible for ensuring staff participate in training and follow the policy in their day-to-day role.
- 7.5 All staff are responsible for familiarising themselves with the policy and procedures.

## 8 Legislative Framework

- [Adults with Incapacity \(Scotland\) Act 2000](#)
- [Adult Support and Protection \(Scotland\) Act 2007](#)
- [Children and Young People \(Scotland\) Act 2014](#)
- [Counter-Terrorism and Security Act 2015](#)
- [Council of Europe Convention on Action against Trafficking in Human Beings](#)
- [Data Protection Act 2018](#)
- [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#)
- [Equalities Act 2010](#)
- [EU Directive of 5th April 2011 on Preventing and Combating Trafficking in Human Beings and Protecting its Victims](#)
- [Forced Marriage etc. \(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)
- [General Data Protection Regulation \(GDPR\) 2018](#)
- [Human Trafficking & Exploitation \(Scotland\) Act 2015](#)
- [Mental Health \(Care and Treatment\) \(Scotland\) Act \(2003\)](#)
- [Police Act 1997](#)
- [Police and Fire Reform \(Scotland\) Act 2012](#)
- [Protection of Children \(Scotland\) Act 2003](#)
- [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)
- [Protection of Vulnerable Groups \(Scotland\) Act 2007](#)
- [Rehabilitation of Offenders Act 1974](#)
- [Sexual Offences Act 2003](#)
- [Sexual Offences \(Scotland\) Act 2009](#)
- [United Nations Convention on the Rights of the Child 1990](#)

## 9 Related Policies, Procedures, Guidelines and Other Resources

- [Approved Placement Policy](#)
- [Complaints Handling Procedures](#)
- [Fitness to Study Guidelines](#)
- [IT Acceptable Use Policy](#)
- [Promoting a Positive Learning Environment Policy](#)
- [Student Code of Conduct](#)
- [Study Abroad Policy and Guidance](#) (forthcoming)

## 10 Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author
1	01/09/19	FGPC	Approved	Safeguarding group