

# Edinburgh Napier University

## Safeguarding Policy and Support Framework

### Introduction and Overview

The protection of members of the University community from harm and abuse is a key priority for Edinburgh Napier University. The University recognises its duty of care and is committed to providing a safe and protected environment for all its students and staff.

The University also recognises that within its diverse population there may be people who are vulnerable at any given time. This guidance document outlines the policy and support framework through which the commitment of the University in its obligation to protect children and vulnerable adults who are at risk of harm, abuse, neglect, exploitation, or discrimination is set out.

Safeguarding is a term often used in the higher education sector to cover a range of issues. However, higher education providers (HEPs) are not subject to legal safeguarding duties in the same way that schools, further education colleges, local authorities and care providers are. Nevertheless, many HEPs do use the term 'safeguarding' to cover wider ethical or pastoral responsibilities where it may be possible to help to safeguard the welfare of children and adults at risk of abuse or neglect. In that respect this guide uses the term 'safeguarding' in its widest possible sense throughout.

All members of the University community have an essential role to play in ensuring that children and vulnerable adults are protected, and the University is committed to working within the principles of dignity, safety, equality and diversity.

In Scotland, students are generally considered to have full legal capacity, and to be capable of entering into contractual relationships such as a student-university relationship, at the age of 16. However, Scots law also recognises that despite having full legal capacity at 16, young people under 18 can be vulnerable in certain situations.

Vulnerable adults can be defined as persons over the age of 16 who have a learning or physical disability; a physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or a reduction in physical or mental capacity. It is reasonable for the University to assume that a student is a vulnerable adult when that student is unable to safeguard their personal welfare, property, or financial affairs or may be unable to protect themselves against significant harm or exploitation and is in need of support or attention.

Under section 3 of the Adult Support and Protection (Scotland) Act 2007, 'Adults at risk' are defined as adults over 16 years of age who:

- are unable to safeguard their own well-being, property, rights or other interests; and
- are at risk of harm; and

- are affected by disability, mental disorder, illness or physical or mental infirmity, that means an individual(s) are more vulnerable to being harmed than adults who are not so affected

All three elements of the definition must be met, and the presence of a particular condition does not automatically mean an adult is an 'adult at risk' or a 'vulnerable adult'.

A person may have a disability, physical and/or mental health problem and be able to safeguard their well-being and interests. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others.

It is recognised that members of the University community may come into contact with or have oversight of children and vulnerable adults, including: students either whilst studying or on placement; contact through the University's range of student services or other University facilities (e.g. accommodation, catering or sports etc.); summer schools and other recruitment or widening participation activities; field trips; outreach activities; events taking place on University property.

The policies, procedures and support arrangements which protect and safeguard the University community and particularly children and vulnerable adults from harm and abuse are outlined below.

These policies, procedures and arrangements provide a framework which aims to:

- promote a culture of safeguarding, by 'protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect';
- aid protection through disclosure (criminal records) checks of staff, appropriate to the legal context that determines who can have disclosure and PVG (Protection of Vulnerable Groups) checks;
- identify designated persons with responsibility for children and vulnerable adult protection;
- promote a culture in which signs of possible harm, mistreatment, or neglect are recognised and appropriately acted upon;
- provide clarity of procedure for those involved, including reporting concerns, recording and communicating information, data protection, risk assessment and confidentiality;
- promote positive collaborative working within the University and with any external agencies involved e.g. Police Scotland, Children First, or local authority Health and Social Care where necessary; and
- ensure anyone involved in an abuse case is supported appropriately.

The University will take all reasonable and appropriate measures to ensure that unsuitable people are prevented from working with children and vulnerable adults. Where it has been identified that staff/positions are likely to have contact with children/vulnerable adults in the course of their work, the University will follow the

statutory guidance to ensure that, where appropriate, staff will join the Protection of Vulnerable Groups Scheme (PVG Scheme) which was introduced by the Protection of Vulnerable Groups (Scotland) Act 2007. This protocol also covers PVG scheme membership for research that may involve children/vulnerable adults; children on work experience; summer school working; activities in school and nurseries etc. These measures are contained within the University's [Protection of Vulnerable Groups Policy](#).

## **1. Protection for Students**

### **Expectations of Conduct, Raising Concerns and Sanctions for Misconduct**

Expectations of standards of behaviour of students is contained within the [Student Code for Campus and Classroom Conduct](#). This states that students should be able to learn, study and socialise in an open, supportive and inclusive environment where all members of the University Community show respect for, and courtesy to, each other at all times. The Code seeks to clarify behaviours which would be regarded as falling outside the acceptable standard.

The University's [Student Conduct Regulations](#) define misconduct and, where standards of behaviour fall below the expectations in the Code and can be considered as misconduct under the Student Conduct Regulations, the process, actions and sanctions that can be taken are defined.

The University's [Staff Disciplinary Policy and Procedure](#) seeks to maintain satisfactory standards of conduct from all of our employees in line with our values and behaviours. The policy defines misconduct, including misconduct against students, and defines the process and outcomes.

Concerns regarding the conduct of any member of the University community against a student can be raised formally through the University's [Complaints Handling Procedure](#) following which action may be taken as appropriate under the Student Conduct Regulations or the Staff Disciplinary Policy and Procedure.

Concerns may also be raised informally and support and guidance sought through disclosure to University staff with a pastoral support role (for example Personal Development Tutors), specialist student support services (including through the [reportandsupport@napier.ac.uk](mailto:reportandsupport@napier.ac.uk) email address) and the Advice service of Edinburgh Napier Students' Association, as detailed in the next section.

### **Student Support and Wellbeing**

Students have access to a range of University support services which includes:

- Student Wellbeing and Support:
  - Disability Inclusion
  - Student Funding
  - Counselling and Mental Wellbeing
- Widening Participation team, including support for Care Experienced Students

- Academic Skills
- Student Accommodation Residence Life team
- International Support
- They can also access the Edinburgh Napier Students' Association Advice team.

In addition students have access to School based Personal Development Tutors who have as part of their role a pastoral support function and to the School Support Service.

Information about these support services can be found here: <https://my.napier.ac.uk/Pages/Home.aspx> and about the role of personal development tutors here: <https://my.napier.ac.uk/Academic-Study-Skills/Pages/PDT.aspx> .

Staff working within Student Wellbeing and Inclusion, in particular in the Counselling and Mental Wellbeing team are experienced in responding to safeguarding issues either raised directly by students themselves or as a result of concerns raised by other members of the University community. Using a risk based approach students will be offered a range of support and if necessary referral out to other recognised professional sources of support. On occasion, in response to assessed risk issues, for example where concerns include issues relating to children and/or vulnerable adults, other external agencies will be contacted by the service on behalf of the University.

If any staff have safeguarding concerns relating to students they should contact the Head of Student Wellbeing and Inclusion or the Wellbeing Services Manager for advice. In addition the University has recently established the [reportandsupport@napier.ac.uk](mailto:reportandsupport@napier.ac.uk) email address – primarily a route to report and seek support for students (or staff) affected by sexual misconduct or violence, this is also a route to raise concerns about other forms of harassment, bullying or misconduct.

Please contact: [m.wilkinson@napier.ac.uk](mailto:m.wilkinson@napier.ac.uk) or [t.brunklaus@napier.ac.uk](mailto:t.brunklaus@napier.ac.uk) or [reportandsupport@napier.ac.uk](mailto:reportandsupport@napier.ac.uk) .

### **Referral pathways relating to concerns about children or vulnerable adults**

Any issues, suspicions and allegations involving harm to children or protected adults should be referred to the appropriate designated lead officer, who will assess the information and determine what action, if any, must be taken and that suitable steps are taken as a result of any investigations, which may include contacting the police and/or fulfilling the legal duty to refer information to the PVG Scheme and the Disclosure and Barring Service (DBS), if appropriate, as required.

Staff should contact: Director of People and Services

Students should contact: Head of Student Recruitment & Admissions

## **Training for staff**

There is a wide range of training available in support of the University's aims to provide a supportive and safe environment and to ensure that it delivers its duty of care to students.

In relation to the University's Protection of Vulnerable Group's Policy key post holders appointed to regulated roles are offered online safeguarding and child protection training, which must be regularly updated. This is arranged by the Human Resources team at the time of appointment.

Staff in these roles are also provided with the University complaints procedure and details of the University's designated safeguarding leads (as noted above) and advised that they should report any safeguarding concerns to them.

They are also provided with copies of good practice guidance on safe working practices.

A range of training is also offered by service areas to their staff fulfilling key roles in relation to student safeguarding and related aspects of duty of care. Much of this is co-ordinated by Human Resources, but other areas of the University are also key to delivering related training opportunities. This includes mental health first aid training; mental health awareness training for managers and staff; training in receiving a disclosure of sexual violence; prevent duty training; and a wider range of mandatory Health and Safety training.

Service areas such as Student Wellbeing and Inclusion ensure that their staff regularly participate in training connected to their roles to ensure that they are able to discharge their responsibilities effectively.

The recent review of the Personal Development Tutor role has identified that training is key to ensuring that staff who have this remit are able to deliver their pastoral care responsibilities and work on this is being taken forward in 2018/19. Human Resources have also noted that the key training identified above for members of staff in regulated roles is currently under review.

Staff fulfilling the new duties of Sexual Violence/Misconduct Liaison Officers will be trained from January 2019 to enable them to fulfil this new specialist remit.

## **Criminal Conviction Disclosure & Protection of Vulnerable Groups**

Individuals applying for employment at the University are required by law to disclose unspent criminal convictions and spent convictions where the type of role applied for requires this. Such disclosures are considered and assessed in the context of the recruitment process. Where staff members receive a criminal charge or conviction whilst in employment, this is considered under the [Staff Disciplinary Policy and Procedure](#) in terms of the relevance and effect the charge or conviction has on the employee's suitability / ability to complete their job and their relationship with the University, work colleagues, students and customers.

Individuals applying to join the University as a student are required, as part of the terms and conditions relating to their application, to declare any relevant unspent criminal convictions. Any declared convictions are investigated under the University's [Policy for Applicants with Declared Criminal Convictions](#). Consideration is given as to whether admission of the applicant would pose a significant and unacceptable risk to the University community and whether there are specific professional requirements related to the course applied for which need to be considered, including those requiring Protection of Vulnerable Groups (PVG) scheme membership. Where students receive a criminal charge or conviction during their studies, they are required to disclose this to the University. Such disclosures will be considered against the [Student Conduct Regulations](#) in order to determine whether any further action is required.

As previously referenced, the University has a [Protection of Vulnerable Groups Policy](#) to ensure that where staff carry out 'regulated work' under the Protection of Vulnerable Groups (Scotland) Act 2007, they are PVG scheme members to ensure that we do not knowingly employ staff to carry out 'regulated work' who are barred from working with children and/or 'protected adults'.

### **Students on Placements and Studying Abroad**

The University will work with partners to ensure that processes are in place to secure the welfare of students on work placements or engaged in an international study opportunity.

## **2. Protection for Staff**

### **Expectations of Conduct, Raising Concerns and Sanctions for Misconduct**

Expectations of standards of conduct for staff in line with the University's values and behaviours are contained in the [Staff Disciplinary Policy and Procedure](#). The policy defines misconduct and defines the process and outcomes.

Measures to secure a positive, supportive and inclusive working environment free from harassment, discrimination, bullying and victimisation for staff are set out in the [Dignity at Work Policy](#).

Employees can raise concerns about relationships with their colleagues or behaviour of others towards them through the [Grievance Policy and Procedure](#) following which action may be taken as appropriate under the Student Conduct Regulations or the Staff Disciplinary Policy and Procedure.

### **Support and Welfare**

Services which support the welfare of staff, including the University's Employee Assistance Programme and services available through the Occupational Health Service, are detailed on the [Human Resources intranet site](#). Staff can also report and seek support in relation to sexual misconduct or violence by reporting through the recently established [reportandsupport@napier.ac.uk](mailto:reportandsupport@napier.ac.uk) email address.

### **3. Prevent Duty**

The University has a statutory duty in terms of the Counter-Terrorism & Security Act 2015, 'to have due regard to the need to prevent people from being drawn into terrorism'. The measures that have been taken by the University to address this statutory duty, including the steps staff and students should take to raise any concerns that they may have, are outlined on the [Prevent Duty intranet page](#).

### **4. Protection of Health & Safety**

The University is committed to ensuring the health and safety of staff, students, visitors and contractors by taking all reasonable steps to provide and maintain a safe work and study environment. Details of the University's Health & Safety management system including arrangements for accident reporting, fire and emergency procedures, first aid, travel overseas policy and student induction/staff training can be accessed on the [Health & Safety intranet site](#).

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