

SAFEGUARDING POLICY



**University
of Dundee**

University of Dundee

Safeguarding Policy

See Annex 1 for definitions used in this Policy.

INTRODUCTION

This Policy sets out how the University will meet its statutory, regulatory and legal responsibilities in respect of its safeguarding.

It is important that members of the University Community understand how the University discharges its safeguarding obligations and how this affects them directly in their day to day duties.

PURPOSE

The purpose of this Policy is to help you to:

- identify the University's obligations in respect of safeguarding;
- understand what might constitute a Safeguarding Concern;
- better manage safeguarding issues; and
- create an environment in which members of the University community can feel safe, respected and protected from harm and abuse regardless of race, gender, disability, religion, sexual orientation, age or social background.

WHAT IS SAFEGUARDING?

The University has a legal obligation of safeguarding which applies to members of its Community. This legal obligation is discharged through a variety of avenues and is set out in legislation, by regulators and in the University's existing processes and procedures.

In summary, the University safeguarding covers, to a greater and lesser extent depending on the context:

- promoting the health and wellbeing of all members of our community;
- protecting members of our community from harm; and
- addressing any Concerns raised.

KEY AREAS

The University manages its safeguarding obligations in three key areas. These are:

- Safeguarding our Community
- Safeguarding children and vulnerable adults
- Safeguarding in research.

HOW TO USE THIS POLICY

In PART 1 of this Policy we provide a broad overview of how the University manages its safeguarding obligations in these key areas.

In PART 2 we set out how the University manages Safeguarding Concerns once they are reported.

In the Annexes we provide a list of definitions used in this Policy in Annex 1. In Annex 2 we list the framework of various existing government policies, regulations, legislation and guidance which are relevant to safeguarding.

In Annex 3 we list the various University policies and procedures which assist the University in discharging its obligations in safeguarding and you should refer to these for detailed provisions. Annex 4 sets out the PREVENT duty.

PART 1

SAFEGUARDING

KEY AREAS

A. SAFEGUARDING OUR COMMUNITY

University Community

For the purposes of this Policy, the University Community means staff, students, associate staff, associate students, visitors, contractors, research participants and other members of the public who come into contact with the University and its work.

Safeguarding committees

The University has established several committees which meet on a regular basis to consider, review and address how the University manages various aspects of its safeguarding duties based on specific matters.

These include, but are not limited to:

- The Safeguarding Advisory Group
- Equally Safe
- Data, Records and Information Management
- University Research Ethics Committee
- Health, Safety and Welfare Committee
- People and Organisational Development Committee
- Research Governance and Policy Sub-Committee
- Equality, Diversity and Inclusion Committee
- School Boards.

Specific statutory duties

The University is required by the Government through legislation to comply with the PREVENT duty – part of the Government’s counter-terrorism strategy called CONTEST.

The University’s approach to its PREVENT duties is that they should be carried out in line with its overarching duties regarding safeguarding of its Community.

The University approaches its compliance with the PREVENT duty in a proportionate manner as it requires to balance its statutory obligations against the fundamental rights of freedom of expression and academic freedom.

Further information on how the University implements PREVENT can be found in Annex 4.

B. SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

The University has a duty of care to ensure that children and vulnerable adults are subject to sufficient safeguarding to protect them from harm when it conducts its activities.

A “child” is generally defined as someone under the age of 18¹.

“Vulnerable Adults” are those aged 16 years and over who:

- are unable to safeguard their own wellbeing, 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 affected²

Differing legal definitions can be confusing. However, the priority is always to ensure that a vulnerable person who is or may be at risk of harm is offered support and protection.

Members of our Community, like students, may fall into the above categories but it also includes people who encounter children and/or vulnerable adults outside of the University in their day to day activities as part of their studies, general duties or research activities.

The University is required to discharge its responsibilities by law and regulation and does so through its various policies and procedures including for example in admissions, recruitment, placements and other supervision and monitoring processes.

Over and above compliance with these duties, all members of our Community have a role to play in ensuring that children and vulnerable adults are protected from exploitation or harm.

More information about child abuse, including information on what to look out for if you suspect a child is being abused or neglected, can be found on the NSPCC website: <https://www.nspcc.org.uk/>.

The Scottish Government’s National guidance for child protection in Scotland can be found on the Scottish Government’s website by following this link: <https://www.gov.scot/publications/national-guidance-child-protection-scotland/pages/3/>

If you have Concerns, you should always report them (see Managing Safeguarding Concerns section and Reporting Concerns for more details on how to do this).

The University has Safeguarding Children and Vulnerable Adults Guidance which can be found [here](#).

¹ Children (Scotland) Act 1995

² Adult Support and Protection (Scotland) Act 2007

C. SAFEGUARDING IN RESEARCH

It is important that all of our staff and students involved in research activities take reasonable steps to:

- understand their safeguarding responsibilities; and
- prevent harm coming to anyone they engage with as part of that research activity.

The University has developed guidance to assist staff and students when preparing for and participating in research activities, including international development research. It sets out in more detail some of the tools that should be used to anticipate, mitigate and address Safeguarding Concerns.

The guidance is called Safeguarding Guidance for Researchers and can be found [here](#).

Safeguarding in the context of international development research is defined as “preventing and addressing any sexual exploitation, abuse, or harassment of research participants, communities and research staff, plus any broader forms of violence, exploitation and abuse ... such as bullying, psychological abuse and physical violence”. (UK Collaborative on Development Research, February 2020).

More information about safeguarding in international development research can be found on the UKCDR website: <https://www.ukcdr.org.uk/resource/guidance-on-safeguarding-in-international-development-research/>

PART 2

MANAGING SAFEGUARDING CONCERNS

The University has many structures, processes and procedures in place in order to comply with its safeguarding obligations and to identify and manage such Concerns appropriately.

These include, but are not limited to:

- having a robust process for recruiting new members of staff, which includes carrying out pre-employment checks and obtaining relevant references;
- providing new members of staff with induction training;
- ensuring staff and students are supervised and managed in the activities they undertake, with a clear line of management/supervision;
- ensuring that where staff and/or students are working with vulnerable groups they obtain a satisfactory PVG Scheme membership as required;
- having in place relevant policies, procedures and guidance;
- ensuring that staff and students are aware of and understand the standard of conduct that is expected of them and that matters of misconduct may result in disciplinary action;
- providing training and guidance to staff to make them aware of their safeguarding responsibilities and what to do if they have a Concern;
- reporting Concerns to any relevant parties in line with applicable laws and regulations;
- working with local partners, including the local authority and emergency services, to prevent individuals from being drawn into terrorism;
- carrying out due diligence of any partners and their safeguarding policies when planning new partnerships;
- carrying out risk assessments for University activities as required;
- providing students and staff with support services when required;
- carrying out regular Health and Safety inspections.

WHAT IS A SAFEGUARDING CONCERN?

A Safeguarding Concern could arise when:

- an individual is being subject to or is at risk of abuse, neglect or harm;
- an individual is or is at risk of being radicalised;
- an individual has abused, neglected or caused harm to someone else; or
- an individual's behaviour is considered to be a Serious Issue.

A "Serious Issue" is defined as an issue, whether actual or alleged, which in the judgement of the University (i) has or could result in serious or significant harm to students, staff or other members of the University community or the public who come into contact with the University, such as a criminal offence, serious damage to property and/or significant harm to the University's work or reputation; and/or (ii) is likely to result in a breach of the University's policies and procedures.

WHAT ARE YOUR RESPONSIBILITIES?

Everyone in our Community has a part to play when it comes to safeguarding. We therefore consider that as a Community we have a responsibility to:

- look out for each other;
- follow any applicable guidance, policies and procedures; and
- report any Concerns we may have about another member of the University Community, including children and vulnerable adults.

University staff have the following additional responsibilities:

- to be familiar with applicable policies and procedures, including this Safeguarding Policy;
- to follow the procedures set out within this Policy if any Safeguarding Concerns arise; and
- to complete Safeguarding training as required.

REPORTING CONCERNS

If you have a Concern about a member of the University Community then you must act upon it and bring it to the University's attention without delay. That way steps can be taken to mitigate any risk of harm, appropriate support can be given where needed and the Safeguarding Concern can be addressed.

Anyone can raise a Concern about a student, member of staff or another member of the University Community. The recommended way to raise a Concern is by completing the online Raising a Concern Form which can be found here: [Raising a Concern Form](#)

If you decide to remain anonymous when raising a Concern, the University will consider the Concern you have raised but may be limited in terms of any action it can take.

In situations where University activity or work is taking place away from campus, care must be taken to ensure that the organisations and/or individuals that our staff or students are working with know how to raise Concerns with the University, should they arise.

In an emergency, or if the matter is urgent, a Concern should be reported to the police (if it is a criminal matter) or to any member of staff who is trusted by the person raising the Concern. If you have a Concern about a member of staff or a student out of hours, and it cannot wait, you can contact University Security by calling 01382 385850 or 4141 in an emergency.

If you have a Concern but are not sure what to do, or have questions about reporting a Concern, please email: safeguarding@dundee.ac.uk.

HOW WILL CONCERNS BE DEALT WITH?

The University takes all Safeguarding Concerns seriously. Concerns will normally be considered in terms of the University's Safeguarding Protocol which can be found [here](#).

Under the Safeguarding Protocol, when a Safeguarding Concern is raised, the University's Safeguarding Advisory Group will meet to consider, inter alia, whether any precautionary action is

necessary to protect the complainer or members of the University Community from harm and/or to recommend supportive measures to be put in place for the individual who is the subject of the complaint.

Where considered appropriate in the circumstances of a particular case, disciplinary penalties may ultimately be imposed under one of the University's policies or procedures relating to staff or student discipline which include:

- Student Discipline Procedure
- Fitness to Practise Procedure
- Staff Disciplinary Procedure
- Dignity at Work and Study Policy.

SUPPORT SERVICES

Support is available for those who have been affected by a Safeguarding Concern if they want to access it.

Student Services have a team in the Enquiry Centre who are there to provide support and advice, and direct students to other services. Further details of the range of support services that are in place to help students can be found on the Student Services web pages <https://www.dundee.ac.uk/student-services/>. These include the University Health Service, the Counselling Service, Disability Services and support for student related Gender Based Violence issues. Additional online resources are available on the Live Smart website here: <https://libguides.dundee.ac.uk/livesmart>

Human Resources and Organisational Development have a Resilience Package which highlights sources of help that are available to members of staff. It can be found by using this link: [Resilience Package](#).

In addition, support is available from the following:

- Occupational Health <https://www.dundee.ac.uk/safety/occhealth/>
- Your School Office <https://www.dundee.ac.uk/corporate-information/academic-schools>
- Human Resources <https://www.dundee.ac.uk/hr/>
- Equality, Diversity & Inclusion Office <https://www.dundee.ac.uk/equality-diversity/>
- DUSA <https://www.dusa.co.uk/advice>
- Chaplaincy <https://www.dundee.ac.uk/chaplaincy/>

LESSONS LEARNED

The University, through the Safeguarding Advisory Group, will regularly review the Safeguarding Concerns that have been raised and the way they have been dealt with in order to identify any areas for improvement.

Lessons learned may be shared with members of the Community to help prevent future Safeguarding Concerns from arising and to improve the handling of cases by considering the experiences and priorities of victims/survivors..

QUESTIONS ABOUT THIS POLICY

If you have any questions about this Policy you should email safeguarding@dundee.ac.uk.

ANNEX 1

Definitions used in this Safeguarding Policy

Community	means the University Community
Concern	means a Safeguarding Concern
Safeguarding Concern	<p>means a concern arising as a consequence of:</p> <ul style="list-style-type: none"> • an individual being subject to or being at risk of abuse, neglect or harm; • an individual being or at risk of being radicalised; • an individual having abused, neglected or caused harm to someone else; or • an individual's behaviour being considered to be a Serious Issue. <p>This includes, but is not limited to, sexual exploitation, violence, bullying and harassment.</p>
Serious Issue	<p>an issue, whether actual or alleged, which in the judgement of the University (i) as or could result in serious or significant harm to students, staff or other members of the University Community or the public who come into contact with the University, such as a criminal offence, serious damage to property and/or significant harm to the University's work or reputation; and/or (ii) is likely to result in a breach of the University's policies and procedures.</p>
UKCDR	UK Collaborative on Development Research
University Community	means staff, students, associate staff, associate students, visitors, contractors, research participants and other members of the public who come into contact with the University and its work.

ANNEX 2

Legal Framework

- Adult Support and Protection (Scotland) Act 2007
- Children (Scotland) Act 1995
- Children's Hearings (Scotland) Act 2011
- Children and Young People (Scotland) Act 2014
- Criminal Justice (Scotland) Act 2003
- Data Protection Act 2018
- Domestic Abuse (Scotland) Act 2018
- Equality Act 2010
- Human Rights Act 1998
- Protection from Abuse (Scotland) Act 2001
- Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
- Protection of Vulnerable Groups (Scotland) Act 2007
- Public Interest Disclosure Act 1998
- Sexual Offences (Scotland) Act 2009
- The United Nations Convention on the Rights of the Child

ANNEX 3

Relevant policies, procedures and guidelines

<ul style="list-style-type: none">• Anti-bribery Policy• Acceptance of External Research Funding Policy• IT - Acceptable Use Policy• Alcohol, Drug and Substance Misuse Policy• Applicants with Criminal Convictions FAQs• Safeguarding Children and Vulnerable Adults Guidance• Children Visiting University Premises• Clinical Ethics – Tayside Medical Sciences Centre (TASC)• Code of Good Practice in Research• Code of Practice for Non-clinical Research Ethics on Human Participants• Complaints Handling Procedure• Conflicts of Interest Policy• Data Protection Policy• Data Protection and Research - Guidance• Dignity at Work and Study Policy• Disciplinary Procedure (staff)• Disability Statement• Disclosure Scotland (PVG Scheme)• Drug (Alcohol) & Substance Misuse Policy• Due Diligence Policy• Equality, Diversity and Inclusion Policy• External Speakers and Events Policy• Fieldwork Safety Policy• Fitness to Practise Procedure• Fraud – Prevention and Investigations• Gender Action Plan• Gender Based Violence Statement• Gifts and Hospitality Policy• Health and safety Policy• Grievance Procedure• Lone Working within University Premises	<ul style="list-style-type: none">• Management of Stress at Work• Misconduct (Academic)• Misconduct in Research• Out of Hours Policy• Overseas Travel• Policy for Investigating and Resolving Allegations of Misconduct in Research• Policy to Govern the Management of Research Data• Recruitment & Selection Guidelines• Recruitment and Admissions Policy• Research Governance and Policy Handbook• Risk Assessment Policy• Risk Management Policy• Safeguarding Guidance for Researchers• Safeguarding Protocol• Safety Services Policies• Staff Expenses, Travel & Working Overseas Policy• Staff Handbook• Student Discipline Procedure• Student Placements Policy• Student Work Experience• Travelling on University Work Overseas• Travelling on University Work within the UK• Visitors Policy Statement• Whistleblowing Policy
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ANNEX 4

PREVENT

OVERVIEW

- PREVENT is one of four strands of CONTEST which is the UK Government's strategy for countering terrorism. The overarching aim of CONTEST is to 'reduce the risk to the UK and its citizens and interests overseas from terrorism, so that our people can go about their lives freely and with confidence'.
- The Counter Terrorism and Security Act 2015 imposes a general duty on Universities. This means that the University "must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism."

RESPONSIBILITIES

- The University Secretary is ultimately responsible for implementation of the PREVENT duty and for ensuring that any relevant guidance is observed.
- The University Secretary is supported by a group of senior staff, collectively known as the Safeguarding Advisory Group ('SAG'). The SAG shall report to the University Secretary, or their nominee, as appropriate.
- When satisfying its responsibilities, the SAG must have regard to the University's duty to safeguard its staff and students and the need to ensure freedom of expression. Some of the specific responsibilities include:
 - communicating and promoting the Prevent duty;
 - arranging suitable training for staff;
 - ensuring and relevant policies and procedures are in place and are framed and implemented with the fundamental right to freedom of expression;
 - considering any new guidance related to the duty;
 - making decisions about Concerns that arise relating to counter-terrorism;
 - making decisions about speakers and events; and
 - monitoring compliance.
- The SAG shall meet on a quarterly basis to review the University's safeguarding policies and procedures and to ensure that the University is complying with its statutory duties.

EXTERNAL SPEAKERS AND EVENTS

- The University has an External Speakers and Events Protocol to provide guidance to staff, students and visitors on organising or managing Events involving an External Speaker.

STAFF TRAINING

- The SAG shall arrange PREVENT training for relevant post holders. They will also monitor training levels to ensure that training is completed and refreshed regularly.

- If members of staff or students want to know more about this topic then they can access free training online. There are various training resources online that could help prevent terror attacks and which cover how to spot the signs of suspicious behaviour and what to do if an attack did take place. One of these is called Action Counters Terrorism. It is free to use and can be accessed here: <https://ct.highfieldlearning.com/>

ACADEMIC RESEARCH

- There is Universities UK guidance on 'Oversight of security-sensitive research material in UK Universities' which states:
 - ethical approval for the research must be obtained through a HEI's established Ethics approval process
 - explicit approval must also be obtained from the member of staff's academic line manager; and
 - robust central storage arrangements must be put in place so that the material may be accessed only by the relevant members of academic staff.
- The Universities UK guidance does not seek to restrict students or staff from carrying out research into any area. Rather it has been designed to help staff and student researchers understand the risks involved to them in accessing and/or storing and/or disseminating material that is sensitive or extremism related.

ONLINE SAFETY

- The SAG shall ensure that the University's policy relating to the acceptable use of IT facilities includes the following:
 - specific reference to the statutory Counter-Terrorism duty; and
 - a statement that the University may monitor IT use, in order to ensure that it is compliant with the law and with the University's acceptable use policy.

MULTIAGENCY GROUPS

- A member of the SAG shall represent the University at local PREVENT and CONTEST multiagency groups.

ADDITIONAL INFORMATION

- For more information about the PREVENT duty, please contact safeguarding@dundee.ac.uk.