

Safeguarding of Vulnerable Groups Policy

2021

Approving authority:	University Court
Consultation via:	UE, CJNCC, Staff Committee of Court
Approval date:	16 December 2021
Effective date:	1 January 2022
Review period:	Three yearly from date of approval
Responsible Executive:	University Secretary
Responsible Office:	Governance and Legal Services, HR, Academic Registry, Admissions

POLICY

**HERIOT-WATT UNIVERSITY
SAFEGUARDING OF VULNERABLE GROUPS POLICY**

CONTENT

Section	Page
1 Introduction	3
2 Scope	3
3 Management of Risk	3
4 Implementation	4
5 Lines of Responsibility	4
6 Monitoring and Evaluation	5
7 Related Policies, Procedures and Further Reference	5
8 Further Help and Advice	5
9 Definitions	5/6
10 Policy Version and History	6

POLICY

1. INTRODUCTION

There are a wide range of planned and organised activities taking place across the University, or which are organised by the University off-campus which involve the known participation of children under 16 and protected adults.

These include:

- recruitment and widening access events;
- outreach activities undertaken in schools and other venues away from University premises;
- mentoring;
- academic study
- short term work placements;
- participation in research studies;
- sports activities; and
- planned external organised events involving residence in University accommodation.

The above list is not exhaustive, and consideration should be given to all activities and appropriate risk assessment undertaken.

2. SCOPE

This Policy applies to all staff and every other person who may be affected by our activities, acts and services, including students, contractors, visitors and members of the public.

Every adult member of the University community has a statutory duty of care towards any Vulnerable Group member under their supervision and to ensure their wellbeing as far as is reasonably practicable.

International Legislation

As the University operates internationally, both through its campuses in Dubai and in Malaysia and through arrangements with partners in other jurisdictions, this Policy shall be inclusive wherever the University's work activities take place. Local arrangements shall take due regard to any applicable legislation.

In particular the University shall ensure that its operations in Dubai and Malaysia meet the minimum statutory requirements of the host country. Where there are requirements of a higher standard in one of our host countries, the University will also apply these across the University where practicable.

3. MANAGEMENT OF RISK

The University assesses and mitigates risk towards Vulnerable Groups in three key ways:

- by assessing and managing risk
- by providing robust procedures for reporting and managing concerns; and
- by ensuring that all individuals undertaking regulated work with children or protected adults are members of the PVG Scheme.

Harm or abuse of any type or level towards Vulnerable Groups is unacceptable and the University will always try to minimise the risk of harm occurring.

The University will also work to ensure that when a claim of harm is made, it will be treated as confidentially as possible, to protect both the victim and the reputation of anyone against whom a malicious claim is made. Anyone involved in an incident where an individual(s) has been harmed will be appropriately supported.

In ensuring that its duties are discharged the University has appropriate arrangements in place to safeguard Vulnerable Groups in keeping with the legislation. This policy has been developed taking into account and giving due recognition to the diversity of activities taking place across the University.

The University, as an employer, also recognises that it has duties and responsibilities relating to the protection and fair treatment of its staff and students. Should disclosures of harm or inappropriate behaviour be levelled against an employee or a student, the University will afford them the necessary support as is appropriate in the circumstance arising.

4. IMPLEMENTATION

The University is committed to discharge its duty to protect and safeguard the members of Vulnerable Groups who may have suffered harm, who may be at risk of harm or who may wish to disclose harm, whether that harm concerns employees of the University, other students or any person unconnected with the University. The main objectives of this Policy are:

- To appoint designated members of staff with responsibility for Protected Groups
- To ensure risk assessments are undertaken by those staff
- To aid protection through membership of the Protecting Vulnerable Groups Scheme (PVGS) for staff and students working regularly with members of Protected Groups. This scheme requires an initial check be made of an individual's past record
- To aid protection by putting in place appropriate measures to raise the awareness of all staff to their statutory responsibilities under the Protection of Vulnerable Groups Act and guidance on meeting these requirements.
- To aid protection by providing training for anyone engaged in regular work with Protected Groups or working for an extended one-off period such as a summer school with these groups
- To ensure anyone involved in a harm case is supported appropriately
- To ensure that appropriate confidentiality is maintained through any disclosure to protect those harmed and those who are subject to malicious or false complaints
- To ensure referral to specialised agencies – Police, Social Work Department, when appropriate
- To identify guidance for all visitors and others as required.

5. LINES OF RESPONSIBILITY

The **University Secretary** is accountable to the Principal for directing the development, implementation, monitoring of Safeguarding Vulnerable Groups processes throughout the University.

Specific responsibilities include:

- ensuring that Safeguarding Vulnerable Groups processes are applied consistently across the University
- updating and advising the Principal and Court on Safeguarding Vulnerable Groups performance, compliance and best practice
- ensuring that Directors of Professional Services and Heads of Schools direct and support the application of Safeguarding Vulnerable Groups processes within their respective areas of responsibility
- instructing relevant reviews of Safeguarding Vulnerable Groups processes to make sure they remain effective and in line with legislation and best practice where appropriate

The **Global Academic Registrar and Global Director of Human Resources** are responsible for applying the appropriate University processes in relation to any breaches of this Policy or necessary support for students and staff respectively.

Line Managers of a member of a Vulnerable Group, where this has been disclosed to them.

All Staff and Students are required to:

- report any breach of this Policy
- co-operate with the University on all Safeguarding Vulnerable Groups processes
- participate in and complete the University's Safeguarding Vulnerable Groups e-learning programme (currently under development)
- have in place appropriate childcare arrangements and not bring children into their work place for extended or frequent periods. Informal short visits to make arrangements for work or childcare are permitted, however children must not be admitted into laboratories, workshops, seminar rooms, computer labs, kitchens, plant rooms or other hazardous areas. The University's Family Friendly policies provide Flexible Working opportunities and Emergency Dependent's Leave. For informal short visits, the responsibility for supervision at all times lies with the parent or guardian who brings the child into the workplace, it is not acceptable to ask colleagues to supervise a child.

6. MONITORING AND EVALUATION

Where a disclosure has been made against a member of staff or student, the investigator shall at the conclusion of the investigation and any disciplinary procedures, consider whether there are any matters arising from it that could lead to the improvement of the University's procedures and/or policies.

Regular consideration will be given to the training needs of staff.

7. RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE

The Disclosure and Protecting Vulnerable Groups (PVG) Policy

https://www.hw.ac.uk/uk/services/docs/hr/policies/Disclosure_and_Protecting_Vulnerable_Groups_PVG_policy

8. FURTHER HELP AND ADVICE

In the event that a member of staff or student suspects or has been informed that harm to a member of a Vulnerable Group is occurring, they should complete [REPORT IT](#), the University's confidential reporting tool (or such successor reporting system as the University may adopt).

If you feel that you or the member of a Vulnerable Group are in immediate risk of harm then contact SafeGuarding directly via your SafeZone App, picking up a red emergency phone, dialling 2222 from any internal phone or dialling 0131 451 3500 from your mobile phone.

Incidents involving students shall be referred to the Academic Registrar.

Incidents involving staff shall be referred to the Global Director of HR.

Depending on the nature and the severity of the incident, the University has a duty to notify the Police and/or Social Services that an incident has occurred. This will be done as soon as possible through agreed procedures and the University will co-operate fully with any ensuing investigation. The University may also wish to seek advice from the Police and/or the Social Services where relevant.

The University recognises the possibility of malicious or vexatious complaints and any complaints identified as such will be treated seriously and the University will respond in accordance with the appropriate disciplinary procedures.

Any member of staff or student found, as a result of following the appropriate University Disciplinary procedure, to have committed any act of harm or abuse towards a member of a Vulnerable Group will be subject to disciplinary proceeding and that person may also be subject to criminal proceedings.

9. DEFINITIONS

In Scotland the Protecting Vulnerable Groups Scheme (PVGS) is managed and delivered by Disclosure Scotland. Details of the Scheme can be found [here](#).

"Adults' List" means the list of individuals maintained by Disclosure Scotland as being barred from undertaking regulated work with protected adults under Section 1 of the Protection of Vulnerable Groups (Scotland) Act 2007. (The 2007 Act)

"Child" means any person under the age of 18 years.

"Children's List" means the list of individuals maintained by Disclosure Scotland as being barred from undertaking regulated work with children under Section 1 of the 2007 Act.

"Listed individual" means an individual listed on either the Adults' List or the Children's List.

"Lists" means the Adults' List and Children's List.

"Protected Adult" means any person aged 16 years or over who is provided with a type of care, support or welfare services as defined by Section 94 of the 2007 Act. A protected adult may be a person who has 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.

"Regulated work" has the same meaning as provided by Section 91 of the 2007 Act and "regulated work with children" and "regulated work with adults" is work of the type described by Schedules 2 and 3 to the 2007 Act respectively

Abuse

Definitions of abuse are included below and have been produced from external guidelines (National Guidance for Child Protection in Scotland 2014. <http://www.gov.scot/Resource/0045/00450733.pdf>)

Definitions of abuse include, but are not limited to:

Abuse – is a violation of an individual's human and civil rights and may be a single or repeated act. Abuse may be physical, verbal, psychological, financial or sexual. Abuse can be an act of neglect or omission to act or be the unintended result of a person's actions.

Physical Abuse: may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm, including by fabricating the symptoms of, or deliberately causing ill-health.

Emotional or Psychological Abuse: is the persistent emotional ill-treatment of a child or protected adult such as to cause severe and persistent adverse effects on the child and/or protected adult's emotional development. This may include threats of harm or abandonment, humiliation, verbal or racial abuse, demeaning and denigrating remarks, isolation or withdrawal from services or supportive networks.

Sexual Abuse: involves the actual or likely sexual exploitation of a child/vulnerable adult and to which a protected adult has not or could not consent and/or was pressured into. The child/protected adult may be dependent and/or developmentally immature.

Neglect: is the persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of health and development.

In many instances abuse will constitute a criminal offence.

9. POLICY VERSION AND HISTORY

Version No	Date of Approval	Approving Authority	Brief Description of Amendment
1			1 st version of document in this format/content
2			Amended to reflect feedback from UE
3			Further amended to reflect feedback from CJNCC
4	16 December 2021	The Court	Minor amendments to reflect feedback from Staff Committee