Royal Conservatoire of Scotland

Safeguarding Policy and Associated Procedures

Responsible RCS Officer/s	Director of HR Academic Registrar & Secretary
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SAFEGUARDING @RCS
PREAMBLE

Through its commitment to all of its community, RCS safeguarding pulls together both legal duties (set out more fully in this policy) and also institutional priorities relating to providing a safe environment in which to learn and work as expressed in other RCS policies.

SAFEGUARDING AND DUTY OF CARE: WHAT DO WE MEAN?

We define safeguarding as taking all reasonable steps to prevent harm, harassment or abuse from occurring within the community of the Royal Conservatoire of Scotland. As such we divide our approach to safeguarding into two categories:

1. **Legally required duties related to safeguarding** – all areas covered by the law which define safeguarding duties, including: those related to children and vulnerable adults; forms of misconduct by staff or students that might constitute a crime; activities that fall within the scope of anti-terrorism laws.

   These laws are designed to safeguard people from harm, the non-exhaustive list of such harms include:
   - Physical, Psychological / Emotional, Sexual, Financial Abuse, Neglect, Self-harm and Self-neglect.
   - We also refer to the broad themes of Gender-based Violence (GBV); Hate Crimes; Child Abuse; Discrimination, Bullying and Harassment; Online Abuse; Trafficking, Slavery and Exploitation; and Extremism.

   These duties are set out in this policy.

   The Conservatoire of Scotland expects **partner organisations** of the Conservatoire to have their own safeguarding policies and child protection reporting procedures in place. Conservatoire representatives should never be complacent. Conservatoire staff must always demonstrate leadership in checking for and applying risk assessment to interrogate safeguarding processes.

2. **Community oriented duty of caring** as expressed through Conservatoire regulations which establish our expected codes of conduct with respect to staff and students. These set a tone of respect for all and inclusion. They:
   - Recognise that some forms of misconduct are grave enough to undermine educational delivery, institutional functioning, and learning and thus need to be challenged even when not necessarily serious enough to constitute a crime as defined in the legal duties associated with safeguarding. Direction on these is provided through the Dignity at Work and Study statement, the Student Code of Conduct, and general employment expectations as well as student rules and regulations for the Royal Conservatoire of Scotland.

- Acknowledge that the institution has zero tolerance for incivility and abusive behaviours and looks to all its community's members to take responsibility and accountability for their interactions.
- Reflect some of the duties that we have with regards to nuanced situations which arise unexpectedly, where parties on both sides of an incident or set of incidents can be counted as at risk of harm or circumstantial vulnerability.
- Place an emphasis on risk assessment.

To fulfil our commitment to this definition of Safeguarding, **RCS applies safeguarding consistently and without exception across our programmes, students, volunteers, and staff.**

The **principles** of the Conservatoire's general approach to safeguarding in its community are:

- Compliant with the law
- Community oriented and individual accountability focused
- Respectful and fair in its treatment of all parties
- Consistent, sensitive, proportionate, and timely in all procedures
- Outcomes based on the balance of probabilities

Through this Safeguarding Policy we establish a shared understanding of safe and respectful behaviours. We aim to promote preventative safeguarding and are committed to ensuring that harmful or abusive behaviours will not be tolerated.

Harm and abuse may occur face-to-face, in personal and professional lives, on or off campus, including via digital or online methods. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Not everyone experiences the same level of risk. Factors such as protected characteristic, financial dependency, poverty, disability, homelessness, care of dependents or insecure immigration status can heighten vulnerability to abuse or further entrap people experiencing abuse.

Safeguarding is everyone's responsibility and adhering to this policy keeps us all safe. It sets out our safeguarding principles, the procedure to follow to report a concern, and signposts where to go for advice when you need it.

We recognise that relationships are key. **Our safeguarding structure includes external partners** from statutory (e.g., Police Scotland, child and adult social work services or medical professionals) and non-statutory bodies (e.g., charitable organisations, advocacy, gender, faith and race-based support agencies or community-based groups). Sometimes we refer to these as formal and informal agencies.

The Conservatoire will signpost agencies to provide expert support, assistance, or advocacy. We also work with partners for the purpose of training, development, and as critical friends.

We are proud of our partnerships. Collaborative activity with partners enables the movement of staff and students within diverse learning, social and work environments, to implement local, cross-border and international programmes and projects with a diverse range of beneficiaries including vulnerable groups.

1. LEGAL SAFEGUARDING

The rest of this policy outlines the Conservatoire's responsibilities with respect to issues of such gravity that they fall under the Law. It focuses on three core areas:

- Child and Vulnerable Adults' Protection
- Abusive and violent behaviour (particularly but not exclusively related to gender-based violence, physical and psychological assault, people trafficking)
- Extremism, radicalization, and terrorism.

When to use the policy

This policy advises on what to do if you need to report a safeguarding issue personally, or if you receive:

- A disclosure of harm
- Allegation of abuse
- You have a concern that a person is at risk, or you see or suspect abuse (there is no disclosure)

This policy will normally be read alongside one or more of the following Conservatoire regulations:

Policy/ Guidance Cluster	Links
Dignity at Work and Study Statement	RCS-Dignity-at-Work-and-Study-Statement
Health, Safety and Wellbeing Policy	Health-Safety-and-Wellbeing-Policy-2024
Child Protection Policy	RCS-Child-Protection-Policy.pdf
Protection of Adults at Risk Policy	RCS-Adults-at-Risk-Policy-and-Procedure-V2-Reviewed-February-2024.pdf
PVG Scheme and Disclosure Policy	Disclosure Policy (rcs.ac.uk)
Safe Space Statement	RCS-Dignity-at-Work-and-Study-Statement- (see Appendix 6)
Gender-Based Violence Guidance	Gender-based Violence (GBV) Guidelines
PREVENT Policy and risks associated with extremism	RCS-Prevent-Policy.pdf
RCS Complaints Procedure	Complaints | Royal Conservatoire of Scotland (rcs.ac.uk)

Student Disciplinary Procedures	H3-Non-Academic-Misconduct-Student-Disciplinary-Procedure
Student Alternative Resolution Disciplinary Procedure	Student-Alternative-Resolution-Disciplinary-SARD-Policy
Staff Grievance Resolution Policy and Procedure	Staff Grievance Resolution Policy and Procedure
Staff Disciplinary and Dismissal Procedures	Staff Disciplinary and Dismissal Policy and Procedure
ICT Acceptable Use Policy	RCS-IT-Acceptable-Use-Policy-V2.2-FEB2024.pdf
Social Media Policy	Social-Media-Policy-and-Procedure-for-Students

Table 1: RCS Policy interactions with this Safeguarding Policy

Understanding gravity

In determining which policy to look at first, it is worth thinking of the level of 'gravity' of a situation or set of circumstances. Gravity in this context is influenced by perceptions of seriousness, level of harm, acts of intent and those which are unintentional. One way of thinking about this is in terms of levels and types of conflict both as unique, individual components but also as inter-connected and playing out together. For this document, these levels and types are summarized thus:

1. **Interpersonal conflict** (situations that are intense and characterized by excitement / anxiety, where single or few episodes of unintentional incivility occur). These situations must be taken seriously. They do not always cross the threshold to apply the Safeguarding policy. There are, however, specific situations related to people in positions of trust interacting with children and vulnerable adults inappropriately that play out like interpersonal conflict which may fall within this policy.

2. **Persistent unregulated emotionality playing out in conflict** (individuals repeatedly acting out of how they feel without taking account of the effect they are having on those around them). These situations have to be taken seriously and might cross a threshold to apply the Safeguarding policy, particularly with respect to the community-oriented duty of caring.

3. **Abuse** (intentional behaviour designed to put someone down, insult them, belittle them, exclude them and, acting out of anger repeatedly in a manner that generates concern and fear). These situations cross the threshold for the application of this policy. Some abuse can fall into:

4. **Criminal behaviours** (forms of physical and symbolic violence and abuse which cross a threshold of such gravity that they are explicitly defined within the law).

The Conservatoire's general duty of caring covers all four categories, but this Safeguarding

policy predominantly relates to situations most clearly aligned with categories 3 & 4: abuse and criminal behaviours. Codes of Conduct located in other Guidelines as well as the Student Code of Conduct within the Regulations, Codes of Procedure and General Rules cover all 4 under the auspices of professional conduct within the RCS community.

Gravity is also outlined here as a reminder that Safeguarding responses always need to be proportionate and proportionality interfaces closely with gravity. How we deal with categories 1 & 2 above may, depending on the situation, be different to how we respond to allegations in categories 3 & 4.

Where to look if a harmful situation arises that is serious but doesn't constitute a crime (ie doesn't obviously fit in category 4, but does fit into 1-3)

Where an issue arises which is not of such gravity as to constitute a crime but nonetheless creates a situation of harm for one or more of our community's members, it may fall within the Conservatoire's more general duty of caring, as outlined in:

- Dignity at Work and Study Statement
- Gender-based violence Guidance
- Prevent Policy
- RCS Complaints Procedure
- Student Code of Conduct
- Student regulations, Codes of Procedure and General Rules
- Student Disciplinary Procedures
- Staff Grievance Resolution Policy and Procedure
- Staff Disciplinary and Dismissal Procedures
- ICT Acceptable Use Policy
- Social Media Policy

1.1 PRINCIPLES OF THIS POLICY

This policy communicates the attitudes and standards of behaviour expected of all members of the Conservatoire Community and set out in law.

It outlines the high standards for staff and students to uphold the rights of others as outlined in the Conservatoire's Dignity at Work and Study statement. Failure to follow this policy may lead to disciplinary action as set out in the Student Disciplinary Procedure and Staff Disciplinary and Dismissal Procedure.

Actions which constitute safeguarding offences, are a breach to this policy and are illegal. In the case of behaviours likely to cause or result in harm, abuse, or neglect of a person(s), the Conservatoire works with Police Scotland and other public agencies to support a lawful and respectful Conservatoire Community and to address the illegal or harmful behaviours described in this policy.

Given the coverage and scope of this policy, it has a distinct set of principles by which it is underpinned:

1. Compliant with the law. The relevant laws are:

    a. United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill
    b. Children and Young People (Scotland) Act 2014
    c. National Guidance for Child Protection in Scotland, 2021
    d. Adult Support and Protection (Scotland) Act 2007
    e. Disclosure (Scotland) Act 2020
    f. Sexual Offences (Scotland) Act 2009
    g. Counter-Terrorism and Security Act 2015
    h. Data Protection Act 2018
    i. Equality Act 2010 and Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
    j. Domestic Abuse (Scotland) Act 2018
    k. Adults with Incapacity (Scotland) Act 2000
    l. Hate Crime and Public Order (Scotland) Act 2021
    m. Human Trafficking and Exploitation (Scotland) 2015

2. Community based and, therefore, covered by all Royal Conservatoire of Scotland policies relating to codes of conduct.

3. Respectful of the rights of all parties involved.

4. Consistent and sensitive in approaches to managing disclosures, risk assessments, investigations, and outcomes.

5. Based on enhancement of the Conservatoire's duty of caring (See Appendix B Enhancing the Conservatoire's Culture of Caring)

1.2 PRACTICES ASSOCIATED WITH THIS POLICY

The key practices associated with this policy can be summarized through 4 responsibilities: recognize, record, report, and refer as visualized below:



Visual: The four responsibilities of Safeguarding at the Royal Conservatoire of Scotland

These four responsibilities are described more fully below:

Responsibility to **recognize**	Know what to look for; recognize signs of vulnerability and effects of harm; seek help and discuss concerns early with the designated RCS officers (see 1.7 summary of key contacts). Be particularly alert to those who may be vulnerable because they (for example): • Are a child or young person, under 18 years of age • Have a physical or learning disability / sensory impairment or special educational needs / additional support needs • Are experiencing poor mental health such that their capacity is reduced and / or which may cause (or is likely to cause) self-harm or risk of suicide. • Are elderly or frail due to ill health, physical disability, or cognitive impairment • May be exposed to domestic abuse or gender-based violence, including coercive control • Have a long-term illness / condition • Are care-experienced • Are a carer • Live away from home or estranged from their immediate family • Live in temporary accommodation • Are homeless or living a transient lifestyle e.g., sofa surfing • Do not have English as a first language

	• Live in a chaotic or dysfunctional household, neglectful or unsupportive situation • Live in an environment with substance abuse • May be in recovery • Are unable to demonstrate the capacity to make decisions and needs care and support • Are from an asylum seeker/refugee background • May be vulnerable to being bullied or discriminated against (this could include mistreatment on the grounds of race, disability, gender, ethnicity, sexuality, religion or beliefs) • Are involved directly or indirectly with organised crime • Are subjected to slavery, trafficking or sexual exploitation e.g., pressured into giving someone money or sex for rent • Engage in sex work • Are affected by criminal charges or history of criminal convictions • May be vulnerable to financial harm or exploitation
Responsibility to **record**	Keep a clear and contemporaneous record of your concerns.
Responsibility to **report**	Know where to get help and who to report your concerns to (see 1.6)
Responsibility to **refer**	Pass on information to the designated officers to refer concerns onto the appropriate agencies (see 1.6)

Table 2: The four responsibilities as actions

1.3 PEOPLE

This policy is to be used by staff concerned about harm, duty of care, and safeguarding in person or in a digital environment (including social media).

Staff are expected to manage situations wherever they feel confident to do so within the parameters of their professional role and should consult with the relevant designated officer if they feel unable to deal with a situation or need advice or guidance on how best to proceed with a safeguarding or duty of care issue. [See Table 3: Designated Safeguarding Officers for the Conservatoire's designated senior safeguarding officers]

Students can also refer to this policy when concerned about a safeguarding matter, but in the first instance they should refer to the Student Community Conduct Officer.

All representatives noted below should be aware of their duty to comply with the policy, hold themselves to account and play an active role ensuring a safe environment for all:

- Board of Governors, Trustees, Senior Management Team
- All members of staff including those with full-time, part-time and sessional and temporary contracts, honorary staff, and staff from other institutions or organisations on placement, or working on a visiting basis at the Conservatoire.
- All students, including interns, exchange, and placement students.
- Visitors, including individuals using the Conservatoire's premises.
- Contractors, third party associates, and volunteers working at the Conservatoire.
- Some children and protected adults including those who may have an appointed representative, e.g., mental health advocate, legal/enduring power of attorney.

Summary of key Conservatoire people involved

As a consequence of the scope and coverage of this policy, there are a range of **designated senior safeguarding officers** within the Conservatoire dependent on the nature of the concern. They are outlined in Table 2 below.

Who	Area of safeguarding
Director of Human Resources Head of Junior Conservatoire (Music) Associate Head of Junior Conservatoire Head of Junior Conservatoire (DDPF)	Children under the age of 16 Young people between the ages of 16-18 on the Juniors programmes
Deputy Director of Human Resources	Staff or incoming employees
Deputy Registrar	Applicants, pre-matriculated higher education entrants and all students matriculated on higher education programmes (UG, PGT & Doctoral)
Student Community Conduct Officer	Matriculated students when the safeguarding issue relates to student misconduct
Equality and Diversity	All staff and students where your concerns intersect with Equality, Diversity and Inclusion duties including Gender Based Violence
Academic Registrar & Secretary	All students & staff where the concern intersects with anti-terrorism duties

Table 3: RCS's designated senior safeguarding officers

Responsibilities of the Designated Officers

Once the matter has been referred to the Designated Officer (primary contact), they or their deputy/nominated person will investigate the matter further. This is likely to include:

- Gathering the details;
- Assessing risk and ensuring that the child/vulnerable adult is not in any immediate danger. Additionally, they will take any action deemed necessary in the circumstances, such as accessing the emergency services and liaising with other external agencies such as the Police and Social work;
- Liaising with others within the Conservatoire as appropriate;
- Undertaking formal risk assessments
- Contacting parents or guardian, unless this may place the child/vulnerable adult in harm;
- Recording written records of all actions, discussions and decision-making rationale and keeping these in a secure location;
- Acting as the point of contact for any external agency throughout any investigation;
- Referring the matter to be dealt with under the relevant internal procedure, including but not limited to Disciplinary Procedures, Enhanced Support to Study, or Fitness to Practice Procedures

Responsibilities on all staff:

Everyone within the scope of this policy, outlined in paragraph 1.4, acting on behalf of the Conservatoire in any capacity, on campus, off campus, or across digital platforms, in the UK, or other countries should be aware of, and uphold this policy. They are expected to:

- Contribute to a safe and respectful learning and working environment.
- Treat everyone with fairness, dignity, equality and respect;
- Be sensitive to children or vulnerable adults' appearance, race, culture, religion and/or belief, sexual orientation, gender or disability;
- Respect a child or protected adult's right to privacy;
- Maintain a safe and professional distance in relationships with children and protected adults. Do not share personal contact details nor connect with them over social media except where that is specifically related to the Conservatoire activity;
- When in a position of trust do not engage in sexual relationships with children and/or vulnerable adults. This is an abuse of a position of trust and a criminal offence;
- Do not provide children or vulnerable adults with access to alcohol (where that would be unlawful or inappropriate) or banned substances;
- Avoid use of inappropriate language (including sexually suggestive comments), and challenging any unacceptable behaviour;
- Where appropriate ensure you have written consent before taking photographs or making video or audio recordings;
- If required to administer first aid ensure, wherever possible, that another employee is present, especially if necessary physical contact may be misconstrued.
- Undertake all provided training associated with this policy.
- Respond promptly to all safeguarding concerns or incidents. Never be a bystander, fail to act upon, or address a safeguarding concern.
- Report any concerns, suspicions, or information regarding safeguarding violations through the Conservatoire's safeguarding designated officers.
- Maintain respectful confidentiality about any suspected, or actual incidents, and uphold the ongoing protection of sensitive information of parties involved or referred to.
- Be diligent to the Conservatoire PVG and Disclosure Scotland Policy. If in doubt, contact HR or your Line Manager to clarify the appropriate level of Disclosure or PVG check that a role you undertake may require. Advise HR or your Line Manager of any violation to Disclosure or PVG regulations in relation to your own record, or others, that impacts on work with children and adults at risk.
- Co-operate fully with internal or external investigation into reported concerns.
- The Conservatoire expects that its staff will ensure that any student having trouble will be signposted to appropriate support services in order that the individual can be supported appropriately.
- Treat safeguarding seriously. We need to uphold safeguarding standards to create safe environments for one another, noting that some remits, for example, undertaking research can often expose individuals and teams to challenging opinions and behaviours such as harassment or hate-related threats. These may compromise their safety and can constitute a crime.

All students:
Safeguarding is also the responsibility of students on degrees where they will come into contact with children and vulnerable adults (i.e. BEd Music). All students are required to follow the procedure set out here if they believe there is cause for concern.

1.4 PLACE

This policy relates to physical, in person interactions and also to all forms of digital interaction.

Apart from where it is specified in another policy, safeguarding relates to activity on anything that counts as Conservatoire Estate, including rental spaces for rehearsals.

This policy relates to physical in person interactions and also to all forms of digital interaction.
We all have the right to expect the same standards of behaviour online as those expected in face-to-face interactions. If something is illegal or disrespectful face-to-face, then it does not make it acceptable to behave that way online.

As a consequence, the Conservatoire subscribes to the following **Digital Safeguarding Statement** as part of its commitment to a safer environment for studying and working:

"Online abuse covers a wide range of behaviours and technologies. Abuse happens when someone acts in a way that causes harm and distress to others. Online abuse is any type of abuse that happens on the web, whether through social networks, personal devices, or online games. It includes cyberbullying, harassment, hate crime, revenge porn, grooming, sexual abuse, sexual exploitation, or emotional abuse. Children and adults at risk can be at risk of online abuse from people they know, as well as from strangers. Online abuse may be part of abuse that is taking place in the real world (for example bullying or grooming) or it may be that the abuse only happens online (for example persuading children or adults at risk to take part in sexual activity online). Unfortunately, social media is also widely used by abusers, and many perpetrators who 'hide' behind the fact that they may not be able to be readily identified, say things that they would not consider saying face-to-face."

Conservatoire guidance has been developed to educate staff and students in the safe and constructive use of digital technologies. We expect staff and students to model best practice in how they behave online in all locations on and off campus to ensure our Conservatoire is operating in line with our values and within the law that provides the highest level of protection. They are held to account through the respective discipline procedures and involvement of Police.

The Conservatoire supports staff and students in the pursuit of legitimate aims of research and will not tolerate abuse. Incidents of abuse can also occur inwardly. It can be obvious that someone is behaving in an abusive way but not always clear where the boundary falls between expressing a point of view and being abusive. Not only those in public facing roles or undertaking research may receive personal threats. Students or staff may be affected when sharing work or opinions and experiences related to study, or by affiliation to situations, organisations, products, people, and a wide variety of other topics.

You can make a report about behaviour, conduct or content online either through the Complaints Procedure, the Grievance Resolution Policy and Procedure, or via a report to a relevant designated officer.

Additionally: **Child Exploitation and Online protection** issues can be reported via
https://www.ceop.police.uk/Safety-Centre/Should-I-make-a-report-to-CEOP-YP/
if you have been a victim of online abuse, or you are worried about somebody else.

2. PROCEDURES ASSOCIATED WITH THIS POLICY

2.1 RAISING A SAFEGUARDING ISSUE

The Conservatoire encourages all of its staff and students to respond as quickly as possible to a concern of potential harm as identified by this policy. Examples of when a report should be made, include when:

- A child or vulnerable adult at risk discloses abuse;
- There are suspicions or indicators that a child or a vulnerable adult at risk is being abused; for example, where there are observable changes in a child or protected adult's behaviour that may be related to abuse; or
- The behaviour of any person towards a child or vulnerable adult at risk causes concern or there is suspicion that a child or protected adult is being harmed;
- A person makes an allegation of abuse about a member of the Conservatoire community;
- There are signs or behaviours which cause concern regarding possible radicalization/ extremism.

Who to ask: Designated Officers and Other Useful Contacts

Where a concern arises regarding potential harms to members of the RCS community, a safeguarding query can be made through one of the following channels:

Designated Officers (Safeguarding Leads): • For staff considered at risk • For children & young adults under 18 • For Admissions to Higher Education • For UG/PGT/Doctoral Students • For Prevent (counter terrorism)	 Deputy Director of HR Designated Senior Child Protection Officers Academic Registrar & Secretary Deputy Registrar (Student Experience) Academic Registrar & Secretary
Via complaints reporting	complaint@rcs.ac.uk
General enquiries about undergraduate, postgraduate student safeguarding	Student Community Conduct Officer
Enquiries regarding safeguarding concerns that intersect with Equality, Diversity and Inclusion	EDI Officers
GBV First Responder Network	welfare@rcs.ac.uk

Liaison between the Designated Officers (including sharing relevant information, as deemed necessary), will occur in order to assess and manage risk, and to obtain a fuller picture of the concerns identified and parties involved.

If a member of staff or student is unsure of whether a matter should be reported, it is their responsibility to discuss their concerns with the Designated Officer.

Using the RCS complaint email:

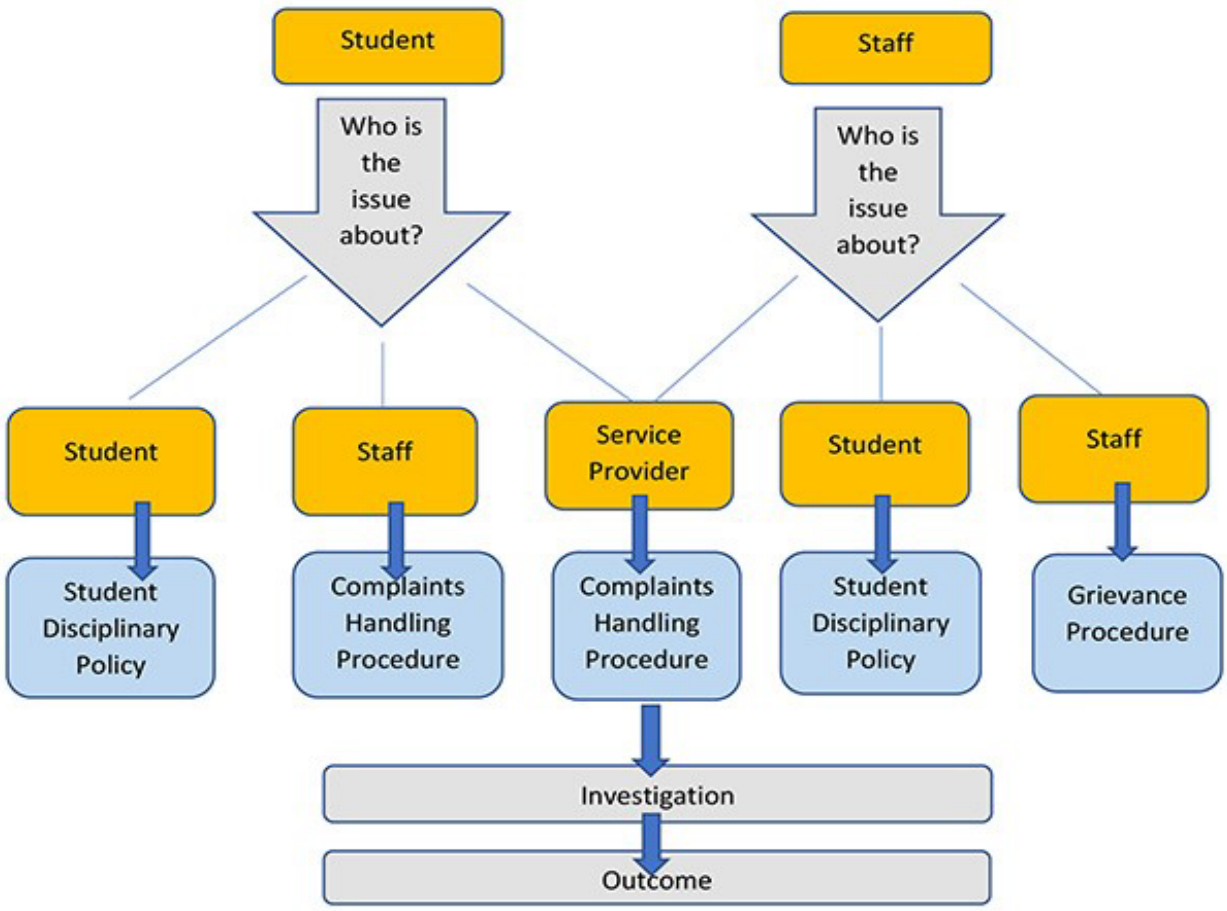
The Conservatoire does not currently have the facility for anonymous reporting via an externally managed report and support tool. The RCS complaint email, however, has restricted viewing and

can be used to report an incident.

What happens following a report?
On receipt of a report the Designated Officer will assess whether or not the report constitutes a 'trigger incident'. 'Trigger incidents' designate an incident or multiple incidents that have been reported to be of such gravity that an immediate case review meeting is necessary. In these circumstances:

- A case meeting is convened to assess the situation, impact on Conservatoire business, reputation, wider support of the student and staff community, and to liaise with person/their family, outside agencies, communications etc. The composition of this meeting normally involves at least the Director of HR and the Academic Registrar and Secretary or their respective deputies plus a relevant Director.
- The membership of those in attendance will be diverse and responsive to the anticipated types of incidents and the specific policy an incident falls under.

Where a report is **not** considered a trigger incident, the Designated Lead will assess the nature and appropriate policy within which the report falls and instigate the relevant procedure.



Visual: Common processes associated with safeguarding

The Conservatoire will use discretion to identify the most appropriate route for dealing with the concern, based on the circumstances of the situation, or if there are overlapping procedures in relation to a similar matter. (NB Police will be called in any incident involving members of the public.)

2.2 RAISING A PREVENT ISSUE

(This section should be read in conjunction with the Conservatoire's Prevent policy

The Conservatoire is committed to safeguarding the welfare of its students and staff, and to meeting its duties under the Counter-Terrorism and Security Act (CTSA) 2015 and the UK Government's associated Prevent strategy. Section 26(i) of the Act places responsibility on RCS, to "have due regard to the need to prevent people from being drawn into terrorism". The duty with which we must comply is guided and assured by the Scottish Government in relationship with the UK Home Office. This requirement is referred to as the 'Prevent Duty'.

Preventative activity in Scotland strives to address all forms of violent extremist activity to reduce the risk of terrorism so that citizens can live freely and with confidence.

As with our wider safeguarding endeavour to reduce the risk of harm to, or harmful influence on a person, early identification of risk to an individual is paramount. Where we identify a person may be vulnerable to extremist and terrorist narratives, we aim to give appropriate support and signpost guidance at an early stage.

Under PREVENT, we have a responsibility to:

1. Ensure there is a single reporting officer for Prevent issues (known as the Prevent Lead) who holds the responsibility for evaluating when an individual might need to be referred under the Prevent Duty, including submitting the Prevent national referral form. At RCS this is the Academic Registrar and Secretary.

2. Risk assess:
   - who we invite to speak and what events we hold, with a specific legal duty not to provide a platform to any proscribed terrorist groups or ideologically driven individuals who intend to provide a space in which abuse and violence are encouraged;
   - when we consider that the referral of an individual under the Prevent Duty is necessary.

3. Apply the 4 responsibilities of safeguarding (recognise and check, record, report, refer).

4. Support the Prevent aims by engaging with training. All RCS staff are encouraged to complete training provided by the Home Office: Prevent duty training: Learn how to support people susceptible to radicalisation | Prevent duty training (support-people-susceptible-to-radicalisation.service.gov.uk)

To fulfil the Prevent duty, the Conservatoire takes a whole community approach and as a key part of its wider responsibility to the welfare of all members of its community; students, staff, temporary workers, visiting academics, and volunteers. We also strive that to balance the rights of being an open, diverse community in which we protect freedom of speech and academic freedom with the legal responsibilities we have to provide a safe environment for all our community's members. (What we mean by this is further detailed in the Prevent Policy.)

If you are concerned for a colleague, staff, or student who you feel is vulnerable to radical extremist ideologies, please report your concern to the Academic Registrar and Secretary to the Board (Vicky Gunn, v.gunn@rcs.ac.uk) who acts as the Conservatoire's Prevent Lead.

2.3 CONFIDENTIALITY & INFORMATION SHARING

Any initial disclosure of suspected harm or radicalisation to a member of the Conservatoire community should be treated seriously and with sensitivity.

Where concerns exist regarding risk to the welfare of the child / vulnerable adult or where there are concerns about the individual being drawn into radicalisation, the safety of the individual and/or the safety of other members of the community takes precedence, and confidentiality may be breached. ie All children and adults at risk are entitled to have their privacy and that of their families protected. But where there are concerns about the safety or welfare of a child or an adult who might be at risk, or where a criminal act might have occurred or could be prevented, there is nothing in any legislation that prohibits the sharing of personal and sensitive information.

Therefore, it should be made clear to the disclosing person and the child or vulnerable adult involved, that confidentiality cannot be guaranteed. They should also be made aware that relevant information may require to be shared, on a need-to-know basis, within the Conservatoire and with external agencies.

Programme Leader and Departmental Heads Reports

Where a programme leader or department head reports in the first instance, sharing of information must be restricted to designated safeguarding leads and must not be widely disseminated across a programme team through cc-ing within emails or via collective Teams messaging.

2.4 RISK ASSESSMENT

Risk assessment is an intrinsic part of the safeguarding process at the Conservatoire. It is used to assess and manage potential risk of abuse or neglect that might harm a person's wellbeing.

RCS undertakes three main categories of safeguarding risk assessments:

1. **Preventative safeguarding considerations and mitigations within wider risk assessment, grants, and contracts processes**:
    - Everyone is clear about their responsibilities in relation to safeguarding within each unique operational context; has access to, and complies with this policy and procedures
    - We identify a single point of contact who supports the risk assessment process from start to finish, and who liaises with a counterpart at the partner organisation to ensure that safeguarding measures appropriate to the activity are in place
    - We request to see the partner organisation's safeguarding policy and procedures
    - Identify and manage risk associated with public interaction to ensure vulnerable groups are safe
    - Clarify whether under 18s or vulnerable groups will be attending events and ensure that specific considerations are outlined in the risk assessment
    - We incorporate specific guidance relating to gender-based violence within the Equality Impact Assessment and Risk Assessment processes
    - We know who to contact in the Conservatoire for advice
    - Safer recruitment requirements are articulated so that all staff and volunteers have appropriate training and appropriate checks before activity commences
    - At the point of induction, a safe and respectful behaviour code is promoted, and all participants understand the ground rules for engagement

- Equality Impact Assessment and Risk assessment explores any barriers to a person's ability to raise concerns, receive early help or rapid response
- Digital safeguarding: online activity is risk assessed in addition to physical risks
- Appropriate supervision is assessed and ensured for both physical and digital activity
- Registers of activity that take place off campus may also be held centrally
- We promote at point of induction to activity so that under 18s are aware of their rights and know how to report.

2. **Specific forms of due diligence associated with individuals**, particularly:
   - Student Admissions where a disclosure of sexual or violent misconduct behaviours has occurred during the pre-matriculation process
   - Precautionary measures' procedures that operate under the gross misconduct policy for student disciplinary regulations [SARD]
   - Fitness to Study measures associated with Disclosure Scotland requirements
   - Staff recruitment as part of due diligence where has been disclosed
   - Under the Prevent Duty

3. **Prevention of harms in situations where adaptation is beyond possible, reasonable or proportionate**
   The Conservatoire reserves the right to refuse to recruit an employee or to admit a child, adult at-risk, or protected adult to a programme or course of study, or other Conservatoire managed activities, if it judges that any risk-based adaptations necessary to safeguard that individual's wellbeing go beyond what is possible, reasonable or proportionate.

2.5 DATA PROTECTION

Data protection law allows you to share information when required to identify children or young people at risk of harm and to safeguard them from harm. Data protection law doesn't prevent you from doing this. It simply helps you to share information in a **fair, proportionate and lawful way**. Appropriate information sharing is central to effectively safeguarding children or young people from harm and promoting their wellbeing. Our data protection policy can be found here and for further support or advice, please contact dataprotection@rcs.ac.uk.

APPENDIX A: DEFINITIONS

The Conservatoire is a learning environment where children, young people and adults interact across physical, digital and global environments. This Policy articulates our commitment to support children, young people and adults equally, in an appropriate and timely way.
There are a number of different laws across the UK that specify age limits in different circumstances and protective interventions that dictate what legal measures can be applied, for example, child protection, positions of trust and consent. Where there is ambiguity about the status of a child or protected adult, our first response will always be to apply the higher level of protection.

CHILD AND YOUNG PERSON

For the purposes of this policy, children are defined as young people under the age of 18. We refer to a child as anyone who has not yet reached their 18th birthday. A young person is a child aged 16 – 17 years old. These terms may be used interchangeably. The Conservatoire works with children and young people directly or indirectly in a range of ways, and we recognise our role to deliver the rights of children as per the United Convention for the Rights of the Child (UNCRC). Please refer to the Conservatoire's Child Protection Policy.

Scottish Law recognises that, despite having full legal capacity at 16, young people under 18 can be vulnerable in certain situations. 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, and therefore those over the age of 16 may still require intervention to protect them. The priority is to ensure that a vulnerable young person who is, or may be, at risk of significant harm is offered support and protection. (National Guidance for Child Protection in Scotland, 2010).

The Conservatoire may admit students who commence their **higher education studies** from the age of 16 onwards (ie students must be at least 16 years old when matriculating to study on degree awarding programmes at RCS).

Young person students (ie those who are 16-17) remain defined as children for safeguarding purposes. Consequently, the Conservatoire has special duties of care related towards this group of students. Individuals responsible for admissions (including audition and interview), education, and experience of these students are in **positions of trust.**

The Conservatoire is not *in loco parentis*, except in the case of a medical emergency where written permission has previously been obtained from the parent or the guardian of the young person.

The Conservatoire may employ members of staff who commence their employment before their 18th birthday. This includes employment as a permanent or temporary member of staff, as an apprentice, or through a work experience placement.

Young person students (ie those who are 16-17) remain defined as children for safeguarding purposes. Consequently, the Conservatoire has special duties of care related towards this group of students. Individuals responsible for management of these members of staff are **in positions of trust.**

We have specific expectations upon the adult Conservatoire Community in relation to children and young people under the age of 18, and specifically those in a position of actual of perceived power in relation to all our students, irrespective of age. Everyone working and volunteering for the Conservatoire, or acting on behalf of the Conservatoire is in a position of trust when working with Children and Young People.

Never conduct intimate relations with a child or young person in your care. The Dignity at Work and Study outlines the Conservatoire's position on relationships between members of staff and students.

In the UK, a person can legally consent to sexual activity if they are 16 years old or over. This means that 16 is the age at which the law thinks you are old enough to say yes to having sex with someone else, whether you are straight, lesbian, gay or bisexual. In Scotland, sexual intercourse with a child under the age of 13 is rape.

We refer to the Sexual Offences (Scotland) Act 2009. It tells us that consent means "free agreement" and it recognises the following situations where you cannot give free agreement:

- When someone is incapable of consenting because of the effect of alcohol or drugs
- When someone is asleep or unconscious
- When someone agrees because they are being unlawfully detained
- When someone agrees because of threats of violence
- When someone agrees because the person is pretending to be someone else

It is also illegal under the Act, for an adult in a position of trust to engage in sexual activity with a person under the age of 18. It applies to all adults over the age of 18 who are in a position of trust with a child under the age of 18 and engage in sexual activity with them. This protects young people aged 16 and 17 who, even though they are over the age of consent for sexual activity, could be considered vulnerable to sexual abuse or exploitation.

- Abuse of Trust – section 42 – a person commits the offence of sexual abuse of trust if they are aged 18 years or older and intentionally engage in a sexual activity with, or directed at, a person who is under 18 and in respect of whom the perpetrator is in a position of trust.
- Positions of trust – section 43, subsection (5, 127) provides that a position of trust is constituted where B is receiving education at a school and A looks after persons under the age of 18 in that school, or where B is received education in a further or higher education institution and A looks after B in that institution.

The Conservatoire is not *in loco parentis*, except in the case of a medical emergency where written permission has previously been obtained from the parent or the guardian of the young person.

VULNERABLE ADULT

It should be noted that 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.

An adult is anyone aged 16 or over. The Adult Support and Protection (Scotland) Act 2007 defines a vulnerable adult as a person of 16 years or over who:

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

An adult is at risk of harm* if:

a. another person's conduct is causing (or is likely to cause) the adult to be harmed, or
b. the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

RCS also includes, within its definition of vulnerable adult, those individuals who don't fall into the above definitions but whose immediate life circumstances, outwith their control, create an acute period of vulnerability.

PROTECTED ADULTS

The Disclosure (Scotland) Act 2020, defines a Protected Adult as any person aged 18 or over, as described within who by reason of physical, or mental disability, illness, infirmity or ageing has an impaired ability to protect themselves from physical or psychological harm, or requires assistance with the activities of daily living. They may also be homeless or have experienced, be experiencing, or at risk of domestic abuse.

A Protected Adult may also be defined as an adult aged 18 or over, who is being provided with a prescribed service; support, adult placement service, care home service, housing support service, community care service or welfare service.

HARM / ABUSE

Under Section 53 of the Adult Support and Protection (Scotland) Act 2007 'harm' includes all harmful conduct and, in particular, includes:

- 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.

'Conduct' includes neglect and other failures to act, which includes actions which are not planned or deliberate, but have harmful consequences.

RADICALISATION AND EXTREMISM

This is defined in the Prevent Duty Guidance as 'the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups' (Prevent Strategy, 2011).

UK higher education institutions (HEIs) have a statutory duty, along with all other public bodies in the UK, in terms of the Counter-Terrorism and Security Act 2015, 'to have due regard to the need to prevent people from being drawn into terrorism'.

Within the Conservatoire (as with all UK HEIs), the term 'Prevent' refers to measures taken to safeguard members of the RCS community who might be at risk of being drawn into terrorism.

REPORTER AND REPORTED

With respect to this Safeguarding policy, the term **Reporter** is used to describe a person who reports an incident, a disclosure or a concern.

The term **Reported** is used to describe a person who is accused of causing harm or is considered a cause for concern.

These are different terms to those used in other RCS policies (eg student disciplinaries and complaints), where the person making an accusation is referred to as the **complainant** and the person against whom a complaint is made is referred to as the **respondent**.

APPENDIX B: ENHANCING THE CONSERVATOIRE'S CULTURE OF CARE:

1. **Applying trauma-sensitive understanding**
   At any time, any member of the Conservatoire Community may be a first point of contact for a person reporting a safeguarding concern. We are committed to understanding trauma and trauma-informed practice to ensure a responsive and supportive environment for disclosure by any member of the Conservatoire Community.

   Our support services are compassionate and non-judgemental and we commit to support anyone experiencing a safeguarding issue, anyone sharing a concern on behalf of someone, or who has a complaint to make about the conduct of others. We recognise that supportive relationships matter to build trust and empower individuals if a person feels comfortable sharing information, to think together about what might help and signpost the right support.

   For the Reporter or the person who makes a disclosure, it is highly likely that they will have to recount their experiences multiple times. For example, Police or Social Work Services will speak with the individual and collect evidence. Empowerment is our aim is for the person being supported. We should be aware of complex feelings and responses that may be triggered. We will always communicate in a compassionate and empathetic way and be sensitive to previous experiences which may take a person back to a time of trauma.

   We provide support for staff and students affected personally, or by issues raised, recognising that responding to safeguarding concerns can provoke personal feelings for any person supporting.

   - All staff have access to the Conservatoire Employee Assistance Programme, providing access to 24 hr helpline and an extensive online resource providing information and advice on a wide range of topics.

   - All students can receive guidance and support in mental health, counselling, wellbeing, disability and general health support through the Disability and Student Welfare team. The team contact applicants who disclose a disability or medical condition during the application process in order to commence discussions about reasonable adjustments and support requirements. We have counsellors available on campus and online.

2. **Committing to developing an active bystander culture**
   We work together to develop a culture that enables anyone to report concerns and to monitor safeguarding protocol to identify and address any gaps or weaknesses. This Policy appeals to every member of the Conservatoire community to contribute to an active bystander culture and this policy and procedure is intended to support anyone to make an intervention or report a concern on behalf of a person they feel to be at risk, or something they witness, such as harmful behaviour.

   A bystander is anyone who observes any situation. At times, we may witness events around us that make us feel uncomfortable. We can be faced with the dilemma to do something or do nothing (a passive bystander). Being an active bystander means challenging prejudice and discrimination when you see it, in a way that feels safe for you. This may be to speak up, speak out, offer, or call for help. Active Bystander training is available to staff and students – for further information, contact the EDI Team either via email (Roz Caplan - r.caplan@rcs.ac.uk or Amadu Khan – a.khan@rcs.ac.uk).

3. **Ensuring safer recruitment, induction & supervision**
   We comply with the Disclosure (Scotland) Act 2020 to ensure that those who have regular contact with vulnerable groups, through the workplace, do not have a history of harmful

behaviour. It will exclude people who, based on their past behaviour, are known to be unsuitable from working, paid or unpaid, with children and protected adults and detect those who become unsuitable while in the workplace.

Scottish Government information on types of Disclosure.
The Conservatoire Policy and Guidance on the protection of vulnerable adults and children is available in the RCS-Child-Protection-Policy and RCS-Adults-at-Risk-Policy-and-Procedure.

4. Incorporating robust risk assessment

Safeguarding should be intentionally 'designed into' the planning stage through active risk assessment that considers the needs and vulnerabilities of those this policy represents.

Risk assessment is an intrinsic part of the safeguarding process. It is used to assess and manage potential risk of abuse or neglect that might harm a person's wellbeing, in a similar way to how we consider health and safety, so that the specific needs of children, adults and vulnerable groups are considered in Conservatoire activity and incorporated within the Conservatoire's Risk Management strategies.

4. DOCUMENT VERSION CONTROL INFORMATION OVERVIEW

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1	20.08.24	Vicky Gunn	P&CC	New policy