

## **G Regulations relating to community, enhanced support to study, and safeguarding**

### **COMMUNITY**

#### **1 Dignity at Work and Study**

1.1 The Conservatoire is fully committed to creating and maintaining an environment where all students and staff treat each other fairly and with mutual respect, and to providing a work and study environment where all students and staff feel supported and equipped to challenge unacceptable behaviour.

1.2 The Conservatoire will not tolerate harassment or bullying which involves abusive or offensive behaviour with regard to age, disability, gender, race, religion or belief, real or perceived sexual orientation or transgender status. Such behaviour can constitute unlawful discrimination under UK equality legislation.

1.3 Similarly, inappropriate behaviour will not be tolerated on any other grounds, including those not covered by the law.

1.4 The Dignity at Work and Study Statement makes clear the Conservatoire's position on unacceptable behaviour, provides clear guidelines for any student who feels that they have been subject to inappropriate behaviour and details how breaches of the policy will be dealt with.

1.5 For full details see the [Dignity at Work and Study Statement](#)

#### **2 Equality, Diversity & Inclusion Statement**

2.1 The Royal Conservatoire of Scotland embraces a diverse population of students and staff. We believe that excellence can be achieved through recognising and celebrating the value of every individual, and are committed to promoting equality, diversity and inclusion in all of our activities.

2.2 We are committed to developing and upholding a culture based on respect, inclusiveness, transparency and open-mindedness.

2.3 We will proactively advance equity and inclusive practice in our activities and through effective and collaborative action, to ensure that we all have the right to be seen, heard and celebrated.

2.4 This statement makes clear our commitment to equality, diversity and inclusion and underpins the Student Code of Conduct.

#### **3. Academic Freedom**

3.1 RCS values and encourages freedom of speech/expression and upholds academic freedom.

3.2 As such the Conservatoire abides by the definition of Academic Freedom as given in the HE Governance (Scotland) Act 2016 as follows:

## Academic freedom

- (1) A post-16 education body must aim to—
  - (a) uphold (so far as the body considers reasonable) the academic freedom of all relevant persons, and
  - (b) ensure (so far as the body considers reasonable) that the matters mentioned in subsection (2) are not adversely affected by the exercise of academic freedom by any relevant persons.
- (2) The matters are—
  - (a) appointments held or sought, and
  - (b) entitlements or privileges enjoyed, at the post-16 education body by those relevant persons.
- (3) In this section, “relevant persons” in relation to a post-16 education body means persons engaged in—
  - (a) teaching, or the provision of learning, at the body, or
  - (b) research at the body.
- (4) For the purposes of this section, “academic freedom” in relation to relevant persons includes their freedom within the law to do the following things—
  - (a) hold and express opinions,
  - (b) question and test established ideas or received wisdom,
  - (c) develop and advance new ideas or innovative proposals,
  - (d) present controversial or unpopular points of view.

3.3 This puts a duty on the Conservatoire to ensure academic freedom for those involved in teaching, learning or research in relation to their appointment, or any entitlement or privileges they may enjoy. This includes the freedom (within the law) to hold and express opinions, question and test established ideas and received wisdom and present controversial or unpopular points of view.

3.4 Academic freedom, nonetheless, intersects with other laws. These intersections establish certain limits which, if breached, can constitute unacceptable actions and/or a breach of RCS policies. Any suspected breaches will normally be investigated and, where appropriate, action taken.

## 4. Research and Performance Ethics

- 4.1 In exercising their Academic Freedom, staff and students will at all times adhere to good ethical practice, as set out in the Conservatoire’s [Research Ethics](#) and [Performance Ethics](#) policies.
- 4.2 All our practitioners must observe, respect and protect the rights of their fellow participants and ensure that those rights can always be exercised to their fullest extent. RCS maintains Ethics Policies governing Research and Performance and regularly convenes an Ethics Committee to oversee continuous good practice.
- 4.3 RCS is committed to the maintenance of the highest ethical standards in all activity carried out in its name or with its support. This includes work undertaken by external researchers using RCS staff or students as participants. If you are intending to draw on the RCS community in this way, please contact the Ethics Committee (ethics@rcs.ac.uk) for clearance in advance.

## 5. General Safeguarding

- 5.1 The Conservatoire is a community in itself and safeguarding relates to everyone; incidents that cause harm, or failure to thrive, can happen to anyone. The Conservatoire is located across two city centre campuses with global reach.
- 5.2 We define safeguarding as taking all reasonable steps to prevent harm, harassment or abuse from occurring; to protect all people, we are mindful that some individuals, particularly, children and adults at risk are inherently more vulnerable to harm, abuse or neglect. By safeguarding we can all provide greater protections and to respond appropriately to safeguarding concerns.
- 5.3 The Conservatoire's Safeguarding Policy sets out a fuller statement of our commitment to a duty of caring and can be found [here](#). It emphasises the **two categories of safeguarding** to which the Conservatoire is committed:
- 5.3.1 **Legal Safeguarding** (covering a range of laws with which we must be compliant - including laws relating to children and young adults, vulnerable adults, protected adults, harm and abuse, and radicalisation and extremism)) Community and fully outlined in the [Safeguarding Policy].
- 5.3.2 **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 the student rules and regulations for the Royal Conservatoire of Scotland outlined in this document below and in **section H**.
  - 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.
- 5.4 Safeguarding applies consistently and without exception across our programmes, students, volunteers, and staff.
- 5.4.1 Our **Student Code of Conduct** in section A, student misconduct procedures in **section H**, and the regulations below relate to this general safeguarding principle.
- 5.4.2 Higher education (e.g. undergraduate and postgraduate programmes) is considered as an adult environment where nearly all of the students are over the age of 18 and have the freedom and responsibilities of adults.

- 5.4.3 All students under the age of 18 studying on Conservatoire undergraduate programmes are viewed under general protection and safeguarding principles except where legal protections clarify specific expectations on the Conservatoire.
- 5.4.4 Full-time students aged 16-17 studying on Conservatoire undergraduate programmes are covered by the Sexual Offences (Scotland) Act 2009. This act states that it is a criminal offence for any person in a position of trust (as defined in the Act) to engage in sexual activity with an under 18-year-old.
- 5.4.5 Full time students aged 16-17 who are matriculated onto the Conservatoire's higher education programmes are expected to comply with the regulations provided here.

### **Protection of Vulnerable Groups (PVG)**

- 5.5 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.
- 5.6 All new BEd, PGDE, BA Arts with Community and any other student who falls within the scope of the scheme due to their contact with relevant groups or individuals as defined by the scheme as part of their programme will be subject to a Protecting Vulnerable Groups (PVG) Scheme check.
- 5.7 The Conservatoire will administer the PVG Scheme process in accordance with prevailing legislation (including the Data Protection Act). Details of the PVG Scheme process are available at <https://www.mygov.scot/pvg-scheme>
- 5.8. If a PVG Scheme check reveals a relevant criminal conviction(s) which the student has not declared previously through the admissions process, that matter will be considered through the Conservatoire's Student Disciplinary Procedure (Section H3, p100). The outcome of that disciplinary process may include exclusion from the Conservatoire.

### **A Reminder of Guidance regarding Criminal Convictions**

- 5.9 The Conservatoire believes that an unspent criminal conviction should not automatically prevent an individual from studying at the Royal Conservatoire of Scotland. The disclosure of a criminal conviction is a requirement of a safeguarding risk assessment process (outlined in the Admissions Policy Appendix A) when a student has accepted an offer to the RCS.

### **Future Work and convictions**

- 5.10 Though your conviction should not prevent you from studying on your desired course (our policy is to assess your application based on your application, audition/interview and suitability for the course), it is important that applicants with criminal convictions are aware of possible issues with gaining employment in their desired field after graduation depending on the nature of the offence.
- 5.11 Information on what offences may prevent a graduate from working in a particular role can be obtained from the relevant regulatory body. Examples of areas of employment

in which a criminal conviction may affect job opportunities include social work, education, healthcare and finance.

- 5.12 However, there are many different roles within these sectors and where a previous conviction may have an impact on your ability to work in one role, it may not have an impact on another within the same sector.

### **PVG Scheme and Enhanced Disclosure Checks**

- 5.13 Due to the nature of some courses and modules at the Conservatoire, you may be asked to join the Protection of Vulnerable Groups (PVG) Scheme or complete an Enhanced Disclosure check. This means that checks are carried out for any unspent and spent convictions and cautions. The checks also include any non-conviction data held by the police that may be relevant to course/module.
- 5.14 Applications for the PVG Scheme membership and Enhanced Disclosure checks are processed and assessed by Disclosure Scotland which provides this service as a means of enhancing security, public safety and protecting the vulnerable in society.
- 5.15 The Royal Conservatoire of Scotland will administer students applying to be members of the PVG Scheme and who require an Enhanced Disclosure check in accordance with prevailing Disclosure Scotland requirements and related legislation e.g. the Data Protection Act. If you would like further details of the Disclosure Scotland process, please visit their website at <https://www.mygov.scot/organisations/disclosure-scotland>.
- 5.16 A member of staff from the Conservatoire will only contact you directly should any issues arise from your PVG scheme membership or Enhanced Disclosure check. Using the information received from your PVG scheme membership or Enhanced Disclosure check, a panel will risk assess any criminal convictions and cautions.

## **6. Extremism, Academic Freedom, and Freedom of speech/ expression**

- 6.1 Section 26 of the Counter-terrorism and Security Act 2015 places a duty on Scottish Higher Education Institutions, to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the **Prevent Duty**.
- 6.2 As a result, the Conservatoire is required to demonstrate that effective mechanisms are in place to manage the implementation of this statutory duty. These mechanisms are described in full in the Conservatoire's [Prevent Policy](#)
- 6.3 Any student who is concerned that another student is being drawn into terrorism/extremism or is encouraging others to be drawn into terrorism/extremism must report that concern directly. They can report to their Head of School/relevant Director or the Student Community Conduct Officer, who will consult as appropriate with the Head of AAS, or they can report directly to the Head of AAS
- 6.4 Freedom of speech is not an absolute right, and it does not include the right for individuals to harass others or incite them to violence or terrorism. The right to freedom of expression is secured by Article 10 of the European Convention on Human Rights (ECHR). Further guidance on ECHR can be found in [Freedom of expression: a guide for higher education providers and students' unions in Scotland](#).
- 6.5 Notwithstanding academic freedom and freedom of expression, any student who is concerned that an invited external speaker is likely to express views which seek to popularise hatred of those with protected characteristics or promulgate beliefs that

support or encourage extremism / terrorism must report that concern directly to their Head of School/relevant Director who will consult as appropriate with the Secretary.

6.6 Further details regarding the Conservatoire's policy can be viewed [here](#)

## 7 Enhanced Support to Study (ESS)

7.1 There are times during a student's studies when their health can interfere with their learning. The most obvious signs of this tend to be reflected by how a student engages with their programmes, ensembles, and productions on those programmes.

7.2 Enhanced Support to Study is the formal process that the Conservatoire uses when there are concerns that someone is struggling with their learning because of an underlying health and wellbeing issue. As such, Enhanced Support to Study is essentially a student support mechanism rather than a punitive one, designed to ensure a duty of care to a student whose engagement is raising concerns.

7.3 The Enhanced Support to Study (ESS) process has three stages. Each one reflects different levels of concern for the health and wellbeing of a student, the impact on their studies, and the range of support and options that might, as a result, be required.

7.4 The three stages are:

<b>Stage 1</b>	<b>Initial &amp; Emerging Concerns</b> Often used when a student's attendance and/or health record is suggestive of a need for enhanced support to study	ESS1
<b>Stage 2</b>	<b>Continuing and/or significant concerns</b> Often used when a student's attendance, approach to engagement, interaction with their ensemble, and/or health record demonstrates a need for enhanced support to study	ESS2
<b>Stage 3</b>	<b>Persistent / grave concerns</b> Often used when there is concern that a student is unwell and/or disengaged to such an extent that they may not progress or complete their studies.  This stage can also be referred to as fitness to study (F2S) and is only called that because of the degree of concerns staff have for a student.	ESS3 (F2S)

The basic process can be described as:

1. A concern is acknowledged by a member of staff.
2. Prior to **any** of the three stages, the responsible staff member will check that a learning agreement is not already in place.
3. Depending on the level of concern, the student will be invited to a meeting to discuss these concerns, what support is needed, and what the student needs to do.
4. An initial support plan will be drawn up and agreed with the student.
5. A review date will be established.

7.5 Following review, the process will normally be one of the following:

- Process concluded
- Process requires another review

- Process needs to change the stage being applied (this means the process can move up or down a stage)
- Process suggests a suspension of studies is required (reserved to a stage 3 ESS F2S process)

7.6 Returning to studies, following an ESS F2S suspension, will normally involve a **ready to return to study** process.

7.7 These stages are summarised below:

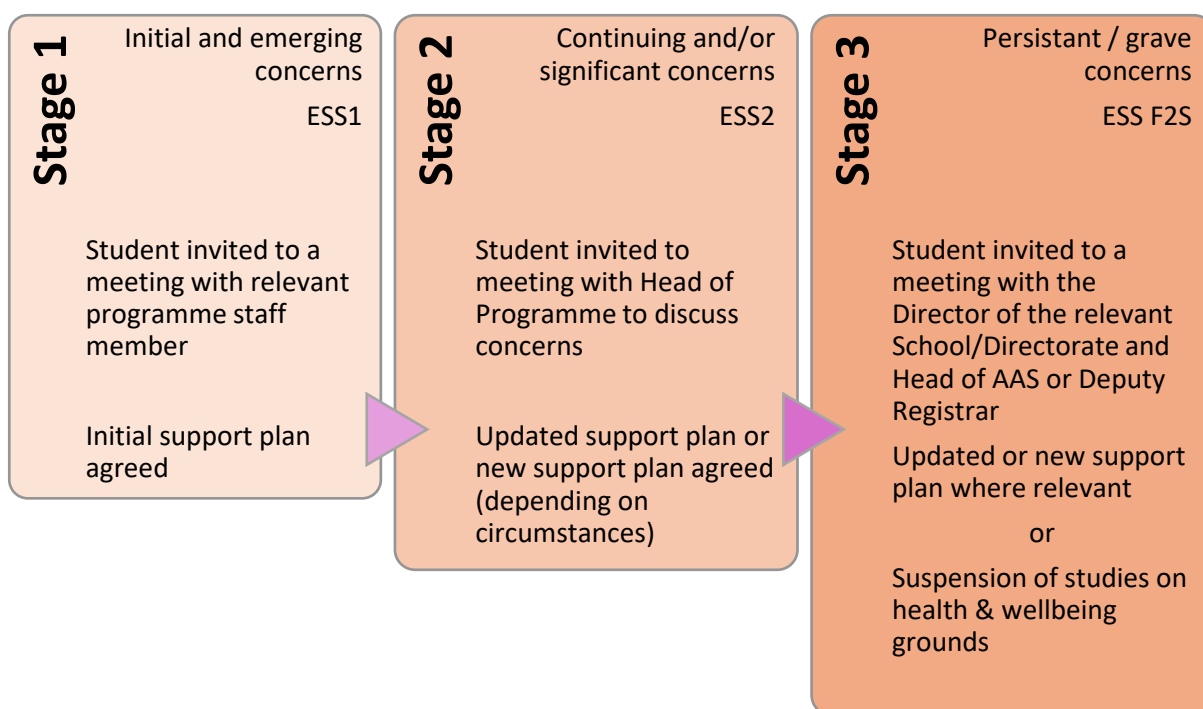


Diagram 2: Stages of the Enhanced Support to Study process

7.8 Full details of the [Enhanced Support to Study process](#) can be found in the portal under student facing policies.

## 8 Fitness To Practise Policy

8.1 The Conservatoire's Fitness to Practise policy applies to all students on programmes that lead to provisional registration with the GTCS and is intended to ensure public protection and to maintain the standards expected of student teachers, as set out in the GTCS's 'Student Teacher Code'.

8.2 For details, see the [Fitness to Practise Policy](#)

## 9 Animals on Campus Policy

Please see the Conservatoire's [Animals on Campus Policy](#) for full details relating to assistance animals and emotional support animals.

## **10 Key further community policies (links)**

### **10.1 [JANET Acceptable Use Policy](#)**

Version: 13

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### **10.2 Online Safety Policy**

The Conservatoire's [Online Safety Policy](#) is available in full on the Portal.

### **10.3 Acceptable use of [Social Media Policy](#)**