

## Student Safeguarding, Prevent and Harassment Policy

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<b>Related internal policy</b>	Equality and Diversity Policy		
<b>Related external policies and regulations</b>	<ul style="list-style-type: none"> <li>• Office for Students Conditions of Registration: Condition E6 Harassment and sexual misconduct</li> <li>• Care Act 2014</li> <li>• POSH Act 2013</li> <li>• Counter Terrorism and Security Act 2015, and the Prevent Duty Guidance 2023</li> <li>• Digital Personal Data Protection Act 2023 and General Data Protection Regulation.</li> <li>• Domestic Abuse Act 2021</li> <li>• Equality Act 2010</li> <li>• Safeguarding Vulnerable Groups Act 2006</li> <li>• Protection of Freedoms Act 2012</li> <li>• Mental Capacity Act 2005, and the Mental Capacity (Amendment) Act 2019</li> <li>• HM Government (2023) Working together to safeguard children. A guide to inter-agency working to safeguard and promote the welfare of children</li> <li>• Management of Health and Safety at Work Regulations 1999</li> </ul>		

### Contents

Introduction and overview.....	2
Definitions.....	3
Reporting and Response .....	3
Training and Awareness.....	3
Monitoring and Review .....	3
Contact Information .....	3
Part 1 – Safeguarding and Prevent .....	4
Definitions.....	4
Policy aims .....	4
Examples of types of abuse .....	5
Roles and Responsibilities.....	6
Reporting.....	7
Responding to safeguarding and Prevent concerns .....	7
Part 2 – Prevention of Bullying, Harassment and Sexual Misconduct.....	9
Definitions and examples.....	9
Policy aims .....	9
Roles and Responsibilities.....	10
Support for those affected .....	11
Informal resolutions .....	11
Making a formal complaint.....	11

## **Introduction and overview**

**Please note that in an emergency, i.e. there is a risk to life, then staff should call 108.**

RCL Mumbai is committed to providing a safe, inclusive, and supportive environment for all students, staff, and visitors. This policy outlines our approach to safeguarding, Prevent duty, bullying, harassment, and sexual misconduct. This document is intended to be a single comprehensive source of information on these matters.

This policy applies to all members of the RCL community<sup>1</sup>, including students, staff, contractors, and visitors. The policy also applies to students on placement and students working in industry.

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## Definitions

- **Safeguarding:** Protecting individuals from harm, abuse, and neglect.
- **Prevent Duty:** A legal obligation to prevent individuals from being drawn into terrorism.
- **Bullying:** Repeated, unreasonable behaviour that creates a risk to health and safety.
- **Harassment:** Unwanted conduct that violates a person's dignity or creates an intimidating environment.
- **Sexual Misconduct:** Any unwanted behaviour of a sexual nature.

## Reporting and Response

- **Reporting Mechanisms:** Clear and accessible reporting mechanisms are provided for all types of misconduct.
- **Investigation Procedures:** All reports will be investigated promptly, fairly, and confidentially.
- **Support Services:** Support will be available for all parties involved, via our student and staff support processes.

## Training and Awareness

- **Staff Training:** Regular training will be provided to staff on safeguarding, Prevent duty, bullying, harassment, and sexual misconduct.
- **Student Awareness:** Sessions and resources will be available to students to raise awareness and promote a safe campus culture.

## Monitoring and Review

- **Policy Review:** This policy will be reviewed every three years to ensure it remains effective and up to date.
- **Feedback Mechanisms:** Feedback from the RCL Mumbai community will be sought to continuously improve our approach.

## Contact Information

- [rclmumbai@regentindia.in](mailto:rclmumbai@regentindia.in)

## Part 1 – Safeguarding and Prevent

RCL Mumbai is committed to providing a safe environment for all students, staff, and visitors. The College recognises its responsibility to safeguard the wellbeing and safety of students, staff, visitors, vulnerable adults and adults at risk who are involved in any College activities, both in person and online.

### Definitions

- 1.1. A child is defined as any person under the age of 18 years.
- 1.2. Under statutory guidance (Care Act, 2014), an Adult at Risk is defined as someone aged 18 years or over and:
  - Has needs for care and support due to mental health and/or physical health (whether or not the local authority is meeting any of those needs)
  - Is experiencing, or at risk of, abuse or neglect
  - Who is or may be unable to take care of themselves, or unable to protect themselves against harm or exploitation.

### Policy aims

- 1.3. This policy provides guidance for identifying risks, reporting concerns, and taking appropriate actions. It emphasises promptly addressing safeguarding issues, including exploitation, harm, or abuse, and ensuring the suitability of individuals in roles involving contact with adults at risk. Training for staff and fostering trust within the RCL community are prioritised to maintain a safe environment.
- 1.4. This policy aims to follow the Prevent Duty to ensure reasonable and effective steps are taken by RCL to safeguard students from becoming radicalised.
- 1.5. We aim to ensure a safe, inclusive environment free from harm, prejudice, or harassment by:
  - a. Training staff to address safeguarding issues.
  - b. Encouraging the community to raise safety concerns.
  - c. Clarifying safeguarding roles and accountability with adequate training.
  - d. Preventing employment of individuals posing risks.
  - e. Responding to allegations or incidents involving children or adults at risk.
  - f. Establishing a robust referral system for serious safeguarding and Prevent issues.
- 1.6. We comply with Prevent Duty by:
  - a. Conducting bi-annual risk assessments to evaluate student vulnerability to terrorism.
  - b. Having an External Speakers Policy which balances freedom of speech and the mitigation of risks.

- c. Prohibiting gender segregation, terrorism promotion, and extremist materials.
- d. Monitoring IT networks to prevent misuse and ensure compliance.
- e. Providing pastoral care for vulnerable students or those at risk of radicalisation.
- f. Ensuring student representatives contribute to refining Prevent measures.
- g. Sharing information with external authorities as needed, respecting data protection and privacy.

### Examples of types of abuse

- 1.7. **Safeguarding** means taking all reasonable steps to prevent harm, particularly sexual exploitation, abuse and harassment from occurring; to protect people, especially adults at risk and children, from that harm; and to respond appropriately when harm does occur. Safeguarding applies consistently and without exception across all activities associated with RCL Mumbai. It requires proactively identifying, preventing and guarding against all risks of harm, exploitation and abuse and having accountable and transparent systems for response, reporting and learning when risks materialise.
- 1.8. Types of situations from which children and adults at risk should be safeguarded include, but are not limited to, the following:
- Self-neglect      • Forced marriage
  - Neglect and acts of omission   • Discrimination
  - Financial exploitation   • Data breaches
  - Sexual harassment, abuse,   • Physical harm or exploitation   • Self-harm
  - Physical, emotional,   • Child sexual exploitation psychological abuse • Honour-based violence
  - Domestic violence      • Female genital mutilation
  - Cyber abuse      • Hate and mate crimes
  - Modern day slavery      • Homelessness
  - Bullying or harassment • Eating disorders
- 1.9. The **Prevent duty** is part of the India's Government strategy to counter terrorism. It aims to stop people from becoming terrorists or supporting terrorism by creating a safe environment which addresses the root causes of radicalisation and by providing support to vulnerable individuals.
- 1.10. Under the Counter-Terrorism and Security UAPA (1967), RCL Mumbai , as a higher education provider, has a legal obligation to have due regard to the need to prevent people from being drawn into terrorism.

- 1.11. We must identify individuals at risk of radicalisation, provide appropriate support through intervention programmes, train staff to recognise signs of radicalisation, and promote community cohesion and resilience against extremist ideologies.

### **Roles and Responsibilities**

- 1.12. RCL Mumbai is responsible for ensuring that the process of safeguarding children and adults at risk is clearly communicated through its policy (this document), procedures, guidance and training. For the safeguarding and Prevent processes to function, necessary actions outlined in procedures and training such as reporting safeguarding concerns need to take place.
- 1.13. It is not a staff member's responsibility to decide whether a child or adult at risk has been abused or harmed or subjected to abuse or harm, only to raise concerns that they may have.
- 1.14. The Designated Safeguarding Lead (DSL) and the Prevent Lead are responsible for:
  - a. Ensuring the Safeguarding and Prevent Policy is up to date and implemented
  - b. Oversight of investigations and remedies for non-compliance
  - c. Holding central records of safeguarding and Prevent incidents
  - d. Attending role-specific training
  - e. Ensuring the RCL Mumbai community is familiar with and trained in the Policy
  - f. Providing up-to-date, role-appropriate training and evaluating its effectiveness
  - g. Conducting and acting on risk assessments, and providing advice on risk management
  - h. Embedding sector guidance and best practices into processes
- 1.15. All staff and students are responsible for:
  - a. Helping to ensure that RCL Mumbai is a safe environment, free from prejudice, discrimination, bullying and harassment by ensuring compliance our values.
  - b. Understanding the Safeguarding and Prevent Policy (this document) and how to raise a concern or disclosure under it.
  - c. Attending requested safeguarding and Prevent training.
  - d. Reflecting safeguarding responsibilities in planning and risk assessments for activities.
  - e. Co-operating fully with internal or external investigations into reported concerns.
  - f. Reporting any safeguarding concerns or information to the appropriate staff.

- g. Maintaining confidentiality of incidents and sharing information only with relevant colleagues.
- h. Being aware of local safeguarding policies and procedures when visiting other premises as a RCL Mumbai representative.

## **Reporting**

- 1.16. RCL Mumbai is responsible for accurately recording safeguarding and Prevent concerns in line with our DPDPA 2023 The Designated Safeguarding Lead ensures proper mechanisms for recording and reporting are in place.
- 1.17. To safeguard children and adults at risk, information is shared with relevant organisations (e.g., educational bodies, local authorities, NHS, police). Consent will be sought before sharing, but information may be shared without consent if necessary. Records will note who received the information and why.
- 1.18. For Prevent-related concerns, referrals to external agencies (Department of Education, Police Prevent Team, Office for Students) may be made. Support for the individual will continue throughout this process, regardless of the referral outcome.

## **Responding to safeguarding and Prevent concerns**

- 1.19. All staff are expected to appropriately raise safeguarding and Prevent concerns.
- 1.20. It is not always easy to recognise a situation where abuse may occur or has taken place. RCL Mumbai staff are not expected to be experts at such recognition, only to raise concerns and disclosures they receive.
- 1.21. It is important that the recipient of any complaint or disclosure that a child or adult at risk has been or is being abused listens carefully without making or implying any judgment as to the truth of the complaint.
- 1.22. There are a few ways in which abuse, or exploitation may become apparent:
  - a. Disclosure of the abuse – self disclosure or disclosure by a third party. This might be full disclosure or that which raises suspicions of abuse
  - b. Signs of abuse, including physical injury for which there appears to be no satisfactory explanation
  - c. Behaviour that leads to suspicion that someone is being or has been abused or exploited
- 1.23. Where any member of RCL Mumbai becomes aware of a possible safeguarding or Prevent concern or receives a disclosure or an allegation they should:

- a. Make a note of the relevant details, an optional template is included as Appendix B
- b. If urgent i.e. there is a risk to life, then staff should call 108. After calling emergency services, they should flag it up to the safeguarding lead
- c. If non-urgent then the [Safeguarding Form](#) should be completed. This will be received by the Designated Safeguarding Lead who will coordinate safeguarding actions and flag up any Prevent cases to the Prevent Lead for them to action.

1.24. This is the same process if it is a current or historical occurrence or concern.

1.25. Where a non-urgent safeguarding concern is regarding a child or adult at risk who is not a member of RCL Mumbai, the concern should be raised with the organisation they are part of, e.g. their school.

## Part 2 – Prevention of Bullying, Harassment and Sexual Misconduct

RCL Mumbai is committed to protecting students from bullying, harassment and sexual misconduct. This policy outlines the steps students can take if they experience or witness bullying, harassment, or sexual misconduct. This policy aligns with the Office for Students Condition of Registration E6: Harassment and Sexual Misconduct.

Students undertaking a HND programme

### Definitions and examples

- 2.1. **Bullying** is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened
- 2.2. Bullying can take the form of physical, verbal, and non-verbal conduct. Bullying may include, by way of example:
  - a. physical or psychological threats
  - b. overbearing and intimidating levels of supervision
  - c. inappropriate derogatory remarks about someone's performance
- 2.3. Legitimate, reasonable, and constructive criticism of your performance or behaviour, or reasonable instructions given to you in relation to your study or work, will not amount to bullying on their own.
- 2.4. **Harassment** includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.'
- 2.5. **Sexual misconduct** means any unwanted or attempted unwanted conduct of a sexual nature. It includes, but is not limited to sexual harassment, sexual assault, and rape.

### Policy aims

- 2.6. This policy aims to ensure reasonable and effective steps are taken by RCL Mumbai to deal with instances of bullying, harassment and sexual misconduct.
- 2.7. We will do this by taking the following actions:
  - a. Ensuring RCL Mumbai is safe and free from harm, prejudice, harassment, discrimination, and bullying.

- b. Providing staff and students with training to recognise, respond to, and report potential bullying, harassment or sexual misconduct
- c. Allowing anyone to raise concerns about bullying, harassment or sexual misconduct
- d. Clarifying roles and responsibilities regarding bullying, harassment and sexual misconduct.
- e. Ensuring staff with responsibilities for this policy are appropriately trained.
- f. Taking appropriate action on allegations of bullying, harassment and sexual misconduct.

2.8. This policy aims to ensure reasonable and effective steps are taken by RCL Mumbai to prevent and tackle harassment and sexual misconduct in our community.

2.9. We will do so by taking the following actions:

- a. Ensuring we have a clear stance (via this document) on bullying, harassment and sexual misconduct.
- b. Disallowing close relationships between staff and students. This is to avoid potential conflicts of interest, to protect our students, and to avoid inequalities of power.
- c. Ensuring that staff and students receive training on our stance on harassment and sexual misconduct. This includes training on sexual consent, and information on how to report incidents. Staff also receive training on receiving harassment and sexual misconduct disclosures.
- d. Not allowing the use of non-disclosure agreements (NDAs) or confidentiality clauses are not within any settlement agreements relating to harassment and sexual misconduct cases.
- e. Encouraging staff and students to report concerns, ensuring there is protection available for those who choose to do so. We operate an anonymous reporting process via Report + Support ([rclmumbai@regentindia.in](mailto:rclmumbai@regentindia.in)) for those who wish to use this. We retain records of reports received.

## **Roles and Responsibilities**

2.10. All RCL Mumbai staff and students must:

- a. comply with this policy
- b. take requests to amend behaviour seriously and respond courteously
- c. not participate in, condone, or ignore bullying, harassment and sexual misconduct
- d. challenge inappropriate behaviour.

2.11. Complaints by students against staff will be referred to the HR Team.

- 2.12. Students experiencing bullying, harassment or sexual misconduct should raise complaints themselves. However, others who witness bullying or harassment can also raise complaints on their behalf.
- 2.13. The Designated Safeguarding and Prevent Lead is responsible for maintaining this policy.

### **Support for those affected**

- 2.14. We provide support to students who wish to make an allegation or complaint, have experienced bullying, harassment or sexual misconduct, or are actual or alleged perpetrators.
- 2.15. This support will be agreed on a case-by-case basis and may include:
- a. Signposting to personal or counselling services
  - b. Tailored support for students with different needs, including those with protected characteristics
  - c. Academic support where a student's academic experience has been affected.
- 2.16. Personal Academic Tutors or the Student Support Team can support with all parts of this process.

### **Informal resolutions**

- 2.17. You may wish to resolve behaviour which you construe to be bullying, harassment or sexual misconduct informally. You could talk directly to the individual(s) involved or put your concerns in writing.
- 2.18. When addressing the person, use the EEC approach:
- Explain** what they did or said.
- Effect** - describe the impact on you.
- Change** - specify what you want to change.
- 2.19. If a student or staff member is told their behaviour may be seen as bullying, harassment, or sexual misconduct, they should listen calmly and allow the other person to express their concerns. If they believe that the complaint is serious or inappropriate, they should consult their line manager or supervisor for next steps.

### **Making a formal complaint**

- 2.20. If informal methods fail, you can make a formal allegation about a student using Report + Support ([rclmumbai@regentindia.in](mailto:rclmumbai@regentindia.in)). You should report incidents as soon as possible. You also have the option of reporting anonymously via Report + Support ([rclmumbai@regentindia.in](mailto:rclmumbai@regentindia.in)). You should

be aware that we are unlikely to be able to investigate this as thoroughly as a formal complaint.

2.21. We handle information about incidents sensitively and fairly, which means that we:

- a. Collect information with appropriate confidentiality
- b. Handle information according to data protection legislation
- c. Ensure that students understand how disclosed information may be used.

2.22. We investigate incidents, using our Student Disciplinary Procedure, in a manner that is credible, fair, and reflects principles of natural justice by:

- a. Having clear deadlines for investigations, as set out in the Student Disciplinary Procedure
- b. Providing explicit information about the investigatory process, decisionmaking, and possible outcomes
- c. Informing those directly affected by decisions and explaining the reasons.

2.23. Formal complaints regarding cases for students enrolled in a HND programme are managed by the University rather than RCL Mumbai. Information about the relevant process and contact details will be provided to you.