International Safeguarding Policy

WARNING: This policy contains topics that some readers might find distressing.

Please note: The International Safeguarding Policy applies to all Open University staff, research students and participants who are: (i) working on international programmes or activities overseas; (ii) representing the Open University by working at, or attending academic or business events overseas; and/or (iii) working with others who are located overseas.

What to do in an emergency

If an Open University staff member, research student or representative of The Open University is in immediate danger or at risk of harm to themselves or others, call the local emergency services (999 in the UK; 112 internationally).

If appropriate and if help is needed while working abroad, contact the relevant Consulate in the country you are in.

Once the emergency is under control, submit a report to your line manager or the person you report to at The Open University as soon as possible after the event. They will forward your report and inform the relevant Director, Strategy, Planning and Resources in your unit, and the relevant Designated Safeguarding Lead (DSL) at The Open University.

Designated Safeguarding Leads (DSL) at The Open University

- Rebecca Galley, Director, Academic Services (University DSL)
- Arlëne Hunter, Director, Student Support Services (Chair, Safeguarding Steering Group)
- Amy King, Head of Student Support, FBL (Student DSL)

Faculty/Unit Safeguarding Contact Points

- Rachel Fryer, Director, Strategy, Planning & Resources, Faculty of Business & Law (FBL)
- Dave Lewis, Director, Strategy, Planning & Resources, Faculty of Arts & Social Sciences (FASS)
- James Nicholson, Director, Strategy, Planning & Resources, Faculty of Wellbeing, Education and Language Students (WELS)
- Alexis Peters, Director, Strategy, Planning & Resources, Faculty of Science, Technology, Engineering & Mathematics (STEM)
- Sara Spencer, Head of Research Degrees, PVC Research & Enterprise Office
- Staff in all other units should contact the relevant DSL from the list above

Note: Additional Designated Safeguarding Leads are being identified for People Services and the Research Programme, along with an additional Safeguarding Contact Point for the Business Development Unit (BDU) for the 2024/25 academic year; in the meantime, staff should contact the appropriate DSL listed above.

Summary of policy

This policy describes how The Open University meets its statutory safeguarding obligations to protect the safety and wellbeing of children and 'adults at risk' (previously referred to as vulnerable adults) when its staff, research students and representatives are working in an international context.

Safeguarding is everyone's responsibility, and The Open University is committed to creating and sustaining a culture of vigilance among its staff, research students and other representatives, so that they know how to recognise, respond, record and report safeguarding concerns in an appropriate and proportionate manner. The Open University also recognises that safeguarding concerns may emerge during the course of any form of university business.

This policy outlines the procedure to follow if you have a safeguarding concern when working in an international context on a programme or activity abroad associated with The Open University. It sets out what your responsibilities are in terms of reporting any concern or incident, and outlines how decisions are made on safeguarding matters.

Note: The scope and terminology of this policy makes use of safeguarding legislation and guidance from across the United Kingdom (UK); it refers to 'children' as individuals under 18 years of age, and 'vulnerable' adults or groups as those individuals who are recognised as 'protected' or 'at risk of harm'.

The policy should be read in conjunction with the Open University's Safeguarding Policy: protecting Children and vulnerable adults which sets out our commitment to safeguarding children and adults at risk in accordance with legislation in England, Wales, Northern Ireland and Scotland. It defines the responsibilities and processes to ensure risks are minimised, and where appropriate, dealt with in a robust manner

1 Introduction and principles

The Open University respects that all individuals regardless of race, gender, disability, religion, sexual orientation, family status, age or social background have a right to equal protection from all types of harm or abuse. Safeguarding is our responsibility to ensure that our staff, students and other individuals connected to our activities, operations and programmes do no harm to children and adults at risk. It is also our responsibility to manage any safeguarding concerns raised, and report them to the appropriate authorities.

Abusive behaviours can take many forms, including but not limited to:

- Physical abuse
- Emotional or psychological abuse
- Sexual abuse (ongoing, recent or which happened in the past)

- Domestic Abuse/Gender-Based Violence (and its impact on victims and their children who witness it)
- Financial abuse (including commercial exploitation)
- Harassment and discriminatory abuse
- Neglect
- Child criminal exploitation
- Modern slavery

The Director, Academic Services, is the overarching Designated Safeguarding Lead (DSL) for The Open University. They have overall responsibility for the safety of vulnerable groups in accordance with relevant legislation in the countries and territories of residence, and they are accountable for The Open University's practice.

The Open University's Safeguarding Policy: protecting Children and vulnerable adults sets out our commitment to safeguarding children and adults at risk in accordance with legislation in England, Wales, Northern Ireland and Scotland. It defines the responsibilities and processes to ensure risks are minimised, and where appropriate, dealt with in a robust manner.

The Open University is also actively involved in the creation, implementation and delivery of international research and development projects, programmes and activities across the world. These are predominantly delivered and managed by staff within our faculties and the Business Development Unit, and operate independently, in collaboration with community groups, and/or in partnership with one or more national or international institutes and organisations. Integral to this work, is ensuring we safeguard and protect the wellbeing and safety of all children and adults at risk who participate in these programmes and activities, as well as to safeguard and protect the wellbeing and safety of all staff, research students and representatives of the University.

The Open University does not tolerate abuse in any of its forms, including exploitation, bullying and harassment. We encourage all those we work with to challenge inappropriate behaviours, and to report any incidents following our organisational guidelines. We are committed to improving our processes and practices to keep staff, research students, representatives, volunteers and beneficiaries safe from harm.

International Safeguarding Policy

1 Policy Principles

1.1 The Open University recognises our moral and legal obligation to safeguard and protect the wellbeing and safety of all children and adults at risk who may participate in our international research and development programmes or activities, and/or who may come into contact with Open University representatives either directly (e.g. in person) or at a distance (e.g. online).

1.2 We also recognise our obligation to ensure our staff, research students and representatives working in international research and development programmes or activities are protected for harm, when working or visiting programmes abroad.

1.3 This policy applies to all staff, research students and representatives working for, or on behalf of the University, who are involved in the creation, delivery and maintenance of international research and development programmes or activities, both during and outside of standard working hours. By 'representatives' we mean all sub-contractors, consultants, volunteers, board members, or partners (including local community-based organisations) who are present on behalf of The Open University.

1.4 The policy sets out the responsibilities of staff, research students and representatives, and the procedures they and their managers should follow to ensure safeguarding standards are maintained across all international research and development programmes and activities carried out on behalf of The Open University.

1.5 This policy should be read in conjunction with the Open University's Safeguarding Policy: protecting Children and vulnerable adults.

1.6 Where this policy conflicts with local legislation, the local partnership organisation should be consulted and asked for guidance in the first instance. This guidance should then be forwarded to the appropriate Unit Safeguarding Contact and relevant Designated Safeguarding Lead for review and consideration.

1.7 Breaches of this policy will be investigated under the relevant Open University disciplinary procedures for students or staff, and may result in disciplinary action, including expulsion from the University and/or referral to relevant authorities.

1.8 Breaches of this policy by other representatives may result in the termination of the relevant individual agreement or partnership agreement, and reporting to the relevant authorities or research and development bodies.

1.9 Where The Open University fulfils the role of a sub-contractor to another lead partner who is leading on an international research or development programme or activity, The Open University will if requested, adhere to that partner's safeguarding policy, provided it meets The Open University's Safeguarding Policy: protecting Children and vulnerable adults standards as a minimum.

2 Definition of Safeguarding

2.1 In the context of our international research and development programmes and activities, The Open University makes use of the UK Collaborative and

Development Research (UKCDR) definition of safeguarding, which is:

"any sexual exploitation, abuse or harassment of research participants, communities and research staff, plus any broader forms of violence, exploitation and abuse… such as bullying, psychological abuse and physical violence."

2.2 It is our responsibility to manage any safeguarding concerns that are raised as part of international research and development programmes and activities, and to report them to the appropriate authorities when it is safe to do so. We will therefore adhere to the UKCDR safeguarding definition by:

"Ensuring staff, research students and other representatives of the University working on our international development programmes and activities do no harm to children or vulnerable adults as part of their research and development, and understand their responsibility to take affirmative action to report any concerns of sexual exploitation, abuse or harassment that comes to their attention, to the relevant authorities and to the Open University."

Prevention

3 Safer recruitment and disclosure checks

3.1 The Open University takes reasonable effort to ensure staff and research students whose role will involve activity with children or vulnerable groups, are suitable for the role, in line with our recruitment policies and legislation requirements.

3.2 This may involve requiring an individual to undertake a disclosure check, where the type and frequency of contact merits such a check. Failure to do so when asked, may result in an offer of employment or research studentship being retracted. Failure to undergo a disclosure check by existing staff or research students may result in disciplinary action or prohibition of participation in international research and development work abroad and in the UK.

3.3 Disclosure checks will be conducted and handled in accordance with The Open University's 'Disclosure and Barring Services (DBS) Code of Practice' and The Open University's 'Safer Recruitment and Vetting Policy/Procedure'. All disclosure checks (or equivalent, dependent on jurisdiction of residence) must be updated at least every 3 years.

3.4 A similar approach should be taken when recruiting or selecting representatives working for, or on behalf of the University, on international research and development programmes and activities. Selection should involve:

- determining the type and frequency of contact with children or adults at risk, and/or access to sensitive data relating to these groups;

- carrying out a reference check to determine an individual's suitability to work with children or adults at risk, and/or data relating to these groups (please note - reference checks should not be considered in isolation, but as an integral part of the safe recruitment and selection process);
- requiring the individual to undertake a disclosure check (or equivalent, dependent on jurisdiction of residence), where the type and frequency of contact with children or adults at risk merits a more robust approach to checking suitability to role.

3.5 All staff, research students and representatives recruited to work for an international research and development programme or activity for, or on behalf of the University, will be required to adhere to the Safeguarding Code of Conduct (Appendix B), irrespective of whether they are working in the UK or abroad.

Training and support

4 Training

4.1 All staff and research students are required to complete the University's online Safeguarding compliance training course every 2 years.

4.2 Representatives working for, or on behalf of the University, will be provided with appropriate Safeguarding training relevant to their role. This may comprise the University's online Safeguarding compliance training course, provision or alternative in-house training or direction to approved external safeguarding training.

4.3 Unit Safeguarding Contacts and Designated Safeguarding Leads are required to complete training relevant to their roles, and to engage in all additional training or refresher briefings associated with safeguarding (e.g. due to changes in legislation; following a serious safeguarding incident or concern) on a needs basis.

5 Support

5.1 Staff and research students who find they are in need of help or support to deal with emotional issues or vicarious trauma associated with safeguarding can either request a de-briefing session with a member of the Safeguarding Referrals Team (safeguarding-referrals@open.ac.uk), or access professional supervision or counselling support from the University's free and confidential Employee Assistance Programme (EAP) provided by HealthAssured.

Safeguarding contacts, roles and responsibilities

6 Unit Safeguarding Contacts and Designated Safeguarding Leads

6.1 It is the responsibility of all staff and research students to be aware of the named Safeguarding Contact in their Faculty or Unit, and to ensure their Unit Safeguarding Contact has access to all documentation relating to the development, approval and operations of the international research and development programme or activity the staff member/student is involved with (irrespective of whether this programme or activity is being led by the University, or by another organisation or partnership).

6.2 All members of staff, research students and representatives of the University, are expected to:

- completed the Safeguarding compliance training (at least once every 2 years)
- read and understand this policy on International Safeguarding, as well as the University's Safeguarding Policy: protecting Children and vulnerable adults
- read and understand all policies that are relevant to their international research or development programme or activity, their role in this programme/activity, and the type and frequency of contact expected with children and adults at risk
- read and confirm they understand the Safeguarding Code of Conduct (Appendix B)
- familiarise themselves with the local law, regulations and culture of the country or countries they will be working in, and be aware of any variance in cultural expectations or norms in each of the communities they will be work and engaging with. (This information can be obtained via the University's International Travel guidance or the Foreign and Commonwealth Office Travel Advice site.)

6.3 The Unit Safeguarding Contact is responsible for receiving any safeguarding reports or concerns raised by a member of staff, research student or representative working on an international research and development programme or activity, and escalating the report as required to the appropriate Designated Safeguarding Lead.

6.4 The role of the Unit Safeguarding Contact is therefore to:

- keep a record of all international research or development programme or activity that involve members of staff, research students or representatives from their unit
- ensure all staff, research students and/or representatives involved in the international research or development programme, or activity have

completed the University's online Safeguarding compliance training within the last 2 years
- ensure all staff, research students and/or representatives involved in the international research or development programme or activity, are aware of and have read this policy on International Safeguarding and the University's Safeguarding Policy: protecting Children and vulnerable adults
- act as the first point of contact for safeguarding concerns or incidents that are reported, and to log the report before determining the appropriate next action (e.g. to note the concern; ensure general or specialist support is made available; or escalate the concern or incident to the relevant Designated Safeguarding Lead for further action)
- ensure all cases of concern or safeguarding incidents are referred to the relevant Designated Safeguarding Lead without delay.

6.5 In addition, all units are responsible for ensuring this policy on International Safeguarding is incorporated in any partnership agreement or third-party contract that involves international research or development work. This should include completion of a risk assessment that specifically include identifying, managing and mitigating safeguarding risks associated with this work. The risk assessment should be reviewed and updated annually (or more frequently if required by the programme of work).

6.6 Each unit is also responsible for ensuring their staff, research students and representatives comply with the Safeguarding Code of Conduct (Appendix B). Any failure to abide by the Code of Conduct or respond to and report any allegations of abuse, harm or harassment may lead to disciplinary action and/or termination of the partnership agreement.

6.7 The role of the Designated Safeguarding Lead has been based on guidance provided by Keeping Children Safe in Education. In the context of this international safeguarding policy, the role of the Designated Safeguarding Lead is to:

- advise and support the Vice-Chancellor's Executive with safeguarding matters
- oversee, maintain and review the safeguarding policies and procedures
- liaise with relevant units to ensure they are checking that their staff, research students and/or representatives are aware of their own responsibilities in the context of safeguarding, and have completed the compliance training
- manage safeguarding concerns, allegations or incidents reported to the University
- manage and oversee subsequent referrals to relevant external safeguarding agencies or authorities for any incidents or allegations of abuse or harm
- work with People Services and/or the PVC-RES Office to ensure support and guidance is provided to any member of staff, research student or

representative of the University who has been accused of safeguarding-related misconduct or has been subjected to a safeguarding issue
- ensure all documentation and final reports associated with a safeguarding concern, issue or incident are retained and systematically and securely logged within the University.

7 Safeguarding Code of conduct

7.1 The Open University acknowledges that it can be difficult to balance the protection of individuals while being culturally sensitive to local norms, however, culture cannot be used as an excuse for abuse.

7.2 All staff, research students and representatives working for, or on behalf of The Open University's international research or development programmes and activities overseas, are expected to demonstrate exemplary behaviour at all times both during and outside of working hours and the workplace, that are in line with the Safeguarding Code of Conduct (Appendix B).

7.3 The Safeguarding Code of Conduct should be read in conjunction with local legislation (where possible). If the Safeguarding Code of Conduct demands a higher standard than local laws, then the Safeguarding Code of Conduct will prevail.

8 Working safely with local staff and communities

8.1 The Open University will take reasonable effort to ensure all individuals and communities who engage and participate in our international research and development programmes are aware of their right to be safe from abuse, neglect and exploitation.

8.2 We will do this by working with local staff to publicising our reporting procedures, so that all local staff, partners, beneficiaries and families understand the remit of this policy for ensuring the safeguarding of children and adults at risk, and how they can report any concerns they have to The Open University (either directly, or via Open University staff, research students or representatives who are present in the country).

8.3 Where practical and appropriate to do so, accessible versions of this policy will be provided (e.g. child-friendly versions; in the local language(s)).

9 Managing the use of images or personal information

9.1 The nature of international research and development may mean there is a need to collect, retain and share information and/or images of children, adults at risk and/or other community members (in digital and physical formats). The Open University is responsible for ensuring all personal data and images are

obtained and used in an appropriate manner that safeguards dignity and respect and protects individual rights, and that all data and images are retained in line with the University's Information Security Management policy for all staff and contracted third parties.

9.2 Appropriate permission must always be obtained from the relevant authorities (e.g. guardian, advocate or responsible adult), prior to the use of images or personal information about children or adults at risk in international research and development reports, documentation or marketing materials. The purpose of the documents, reports and marketing materials must be shared to allow informed consent to be provided, and clear information and guidance given on how consent can be withdrawn at any time.

9.3 Appropriate mechanisms must be used to avoid, as far as possible, the sharing of information that could be used to identify or locate children or adults at risk (e.g. avoiding the use of individual's name, alongside the name of their community).

10 Working with international partners and third-party organisations

10.1. Where The Open University is contracting international research and development activity to another organisation or person, the contract will include reference to this international safeguarding policy and the Safeguarding Code of Conduct (Appendix B).

10.2. The Faculty/Unit partnership lead will also be expected to ensure all partners have robust and appropriate safeguarding policies and procedures in place. The appropriateness of approach will be assessed through due diligence checks comprising an audit of the organisation's safeguarding policies and procedures, with this completed by an appropriately qualified individual. Where gaps are identified, The Open University will work with the partner organisation to address the gaps, and jointly implement an agreed approach to monitor compliance, report concerns and assign accountability for actions to be taken.

10.3. If the international partner or third-party organisation does not have or is not required by legislation to have a safeguarding policy, they must implement and follow The Open University Safeguarding Policy. It is the responsibility of the Faculty/Unit partnership led to ensure the international partner or third-party organisation maintains compliance with The Open University's policy.

Reporting and responding to safeguarding concerns and incidents

11 Reporting safeguarding concerns and incidents

11.1. All representatives working for, or on behalf of The Open University overseas must report concerns, suspicions, allegations or incidents of potential or actual abuse of children and adults at risk. Any report will be treated seriously and confidentially; the priority will always be the safety and best interests of the child, young person and/or adult at risk. (Appendix G provides general tips and advice on how to respond to a child or adult at risk who discloses a concern or incident).

11.2. A full risk assessment must be carried out prior to the start of the international research and development programme, on the potential risk of causing further harm to a child or adult at risk by reporting any safeguarding concern or incident to the external authorities in the country the programme will be operating.

11.3. Where risks are identified with reporting concerns directly to external authorities, appropriate steps must be taken within the international research and development programme to work with the in-country partner to identify alternative and appropriate routes to report concerns to appropriate authorities who can intervene and provide support to the individuals at risk.

11.4. The Open University will provide details of emergency contacts and key external authorities to contact as part of its travel packs. Where appropriate, the in-country partner will be asked to provide all Faculty/Unit staff with details of appropriate alternative authorities to contact.

11.5. If The Open University is operating as a sub-contractor to another lead partner, the lead partner should be informed as soon as possible about the concern or incident in line with the sub-contracting agreement.

11.6. It is not the responsibility of the person reporting a safeguarding concern or incident to investigate the issue or take any further action, over and above alerting the appropriate authorities and submitting the 'Reporting a Safeguarding concern or incident: official record form' (Appendix C).

11.7. An inability to complete and/or submit the 'Reporting a Safeguarding concern or incident: official record form' within the expected timeframe should not be a barrier to reporting the concern. If the person reporting the concern or incident is unable to provide written information, an oral report should be made and/or noted on their behalf. If the person reporting the concern or incident is unable to submit the report to the Faculty/Unit Safeguarding Contact Point within 24 hours, the individual should retain the completed form securely, and submit it as soon as possible.

11.8. Concerns about how a Faculty/Unit lead, in-country partner or third-party organisation is responding to or handling a safeguarding concern or incident, should be reported to the appropriate authorities in the country in which the programme or activity is taking place, and reported to The Open University. The relevant Faculty/Unit Safeguarding Contact Point will take appropriate action to investigate all concerns raised.

12 Reporting a concern or incident where a child or adult at risk is believed to be in IMMEDIATE danger of harm

12.1 On identifying or being made aware of the potential for harm to a child or adult at risk, the appropriate authorities within the country the project is based in, must be contacted without delay, either by the Faculty/Unit programme lead or by the in-country partner.

12.2 The 'Reporting a Safeguarding concern or incident: official record form' (Appendix C) should be used to make an accurate record of the concern or incident, and any immediate actions taken. This must be submitted to the Faculty/Unit Safeguarding Contact Point within 24 hours of identifying or being made aware of the concern or incident.

13 Reporting a concern or incident where a child or adult at risk is in at risk of harm, but is not in immediate danger

13.1 On identifying or being made aware that a child or adult at risk is potentially at risk of harm, but is not in immediate danger, the 'Reporting a Safeguarding concern or incident: official record form' (Appendix C) should be completed, and submitted within 24 hours to the Faculty/Unit Safeguarding Contact Point.

13.2 The Faculty/Unit programme lead should also consult with the in-country partner where appropriate, to alert the appropriate authorities of the concern or incident and the potential for future harm to the individual at risk.

14 Responding to safeguarding concerns or incidents – the role of the Faculty/Unit Safeguarding Contact Point

14.1. When a safeguarding concern or incident associated with an international research and development programme or activity is reported, The Open University has a responsibility to ensure appropriate actions are taken to ensure the individuals at risk are protected from harm and supported by relevant local authorities or qualified professionals within the country in which the programme or activity is operating. The University is also responsible for ensuring timely and appropriate advice and support is given to the person submitting the report. The Open University's Safeguarding Referrals Team can provide advice on how to tackle specific child safeguarding incidents or concerns.

14.2. The role of the Faculty/Unit Safeguarding Contact Point is to receive all 'Reporting a Safeguarding concern or incident: official record forms', and to liaise with the appropriate Designated Safeguarding Lead, so that relevant, appropriate and timely advice is relayed to the person raising the safeguarding concern. The Faculty/Unit Safeguarding Contact Point will also ensure the person raising the safeguarding concern or incident is made aware of any developments or updates associated with the case.

14.3. The Faculty/Unit Safeguarding Contact Point is also responsible for recording all actions, updates and advice given in response to a safeguarding concern or incident on the 'Responding to a safeguarding concern or incident: official record form' (Appendix D), and for monitoring progress within the case until it has been adequately addressed, as determined by the appropriate Designated Safeguarding Lead.

14.4. Once a safeguarding concern or incident is deemed to have been adequately addressed, the Faculty/Unit Safeguarding Contact Point will present a summary of the case and the actions taken, to the Head of Unit and at least one other Designated Safeguarding lead, and seek formal sign off by both parties.

14.5. All documentation connected with the safeguarding concern or incident should be stored in accordance with the Open University's Data Protection Policy and storage of sensitive information.

15 Monitoring and reviewing the reporting and response to safeguarding concerns and incidents

15.1 Safeguarding children and adults at risk is incorporated into The Open University's risk register. The Designated Safeguarding Leads will work with the Faculty/Unit Safeguarding Contact Points to review the risk register of all international research and development programmes and activities on an annual basis to ensure that safeguarding processes are in place and are operating effectively and that all risks, concerns and incidents are being reported and managed appropriate in line with this policy and the University's Safeguarding Policy – ensuring the safety of children and vulnerable adults

15.2 This policy on international safeguarding will be reviewed annually by The Open University's Safeguarding Steering Group to ensure it is compliant with external standards and regulations.

Equality, diversity and inclusion

Our policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil

partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background, or trades union membership status.

Safe Space Reporting

The Open University is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across The Open University will not be tolerated. Safe Space Reporting is available through an online tool through which staff, students, learners and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

https://report-and-support.open.ac.uk

Related documentation

Other documentation relevant to Safeguarding at The Open University include:

- Behaviours and Standards at Work
- Bullying and Harassment Policy
- Code of Practice for Student Discipline
- Data Protection Policy
- Dignity and Respect Policy
- Disciplinary Policy (staff)
- Disclosure and Barring Service (DBS) Code of Practice
- Distressed and Suicidal students (staff)
- Domestic Abuse Policy (staff)
- Domestic Abuse/Gender Base Violence Policy (students)
- Effective Recruitment and Selection Guide
- Fitness to Study Policy
- International Travel and Assignment Policy
- Modern Slavery Policy
- Prevent Principles
- Recruitment of Ex-Offenders Policy
- Recruitment, Selection and Employment Policy
- Religion and Belief Policy (students)
- Research Code of Practice
- Safeguarding Code of Conduct (to be released for 2024/25)
- Safeguarding Policy – ensuring the safety of children and vulnerable adults
- Safeguarding, Prevent, Harassment and Sexual Misconduct Due Diligence
- Safer recruitment and vetting policy
- Safer recruitment and vetting procedure

- Social Media Policy
- Student Computing Policy
- Use of images of children in Profile pictures and in Online Modules (to be released for 2024/25)
- Third Party Services Security Engagement Policy
- Whistleblowing Policy

Working version revised and approved by the Safeguarding Steering Group, The Open University, for use from 18 March 2024.

This document updates the previous version of the Policy for ensuring the safeguarding of children and vulnerable adults overseas for the International Development Office of The Open University, dated 18 June 2020.

Appendix A: Glossary of terms and definitions

This Glossary has been informed by sources including Women's Aid, Refuge and NSPCC. The definitions are not exhaustive, and it is worth noting that different forms of abuse are rarely found in isolation.

Abuse

Any form of maltreatment of an individual. Abuse or neglect may be caused by inflicting harm or failing to act to prevent harm. Children or adults at risk may be abused in a family, institutional or community setting by those known to them or, more rarely, by others.

Child/ Under 18

A child or young person is classed as under 18 until the eve of their 18th birthday.

Child and childhood sexual abuse

When a child or young person is sexually abused, they are forced or groomed into sexual activities. They might not understand that what is happening is abuse or that it is wrong. There are two types of sexual abuse:

1. Contact abuse can include touching, kissing and oral sex – sexual abuse is not just penetrative.
2. Non-contact abuse is where a child is abused without being touched by the abuser. This can be in person or online.

Child and childhood exploitation

A form of child sexual abuse that occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity in exchange for something the child needs or wants, and/or for the financial advantage or increased status of the abuser.

A child may have been sexually exploited even if the sexual activity appears consensual. Child and childhood sexual exploitation does not need to involve physical contact, and can occur through the use of technology.

Coercive behaviour

This is defined as an act or pattern of acts of assault, threats, humiliation and intimidation or other abuses that is used to harm, punish or frighten a victim. This involves controlling and manipulating small aspects of everyday life that, on their own, can be difficult to see as a criminal offence. However, when considered together, they add up to a pattern of violence and abuse.

Consent

This means giving permission for something to happen or agreeing to do something and being comfortable with that decision. Consent can be withdrawn at any time.

Controlling behaviour

This is a range of acts designed to make a person subordinate and/or dependent by, for example: isolating the individual from sources of support; depriving them of the means needed for independence, resistance and escape; regulating their everyday behaviour.

Economical abuse

This is wider in its definition than 'financial abuse', as it can also include restricting access to essential resources such as food, clothing or transport, and denying the means to improve a person's economic status (for example, through employment, education or training) as well as forced begging, forced theft (including shoplifting and pickpocketing).

Economic abuse and exploitation are a sub-category of forced labour, covered by Section 1 of the Modern Slavery Act 2015.

Emotional, mental and psychological abuse

Often closely linked terms that can be used interchangeably. The aim of emotional abuse in relationships is to reduce confidence and esteem to make their victim increasingly reliant on them. They use tactics such as intimidation, bullying, constant criticism and keeping someone isolated from family and friends in order to exert control.

Female genital mutilation (FGM)

This is defined by the World Health Organisation (WHO) as the range of procedures that involve 'the partial or complete removal of the external female genitalia or other injury to the female genital organs whether for cultural or any other non-therapeutic reason'.

Financial abuse

This involves a perpetrator using or misusing money which limits and controls their partner's current and future actions and their freedom of choice. It can include using credit cards without permission, putting contractual obligations in their partner's name, and gambling with family assets.

Financial abuse can leave individuals with no money for essentials such as food and clothing. It can leave them without access to their own bank accounts.

Financial exploitation

Exploiting an individual in work or other activities for the benefit of others and to the detriment of their physical or mental health, education, moral or social-emotional development. This includes, but is not limited to, child labour.

Forced and child marriage

A forced marriage is one entered without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices to coerce a person into marriage.

Gaslighting

A form of manipulation and psychological control. Victims of gaslighting are deliberately and systematically fed false information that leads them to question what they know to be true, often about themselves. They may end up doubting their memory, their perception, and even their sanity. Over time, a perpetrator's manipulations can grow more complex and potent, making it increasingly difficult for the victim to see the truth.

Harassment

Any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, related to their gender, sexual orientation or gender identity.

Historic abuse or Non-recent abuse

This is when an individual (usually an adult) was abused in any way, as a child or young person under the age of 18. This can also include abuse carried out by individuals who are the same age as the victim (peer on peer abuse).

Honour based violence (HBV), or Honour based abuse (HBA)

HBV/HBA encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community. Abuse and violence may include female genital mutilation (FGM), forced marriage, restrictions on behaviour and communication and practices such as breast ironing. Abuse committed in the context of preserving so called "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Threats of such acts, coercion or deprivation of liberty, whether occurring in public or private life.

Human Trafficking

The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat, use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability.

The giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

Intimate Image Abuse/Revenge porn

This is the distribution of a private sexual image of someone without their consent and with the intention of causing them distress, to shame, bully or take revenge on a person.

Intimate partner

This means (i) persons legally married/or in a civil partnership agreement to one another, (ii) persons formerly married/ or in a civil partnerships agreement to one another, (iii) persons who have a child in common, regardless of whether such persons are married or have lived together at any time, (iv) couples who live together or have lived together, or (v) persons who are dating or who have dated in the past. The definition of Intimate Partners includes same sex couples.

Modern Slavery

Trafficking or modern slavery is defined by the United Nations Palermo Protocol (UN 2003) as:

- recruitment or acquisition of a man, woman or child
- means, i.e. through the use of force, deception, or coercion
- purpose, i.e. for the purpose of exploitation or forced labour.

Neglect

The persistent failure to meet an individual's basic physical emotional, and/or psychological needs, likely to result in the serious impairment of their health or development.

Neglect may involve: failing to provide adequate food, clothing and shelter; failure to protect a child or vulnerable adult from physical and emotional harm or danger; failing to ensure adequate supervision; or failure to ensure access to appropriate medical care or treatment.

Online abuse

Online domestic abuse can include behaviours such as monitoring of social media profiles or emails, abuse over social media such as Facebook or Twitter, sharing intimate photos or videos without your consent, using GPS locators or spyware.

Physical abuse

The most visible form of domestic abuse. It includes such behaviour as slapping, burning, beating, kicking, biting, stabbing and can lead to permanent injuries and sometimes death. Strangulation, non-fatal strangulation, along with suffocation are also classed as physical abuse.

Radicalisation

The process by which a person comes to support terrorism and/or extremist ideologies associated with terrorist groups.

Safeguarding

The responsibility of all individuals and organisations to ensure children and adults at risk are not subject to harm, the risk of harm or abuse.

Safeguarding concern or incident

A concern, allegation or fact about inappropriate behaviour, or a breach or threatened breach of the terms of this or any other organisational policy which may put a child or vulnerable adult at risk of harm, injury or death.

Sexual abuse

Includes rape, forced sexual acts and sexual degradation. Any sexual act that involves force (including emotional blackmail) is abuse - this includes pestering, name calling and threatening to get sex from 'elsewhere' in order to manipulate someone who does not want to have sex at that time into having sex. Sexually abusive relationships can include being forced to watch pornography as well as being forced into having sex with the perpetrator's friends or engaging in prostitution.

Stalking

It is a pattern of persistent and unwanted attention that makes the victim feel pestered, scared, anxious or harassed. Some examples of stalking are: Regularly giving unwanted gifts, making unwanted communication, damaging property, repeatedly following or spying on a victim, and making threats.

Taken in isolation, some of these behaviours may seem like small acts, but together

they make up a consistent pattern of behaviour that is frightening and upsetting. It's important to know that stalking is a criminal offence, and the police will take it seriously.

Vulnerable Adult

A person aged 18 or over who is, or may be, in need of care and support and associated services by reason of mental health or other disability, age or illness, and who is, or may be, unable to take care of themselves, or unable to protect themselves against significant harm, abuse, neglect or exploitation, including being drawn into terrorism.

Vulnerable Groups

Any groups of children or adults at risk.

Appendix B: Safeguarding Code of Conduct

The Open University promotes social justice as part of its core mission. We are committed to the values of inclusivity, innovation and responsiveness and have an obligation to the communities in which we work to provide supportive and safe spaces to learn and develop. This Code of Conduct provides guidance on the expected standards of behaviour for our representatives, as well as examples of conduct which is unacceptable. It is everyone's responsibility to ensure we maintain the highest standards of professional and personal conduct to ensure we respect our core mission. The Code of Conduct is applicable both during and outside working hours.

Representatives working for, or on behalf of the international development projects and programmes of The Open University should ensure that the actions they take do no harm to children and/or adults at risk, and avoid actions or behaviour which may constitute poor practice, potential offence, and harmful or abusive behaviour. Breaches of this policy will be dealt with through The Open University's disciplinary procedures.

This Code of Conduct should be read in conjunction with local legislation (where possible). However, should the Code of Conduct demand a higher standard than the local laws, then this Code of Conduct will prevail.

We want to create environments that are supportive and safe for children and adults at risk, and where we promote a 'do no harm' approach. The following list is not exhaustive and should be interpreted in a spirit of common sense.

Acceptable behaviour in relation to children and adults at risk includes:

- Conducting interactions with children and/or adults at risk that are safe, appropriate, child-friendly and sensitive to the wishes, feelings and views of the children and/or adults at risk.
- Ensuring that your behaviour and actions demonstrate respect for children and/or adults at risk and their rights.
- Being familiar with the procedures for reporting concerns or incidents linked to international development projects and programmes of The Open University, including whom to contact within your Faculty/Unit.
- Immediately reporting any concerns relating to the safety or welfare of a child and/or vulnerable adult you are in contact with through appropriate channels.
- Avoiding working alone with children and/or adults at risk and planning your work so that at least two adults are present at any time.
- Behaving appropriately; making sure that language is moderated in children's and/or adults at risk presence and refraining from jokes or comments that may cause discomfort or offence.
- Avoiding inappropriate physical contact with a child and/or vulnerable adult. For example, if a child and/or adult at risk is hurt or distressed, comfort or reassure them without compromising their dignity.

- Being sensitive to local norms and standards of behaviour towards children and/or adults at risk.
- Listening to what the children and/or adults at risk are saying and responding appropriately.
- Being familiar with and responsible in the use of social media in communications about children and/or adults at risk.
- Remembering that you have a responsibility to report concerns, using reporting procedures to inform the appropriate agencies/or organisations of your concerns, so they can make enquiries and take any action necessary to protect the child.
- Cooperating fully and confidentially in any investigation of concerns or allegations of abuse against children and/or adults at risk (this relates to investigations carried out by appropriate agencies).

Unacceptable behaviour in relation to children and adults at risk includes:

- Acting in ways that may be abusive or may place them at risk of abuse.
- Condoning, or participating in, behaviour towards a child and/or vulnerable adult that is illegal, unsafe or abusive.
- Hitting or otherwise physically assaulting, harming or abusing them.
- Developing physical/sexual relationships or having any kind of sexual contact with anyone under the age of 18 (regardless of age of majority in the country).
- Behaving verbally or physically in a manner that is inappropriate or sexually provocative.
- Developing relationships with them that could in any way be deemed exploitative or abusive.
- Using language, making suggestions or offering advice that is inappropriate, offensive or abusive.
- Acting in ways intended to shame, humiliate, belittle or degrade children and/or adults at risk, or otherwise perpetrate any form of emotional abuse; discriminating against, showing differential treatment, or favouring particular children and/or adults at risk to the exclusion of others.
- Allowing allegations made by a child or vulnerable adult or concerns expressed by others about their welfare, to go unrecorded or not acted upon.
- Doing things for a child and/or adult at risk of a personal nature that they can do for themselves.
- Giving special rewards or privileges to build inappropriate relationships with adults at risk.
- Having a child and/or adult at risk with whom you are working, stay overnight at your home, or other personal accommodation in which you are staying.
- Using any computer or other electronic device to view, download, distribute or create indecent or inappropriate images of children and/or adults at risk.
- Sharing personal contact details (e.g., home address, personal phone number or email, personal social media etc.) with any child and/or adult at risk.

Appendix C: Reporting a Safeguarding Incident or Concern within an international Research and Development programme or activity overseas

NOTE: The following version is provided for general reference. Units should download the Word version of this report and add appropriate contact details for their Unit Safeguarding Contact. It is the Unit's responsibility to ensure their postgraduate research students and staff know how to access the Unit version of this report should it be needed.

Reporting a Safeguarding concern or incident: official record form **For the safeguarding of children and adults at risk, as part of International Research and Development Programmes, led by The Open University**	
Confidential **For completion by any representative working for or on behalf of the international development projects of the Open University who has witnessed, is concerned, suspects or is made aware of any incident affecting a child or adult at risk.** **Return this form immediately to your Unit Safeguarding Contact at XXXXX@XXXX** [unit email address tba]	
PART A: ABOUT THE REPORTER	
Your name:	**Your position and organisation:**
Your email address:	**Your preferred telephone number:**
Country and region:	**Your relationship to the child or adult at risk:**
PART B: ABOUT THE CHILD OR ADULT AT RISK	
Name(s):	
Gender:	**Age:**
Ethnicity:	**Preferred language:**

Address, if known; if not, how can this child or adult at risk be found to ensure they are offered help and support?
How is the child or adult at risk known to The Open University:
Has the child or adult at risk been informed that their case may be reported to the University/ Unit Safeguarding Contact? (Tick if yes) ☐
PART C: ABOUT THE CONCERN/INCIDENT
Date, time and place of concern/incident:
Nature of concern/incident (record as accurately as possible). If you have witnessed an incident, please give details:
Details of alleged perpetrator (name; relationship to child or adult at risk; job/organisation; current location if known; contact details if known):
Context in which the concern/incident was raised (e.g. was abuse observed or suspected; was an allegation made; was abuse disclosed to you by the victim):
If the victim reported the incident to you directly, please record exactly what the child or adult at risk said as far as you can recall, and what you said in response:
Outline any initial action you took (please state any referrals to external authorities and support services, along with times and dates):
Has medical attention been required? If so, who was it provided by?
Are you aware of any actions taken by others to respond to this incident yet? Please identify:

Do you know who else may know about this allegation (e.g., community, family members)?
Name of Open University Safeguarding Contact Point you referred the matter to:
Time and date you reported the matter to the Open University Safeguarding Contact Point:
Details of any advice received from the Open University Safeguarding Contact Point:
Have you reported the incident to anyone else? If yes, please specify to whom; time and date of reporting; advice given by the additional person/people you reported to:
Any other comment:

SIGNATURE:	**DATE:**

Thank you for completing this form, please send the completed form to your Faculty/Unit Safeguarding Contact Point at xxxxx@xxxx. [unit email address tba]

They will be in touch with advice and support, and any further actions required.

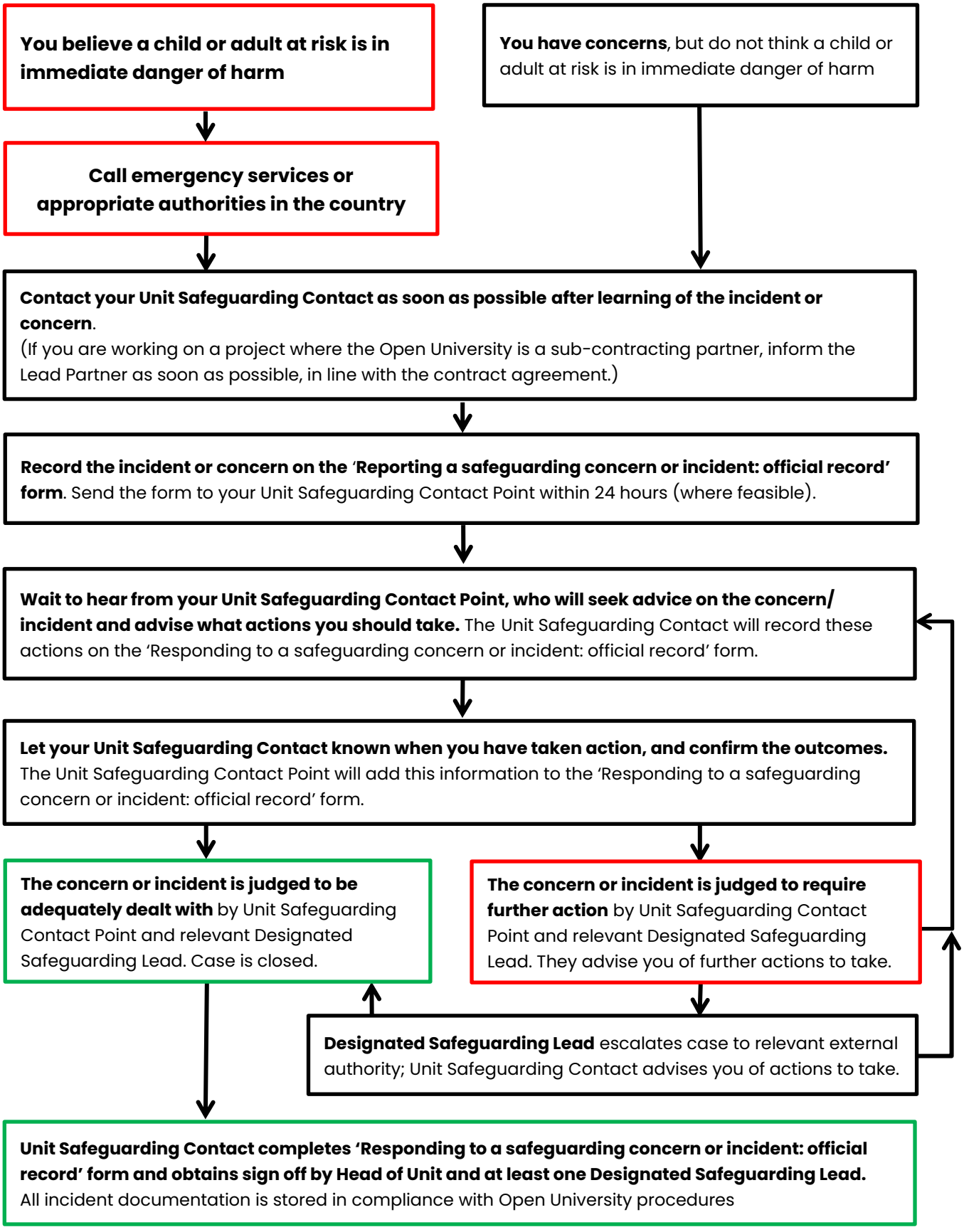
Appendix D: Responding to a report of a Safeguarding Incident or Concern within an International Research and Development Programme or activity overseas

NOTE: The following version is provided for general reference. Units should use the Word version of this report when a concern or incident is notified. It is the Unit's responsibility to ensure their Faculty/Unit Safeguarding Contact Point knows how to access the correct version of this report when it be needed.

Responding to a safeguarding concern or incident: official record **For the safeguarding of children and adults at risk, as part of International Research and Development Programmes, led by The Open University**
Confidential **For completion by Faculty/Unit Safeguarding Contact Point, to be signed off by Head of Unit or a Designated Safeguarding Lead.**
Safeguarding case number:
Summary of reason for referral:
Actions taken by Faculty/Unit Safeguarding Contact Point (date and time):
Did the matter require referral to the overseas country's agencies? **(Tick if yes)** ☐
Name and contact details of agencies/people the concern or incident was referred to and any advice given by them (dates and times):
Other actions taken (e.g., referred to police, local protection authorities, medical support, social support):

Recommendations on any further action needed:	
Any other comments:	
Are you satisfied that the matter has been fully resolved? (Tick if yes) ☐	
SIGNATURE OF FACULTY/UNIT SAFEGUARDING CONTACT POINT:	**DATE CLOSED:**
SIGNATURE OF HEAD OF UNIT OR SUITABLY QUALIFIED NOMINEE:	**DATE SIGNED OFF:**
SIGNATURE OF DESIGNATED SAFEGUARDING LEAD:	**DATE SIGNED OFF:**
Thank you for completing this form. Please store all safeguarding reporting and response forms in accordance with Open University procedures and policies on data protection and storage of sensitive data.	

Appendix E: Guidance on what actions to take in the event of an international safeguarding concern or incident



Appendix F: Privacy Notice – Safeguarding

1 Scope

1.1 This document sets out what we do with your personal data when safeguarding concerns are reported to us.

1.2 This document applies to you if you report a safeguarding concern, if a safeguarding concern is reported about you, or a safeguarding concern is reported where you are at risk.

2 Who we are

1.1 The Open University is the data controller in relation to the processing activities described below. This means that The Open University decides why and how your personal information is processed.

1.2 Where this policy refers to "we", "our" or "us" below, unless it mentions otherwise, it's referring to the Open University

3 What information do we collect about you, and how do we collect it?

3.1 If information is brought to the attention of a member of Open University staff about a potential safeguarding risk, that member of staff is obliged to notify the Safeguarding Referrals Team. This could include the name of the person identifying the issue, the names of the individuals potentially at risk, and the name of the person they are at risk from, as well as details of personal circumstances which relate to the safeguarding concern.

3.2 This information may include "special category" data, for example, about health or disability, sexual life or sexual orientation.

4 How do we use your personal information?

4.1 We use this information to assess whether there is a safeguarding risk, and if there is any action that we need to take to keep individuals safe. This is a statutory and legal obligation informed by legislation including Keeping Children Safe in Education 2023 and The Care Act 2014 and equivalent legislation for Scotland, Wales and Northern Ireland.

4.2 The condition for processing special category data for this purpose would be that it is in the substantial public interest, for the purposes of protecting an individual from harm (see DPA 2018 sch 1 (part 2) 18.1).

4.3 We also keep statistical information about the number of safeguarding concerns that have been raised, and how they were resolved. This is in our legitimate interest to plan our services.

5 Who do we share your information with?

5.1 We will share information with police forces, and government agencies, where we deem it necessary to protect an individual. This is a legal and moral obligation.

5.2 We use third party suppliers and service providers for the provision of, for example, specialist safeguarding advice.

5.3 When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service. We have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

5.4 Disclosure to a third-party request for safeguarding-related information may be necessary, where The Open University knows of any reason why, for example, a student or alumni may not be suitable to work with children under the age of 18 or adults at risk.

5.5 Information relating to safeguarding concerns will be shared with consent where possible, but may be shared without consent where necessary, in accordance with HM Government guidance.

6 Do we transfer information outside the European Economic Area (EEA)?

6.1 Information you provide us is stored on our secure servers, or on our cloud-based systems which are located within the EEA.

6.2 There are times when we may need to store information outside the EEA. If we transfer your information outside of the EEA, we will ensure that appropriate security measures are taken so that your privacy rights continue to be protected as outlined in this policy. This would either be imposing contractual obligations on the recipient of your personal information or ensuring that the recipients are subscribed to 'international frameworks' that aim to ensure adequate protection. For example, we would ensure that a US based supplier has signed up to "Privacy Shield".

7 How long do we keep your personal information for?

7.1 The Safeguarding Referrals Team keep safeguarding concerns for three years from the date of case closed, if we decide they are not necessary to act on, and for 25 years if we do act on them.

8 Your rights

8.1 You have a number of rights in relation to your personal information, which apply in certain circumstances under the General Data Protection Regulations. To

exercise any of these rights, please contact us using the details in Section 9, below.

8.2 You have the right:

- To access your personal information that we process
- To rectify inaccuracies in the personal information that we hold about you.

In some circumstances, you also have the right:

- To have your details removed from systems that we use to process your personal data
- To restrict the processing of your personal data in certain ways
- To obtain a copy of your personal data in a structured electronic data file
- To object to certain processing of your personal data by us
- To request that we stop sending you direct marketing communications.

If you are concerned about the way we have processed your personal information, you can complain to the Information Commissioner's Office (ICO).

9 Contact us

If you have any queries about safeguarding at The Open University, please contact the Safeguarding Referrals Team at Safeguarding-Referrals@open.ac.uk.

The Open University has a nominated Data Protection Officer. If you have any queries about this privacy notice or about the way we process your personal information, please use the contact details below:

Email: data-protection@open.ac.uk

Telephone: +44 (0)1908 653994

By post: The Data Protection Officer, PO Box 497, The Open University, Walton Hall, Milton Keynes, England. MK7 6AT

To check the latest postal address and other contact details or if you would like to find out more about our most up-to-date response times for receiving and sending postal correspondence to the Open University, please see OU Offices.

Appendix G: What to do when a child or vulnerable adult discloses abuse

The following information has been adapted from the British Council's 'Guidance on handling a disclosure from a child'.

Staff, students and all other representatives working on behalf of The Open University on an international development programme or activity might be party to a disclosure a from child or vulnerable adult. All disclosures should be dealt with sensitivity and calmly; these guidelines will help you ensure the individual is not subject to further trauma during the process of disclosure.

Receive

- Listen to what is being said without displaying shock or disbelief and accept what is being said without judgement.
- Take the alleged abuse seriously

Reassure

- Reassure them, but only so far as is honest and reliable.
- Respect the person's right to privacy but do not promise confidentiality - explain that you have to pass on information if a child or vulnerable adult is at significant risk of harm.

React

- Listen quietly, carefully and patiently. Do not assume anything – don't speculate or jump to conclusions.
- Do not investigate, interrogate or decide if they are telling the truth. Let them explain to you in their own words what happened, but do not ask leading questions.
- Do not investigate and do not inform, question or confront the alleged abuser.
- Communicate with the person raising the concern in a way that is appropriate to their age, understanding and preference.
- Do not discuss the case with anyone other than your Faculty/Unit Safeguarding Contact or The Open University's Safeguarding Referrals Team.

Record

- Make some brief notes, and carefully record what you have heard so you can give a full record to your Faculty/Unit Safeguarding Contact.
- Do not wait to report – always report any concerns promptly.