

**eSafety Guidance**

**Children and Adults at Risk**

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**Overview**

The following Guidance and Assessment Tool has been drafted to provide guidance on working safely with Children and/or Adults at Risk when online.

Developed by the Legal Services and Employee Relations Unit

 2021

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1. Objectives

The University recognises that the internet is an important information and communication tool for everyone including children, young people and adults at risk.  The aim of this guidance is to:

* set out the principles by which the University will provide a safe on-line environment for children and adults at risk, where everyone is treated with respect and dignity and is not subject to any harm, abuse, bullying, harassment or discriminatory treatment.
* provide guidance for those who engage with children and adults at risk in an on-line environment for, or on behalf of, the University so they are aware of the standards of behaviour expected.
* provide children and their parents with clarity on how their images/content will be used so they can decide whether to permit the University to use the content.
* Ensure children and their parents understand how their content will be used and stored.
* provide a method for reporting concerns about inappropriate on-line conduct which may pose a risk of harm to children and adults at risk.

2. Scope

Activities

All online activity with children and adults at risk, including, but not limited to:

Social media sites including platforms that facilitate users to collaborate or interact socially by sharing opinions, interests, content and information publicly, privately or anonymously. This will include, but not be limited to, social networking platforms (eg Facebook, Weibo, Twitter, Instagram, LinkedIn), dark social (eg Snapchat and Facebook Messenger) online forums (for example, The Student Room) and e.g. MS Teams.

Email communication with children and adults at risk.

Those engaging with Children and Adults at Risk

Employees, members of the extended workforce (including student workers) and or students.

Any external organisation operating on-line with children and adults at risk of harm for, or on behalf of, the University.

Children and /adults at Risk

With regards to children (anyone under the age of 18 years old), it is expected that most users of the University’s online activities are likely to be children between the ages of 16 years old and 18 years old.

An adult at risk is defined as a person aged 18 or over, whose exposure to harm, through abuse, exploitation or neglect may be increased by their:

1. Personal characteristics (including, but not limited to, age, disability, special education needs, illness, mental or physical frailty or impairment, or disturbance in the functioning of the mind brain.)
2. Life Circumstances (including, but not limited to, isolation, socio-economic factors and environmental living conditions.

This Code should be read in conjunction with the University’s:

* Social Media Policy for Staff
* Code of Behaviour (Children and Adults at Risk);
* Bullying and Harassment Complaints Procedure,
* Equality, Diversity and Inclusion Policy,
* Policy on taking Photographs, Film or Audio Recordings of Children and Adults at Risk;
* any other safeguarding arrangements put in place for the work/activity/event with children and adults at risk

3. Responsibilities

3.1 Line Managers and Responsible People are responsible for ensuring that:

* all moderators/administrators/users that engage in regulated activity are criminal history checked.
* the University’s Safeguarding arrangements are communicated and complied with and sites are monitored periodically. This includes the ‘Policy on Photographing, Filming or Audio Recording Children and Adults at Risk’. Advice to be sought from the Legal Services and Employee Relations Unit, if required.
* all moderators/administrators/users are aware of the requirement to read and comply with this Guidance and the Code of Behaviour (Children and Adults at Risk).
* all social media sites have a link to the University’s ‘House Rules’ statement which advises users how to raise concerns/complaints.
* Social Media Safeguarding complaints should be raised with the Social Media Manager who will engage with the Designated Safeguarding Officer.
* Email complaints and complaints arising from online events/chats/messaging should be raised with the activity/event organiser who will escalate to the Designated Safeguarding Officer
* parent/carer consent has been sought for any child who is under 16 years old to be involved with any private on-line groups or messaging or emails where their child will be e.g. attending a summer scheme or involved with a Club etc.
* screen shots of inappropriate communications are taken before they are removed from the site.
* the online activity has undergone Data Protection Screening and, if required, a Data Protection Impact Assessment.

3.2 Moderators/Users must:

* Undergo an enhanced criminal history check if they will be engaging in regulated activity by moderating an on-line interactive communication service used wholly or mainly by children.
* Comply with this guidance and the University’s Safeguarding arrangements including the Code of Behaviour (Children and Adults at Risk).
* Comply with the University’s Equality, Diversity and Inclusion Policy and provide equality of opportunity and treatment to all, regardless of a person’s gender identity/expression (this includes Transgender and Non-Binary people); pregnancy or maternity status; marital or civil partnership status; whether or not they have dependants (including caring responsibilities); religious belief or political opinion; race (including colour, nationality, ethnic or national origins, including Irish Travellers); disability; sexual orientation and age.
* Comply with the University’s Bullying and Harassment Complaints Procedure
* Comply with the University’s Social Media Policy for Staff
* Only use the University’s on-line platforms for University purposes and not in a personal capacity.
* Respect privacy and maintain clear professional boundaries and confidentiality.
* Be aware of cultural differences and that some people may not feel comfortable discussing certain issues.
* Comply with the University’s Data Protection Policies.

**Moderators/Users** must **NOT**:

* share photos/videos/audio/artwork with children, other than marketing/other materials supplied by the University for University Business.
* not capture images/film or audio recordings of children and adults at risk when they are online, unless it is for a specific University business and consent has been provided, where required. Parental/carer consent will be required for those under 16 years old.
* search for children or adults at risk of harm in a personal capacity which they have met through their involvement (including work or studies etc.) with the University.
* contact or befriend children or adults at risk on-line from either a personal or a University account (other than on University business) which they have met through their involvement with the University.
* ask a child or adult at risk for personal information (unless it is for University business) which could be used to identify them in another on-line forum/platform, or personally, unless this is for University business, or for safeguarding purposes.
* ask children or adults at risk to meet up in a personal capacity, other than on University business.
* ask children or adults at risk to put them in contact with, or provide contact details for, other children or adults at risk in a personal capacity.
* provide their own personal contact details (email address, home address, mobile number etc.) or provide details of other online forums where they can meet up.
* engage in private on-line groups or messaging or emails with children or adults at risk, other than those for which parental consent has been sought (see below), unless this is part of the University’s activities in the Student Room or similar forums, or any other relevant University business.
* allow any other person to use their access to contact children or adults at risk.
* Harass or bully a child or adult at risk including online harassment and cyberbullying
* encourage children or adults at risk to engage in offensive, discriminatory behaviour or to engage in activity that may be criminal.
* Abuse or harm a child or adult at risk.

**3.3 The** Legal Services and Employee Relations Unit **is responsible for:**

* Reviewing, updating and communicating this Guidance;
* Organising/delivering appropriate training;

4. Data Protection Requirements

Data protection screening and, if required, Data Protection Impact Assessments must be completed for all new online activity with children and/or adults at risk.

The following activities should be reviewed:

* + Social media accounts
	+ Private groups
	+ Use of online platforms eg the Student Room/Unibuddy
	+ Competitions; including sending/posting photographs, films, audio recordings and personal details
	+ Sharing stories
	+ Paid advertisements
	+ Use of MS Teams

Special consideration must be given for users who are expected to be under 16 years old.  This may include the requirement for parental/carer consent, or confirmation from the child that this has been provided to them.

Privacy settings for groups that include children who are under 16 years old must be set to ‘Private’.

Profanity filters and block lists should be used for all accounts where the facility is available on the platform.

The social media site/platform being must have robust data protection procedures in place with a minimum user age of 13 years old, as required by UK legislation.

Users will be asked in the ‘House Rules’ to ensure that they have the consent of any others who appear in any photographs, films or audio recordings for the content to be uploaded to the social media site.

Information should be accessible in relation to how any data will be sought, used, stored, retained and destroyed so users and/or parents/careers can make an informed decision about engaging with the University online.

5. Email Communications

All email communication with children must relate to University business and a University email account must be used.

Permission must be sought from parents/carers of children under 16 years old for their child to be contacted via email.

The moderator responsibilities at section 3.2 must be adhered to when communicating via email.

6. Private Groups

If closed social media sites are set up by the University for e.g. a summer-scheme or a recurring activity:

* permission should be sought from parents/carers of children under 16 years old for their child to access this site.
* Privacy settings must be set to ‘Private’ and profanity filters and block lists should be used.
* The child must also agree to comply with the Code of Behaviour (Children and Adults at Risk) and eSafety Guidance.
* Parents of children under 16 years old should be encouraged to monitor all such activities.

7. Uploading/Using Photographs, Films and Audio Recordings

Before uploading photographs/film or audio recording of children and/or adults at risk the site moderator responsible for the content will ensure that the ‘Policy on Photographing, Filming or Audio Recording Children and Adults at Risk’ has been complied with and consent has been provided by the parent/carer of a child who is under 16 years old, or the young person themselves if they are between 16-18 years old.

8. House Rules

All social media sites will direct users to the University’s House Rules and to this guidance.

All users will be reminded to check their privacy settings and to be aware that their posts and personal information may be available to others.

There will be a clear statement to users that they should only add content and partake in competitions if they are over 16 years old.

House Rules will contain links to eSafety guidance for children including the NSPCC and Childnet

9. Breach of the Guidance and Associated Policies/Procedures

Anyone who breaches the behaviours set out in this Guidance (and any other associated policy/procedure, see above) will be subject to:

1. An internal investigation into your conduct under the relevant policy or regulation (e.g. Disciplinary, Conduct etc.) which may lead to dismissal/expulsion from the University;
2. A referral to, and possibly investigation by, a statutory agency (e.g. Social Services or the PSNI) which may result in a criminal charge;
3. A referral to the Disclosure and Barring Service which may result in you being barred from working in regulated activity with children and adults at risk.

10. Training

Training will be included in the University’s Safeguarding training for those working with Children and Adults at Risk.

11. Communication, Co-operation and Co-ordination

The Guidance will be communicated to: Heads of School/Directors, Responsible People and Moderators.

12. Record Keeping

Schools/Directorates will ensure record keeping is considered in line with the University’s Data Protection Arrangements.

13. Equality and Diversity

The University values and promotes equality and diversity and will seek to ensure that it treats all individuals fairly and with dignity and respect. It is opposed to all forms of unlawful and unfair discrimination.

The University seeks to provide equality to all, irrespective of: gender, including gender re-assignment; marital or civil partnership status; having or not having dependants; religious belief or political opinion; race (including colour, nationality, ethnic or national origins, including Irish Travellers); disability; sexual orientation and age.

14. Approval and Review

This Policy and supporting Guidance were approved by the University’s Children and Adults at Risk Safeguarding Group on 6 May 2021 and will be reviewed on a three year basis, or as required due to changes in legislation or University requirements.

15. Consultation

The following stakeholders were consulted in the development of this Guidance:

* The Information Compliance Unit
* The Social Media Manager
* Members of the Children and Adults at Risk Safeguarding Group

16. Relevant Legislation / Guidance / Reference

The following was referenced during the development of this Policy and Guidance:

* The Safeguarding Children and Vulnerable Groups (NI) Order,
* The Protection of Freedoms Act 2012.
* The Rehabilitation of Offenders (NI) Order 1978
* Rehabilitation of Offenders (Exceptions) Order (NI) 1979
* AccessNI’s Code of Practice (October 2020)

17. Implementation and Monitoring

The implementation and effectiveness of this Guidance will be monitored by the Legal Services and Employee Relations Unit. This will be completed through a number of indicators including general feedback and reviewing any concerns that are raised.

18. Communication and Further Advice

This Policy is available on the People and Culture Directorate webpage. Advice can be provided by the Legal Services and Employee Relations Unit

19. Document Control

This document is maintained, controlled and formally reviewed by the Legal Services and Employee Relations Unit. This document is maintained electronically and the latest issue will be displayed on the People and Culture Sharepoint Site. Printed copies shall be treated as uncontrolled documents.

Comments or queries relating to the contents of this document should be referred to: Legal Service and Employee Relations, e-mail: legalservices@qub.ac.uk

20. Document Change Log

The following changes have been made as part of the initial consultation and formulation of the Policy.

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| Date | Change | Page or Section |
| 6 May 21 | New Policy and Guidance produced | All |