



The Lawscot Foundation
("The Foundation")

Student Safeguarding & Wellbeing Policy

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Due for review no later than March 2027

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1. Introduction

The Trustees of the Foundation take their safeguarding and duty of care responsibilities seriously. This policy sets out the key safeguarding and wellbeing responsibilities and best practice principles that all Foundation Trustees, employees, volunteers, Mentors and Corporate Partners ("Foundation Representatives") are expected to follow at all times. Due to the charitable purposes and activities of the Foundation, any safeguarding and/or wellbeing concerns will likely arise in relation to the beneficiaries of the Foundation, the Students; although the Trustees of the Foundation acknowledge that safeguarding children and vulnerable adults and the wellbeing of everyone who comes into contact with the Foundation is everyone's responsibility.

The Foundation values openness, honesty, trust and respect, and these are the overarching principles of this Policy. It is important that this policy and the code of conduct is adhered to at all times and that Foundation Representatives act within appropriate safeguarding and wellbeing boundaries.

If you have any questions or concerns about this policy or safeguarding generally, please contact the Safeguarding Leads.

Legal Definitions:-

Child: A child can be defined differently in different legal contexts.

- a. Section 93(2) (a) and (b) of the Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the age of 16 and 18 who are still subject to a supervision requirement by a Children's Hearing can be viewed as a child. Young people over the age of 16 may still require intervention to protect them.
- b. The United Nations Convention on the Rights of the Child applies to anyone under the age of 18. However, Article 1 states that this is the case unless majority is attained earlier under the law applicable to the child. – Ref Scottish Government National Guidelines for Child Protection 2010.

Vulnerable Adult: Adult Support and Protection (Scotland) Act 2007 defines Adults at Risk, through a three-point test, as adults, aged 16 years or over, who:-

1. Are unable to safeguard their own well-being, property, rights or other interests;
2. Are at risk of harm; and

Because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

2. Designated Safeguarding & Wellbeing Leads and Contact Details

The designated Safeguarding Leads for the Foundation are: Fi Das, fionadas@lawscot.org.uk

The Foundation Safeguarding email address is: safeguarding@lawscotfoundation.org.uk

The Foundation Trustee Safeguarding Sub-Group is:

- Debbie McIlwraith-Cameron, DebbieMcIlwraithCameron@lindsays.co.uk
- Lindsay Jack, lindsayjack@lawscot.org.uk

If necessary, the route for escalation of concerns/actions shall be:

- A. Safeguarding Leads, then
- B. Trustee Safeguarding Sub-Group, then
- C. Chair of the Board of Trustees.

3. Best Practice Principles for Safeguarding & Wellbeing

It must be remembered that our role is not to solve or investigate the issue or take responsibility for the Student's actions or emotional state.

If a Student approaches you for help:-

- Listen to them and give them the time and space to talk
- Be sympathetic and supportive
- Provide them with relevant resources
- Make a written record of the concern and refer the matter to the Safeguarding Leads.

If you recognise potential safeguarding or wellbeing issues in relation to a Student, refer the matter to the Safeguarding Leads. The Safeguarding Leads will then:-

1. Offer help to the Student directly, or
2. Refer the matter to the Student's University Contact if the Student is resistant to help in the first instance, or
3. Escalate as necessary depending on the risk level.

As the Foundation's beneficiaries are University students, their respective Universities will have wellbeing, mental health, and safeguarding policies of their own. We should encourage the Student to access those support services available to them within their Universities, and make any necessary referrals to their designated University Contact.

While the Foundation Representatives must act with discretion, confidentiality cannot be guaranteed. Concerns and referrals may need to be made to others in the best interests of the Student. The Student can be assured that information will only be shared with those who need to know in order to support them. The Terms and Conditions of receiving the bursary from the Foundation states that a University Contact must be provided and that the Student consents to the Foundation contacting the University Contact if there are any safeguarding and/or wellbeing concerns about the Student.

All Foundation Representatives should always maintain appropriate professional boundaries and avoid behaviour that might be misinterpreted by others. They should be aware that private social contact with a vulnerable person is not appropriate. It is their responsibility to record and report to a manager any incident with this potential.

4. What Might Constitute a Safeguarding and/or Wellbeing Concern?

Unless a Student comes to you directly with a safeguarding and/or wellbeing concern, it may be difficult to determine if there is an issue or not. You should err on the side of caution and speak to the Safeguarding Leads if you have any concerns.

Circumstances where there may be a safeguarding and/or wellbeing concern (please note that this list is not exhaustive, but simply illustrative):-

- No contact or response from the Student for an extended period of time
- The Student may appear to be stressed or anxious, and/or
- A change in the Student's behaviour and/or appearance.

5. Reporting a Concern

All safeguarding issues, including but not limited to abuse and neglect, must be reported to the Safeguarding Leads who will take the appropriate action.

Wellbeing concerns must be reported to the Safeguarding Leads if the Student is not receptive to support. Where support has been accepted, the Safeguarding Leads should be notified of the concern and the action taken in the event that further reporting to the University Contact or follow up action is required.

Concerns/notifications should be reported to the Safeguarding Leads by email in the first instance, and all emails must be acknowledged by the Safeguarding Leads within 3 working days.

If you believe that the concern requires a quicker response, but does not reach the level of risk to call 999 (see below), the concern should be escalated as necessary (see escalation list above).

The Safeguarding Leads will action concerns appropriately and decide on the action required. They will, as required by law, inform the relevant statutory authorities where appropriate (including the Local Safeguarding Adults Board, Social Worker, the police, etc.), as soon as possible and no longer than 24 hours or the next working day. Significant incidents will also be reported to the Office of the Scottish Charity Regulator. The Local Authority (or the police) will provide instructions about whether the matter should be investigated.

6. When to call 999

If a Student is a risk to themselves or in immediate danger, telephone the UK emergency services number, 999, immediately.

As soon as reasonably practicable after the 999 call, you must report the call and the circumstances to the designated Safeguarding Leads to determine if further action requires to be taken.

Try to remain calm, engage appropriately with the Student, keep the Safeguarding Leads updated (until they are able to take over) and keep an accurate written record of what happened.

Appendix A – Volunteering Code of Conduct

Purpose

This Code of Conduct outlines the conduct the Lawscot Foundation expects from volunteers. This includes student buddies, mentors and corporate partners undertaking duties for the organisation both in person and online.

In your role at the Lawscot Foundation you are acting in a position of authority and have a duty of care towards the students we work with. You are likely to be seen as a role model and are expected to act appropriately.

Please note:

This code may not be all encompassing and the principles espoused here should extend to situations not covered explicitly by the code

These principles set out how the organisation aspires all individuals would engage with others – regardless of age or status – when participating in any of the organisation's activities.

Responsibilities

You are responsible for:

- following this code of conduct.
- prioritising the welfare of our students at all times.
- staying within the law at all times.
- modelling good behaviour for our students to follow.
- challenging unacceptable behaviour, discrimination and prejudice.
- reporting all concerns about concerning and abusive behaviour to the Lawscot Foundation Safeguarding leads. This includes behaviour being displayed by an adult or child and directed at anybody of any age.

Rights

You should:

- treat our students fairly and without prejudice, discrimination or favouritism
- understand that students are individuals with individual needs and show patience
- respect differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems, and appreciate that all participants bring something valuable and different to the programme
- encourage our students to speak out about attitudes or behaviour that makes them uncomfortable
- Maintain professional boundaries at all times and not use programmes to develop inappropriate relationships with participants

Relationships

You should:

- Promote relationships that are based on openness, honesty, trust and respect
- Never agree to meet a participant outside of your professional capacity
- Where possible, use professional contact details. Avoid 'friending' or 'following' participants on social media. Use of LinkedIn to connect is permitted, however you should not use the chat function on LinkedIn to communicate with students.
- Never lose sight of the fact that you are with students - behave appropriately and use appropriate language always and challenge inappropriate language used by participants.
- Never consume alcohol or drugs when responsible for running an activity or programme.

Expectations of online behaviour

You should:

- Only screen share appropriate materials essential for delivering the session. When screen sharing, close all other browser windows and online content, to avoid sharing inappropriate, irrelevant or sensitive information with students.
- Be aware of what can be seen in the background. Ideally, blur your background.
- Conduct sessions from a neutral space such as an office or living room if you can and avoid using a bedroom. Do balance this with privacy to ensure confidential conversations are not overheard.

You must not:

- engage in behaviour that is in any way abusive including having any form of sexual contact with a student.
- record sessions using personal equipment.
- use authorised equipment to access or distribute pornography. If personal equipment is used for accessing pornography that equipment must never be used in your work with young people and may raise concerns about your suitability to continue to work with young people.
- act in a way that can be perceived as threatening or intrusive.
- patronise or belittle students.
- make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of our students.

Lawscot Foundation Students

Lawscot Foundation students come from a range of backgrounds. Participants may or may not choose to share their personal or challenging circumstances. We expect all volunteers to treat every student with respect and dignity, and without judgement.

Upholding this code of conduct

You should always follow this code of conduct and never rely on your reputation or that of the organisation to protect you. We will investigate any breaches of this Code of Conduct in line with our safeguarding procedures.

If you have any concerns or become aware of any breaches of this code, you must report them to the Lawscot Foundation Safeguarding Lead, Fi Das: safeguarding@lawscotfoundation.org.uk.

Appendix B – Resources

- For personal support - LawCare - peer support, resources - <https://www.lawcare.org.uk/> - Free and confidential helpline - **0800 279 6888**.
- Vicarious Trauma training - <https://www.lawcare.org.uk/latest-news/vicarious-trauma-online-training/>
- Lawscot Wellbeing - <https://www.lawscot.org.uk/members/wellbeing/member-resources/>
- [Mental Health at Work](#) Mind, The Royal Foundation, Heads Together and 11 other organisations created this online resource for employers and employees with information, advice, resources and training that workplaces can use to improve wellbeing.
- [Mind](#) – national mental health charity, have numerous resources online to support workplace wellbeing
- [Samaritans](#) listening scheme that operates 24 hours, 365 days a year to talk about anything that may be troubling you, call 116 123
- NHS 24 - 111