

Scottish Anglers National Association Limited

Code of Conduct for the Protection of Vulnerable Groups

This Code of Conduct details the types of practice required by all members of Scottish Anglers National Association Limited (hereafter referred to as 'SANA') when in contact with children and vulnerable adults. The types of practice are categorised into good practice; practice to be avoided and practice never to be sanctioned. Suspicions or allegations of non-compliance of the Code by a member will be dealt with through SANA's Disciplinary Procedure for misconduct or through Responding to a Suspicion or Allegation of Abuse against a member of SANA. (Note - where the name 'SANA' occurs, it should be taken where appropriate to mean SANA Affiliated Clubs and Associate Members). Based on the Protection of Vulnerable Groups (Scotland) Act 2007

1. Good Practice

SANA supports and requires the following good practice by members when in contact with children and vulnerable adults.

When working with children and vulnerable adults:

- Make sport fun, enjoyable and promote fair play.
- Always work in an open environment e.g. avoid private or unobserved situations and encourage an open environment for activities.
- Treat all children and vulnerable adults equally, with respect and dignity.
- Put the welfare of each child or vulnerable adult first before winning or achieving performance goals.
- Be an excellent role model including not smoking or drinking alcohol in the company of children or vulnerable adults.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Ensure that if any form of manual or physical support is required for a child or vulnerable adult, it is provided openly, the child or vulnerable adult is informed of what is being done and their consent obtained.
- Deliver educational instruction first verbally, secondly role-modelled; and thirdly and only if necessary, with hands on – which must be accompanied by telling the child or vulnerable adult where you are putting your hands and why it is necessary to obtain their consent.
- Involve parents, guardians and carers wherever possible.
- Build balanced relationships based on mutual trust that empower children and vulnerable adults to share in the decision-making process.
- Recognise the developmental needs and capacity of children and vulnerable adults and avoid excessive training or competition and either pushing them against their will or putting undue pressure on them.

1.1 First Aid and Treatment of Injuries:

If in your capacity as a member of SANA or Affiliated Club, a child or vulnerable adult requires first aid or any form of medical attention whilst in your care, then the following good practice must be followed:

- Where practicable all parents/guardians of children under 16 must complete a SANA Medical Consent Form before participating in any aspect of Angling.
- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required.
- Keep a written record of any injury that occurs, along with the details of any treatment given.
- Where possible, ensure access to medical advice and/or assistance is available.
- Only those with a current, recognised First Aid qualification should respond to any injuries.
- Where possible any course of action should be discussed with the child/vulnerable adult, in language that they understand and their permission sought before any action is taken.

- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible.
- The child or vulnerable adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to do so.
- A Notification of Accident Form (*available from SANA*) must be completed and signed and passed to the organisation as soon as possible.

1.2 For taking and transporting children and vulnerable adults away from home:

If it is necessary to provide transport or take children or vulnerable adults away from home the following good practice must be followed:

- Where practicable, request written parental/guardian consent if members are required to transport children or vulnerable adults.
- Always tell another member that you are transporting a child, give details of the route and the anticipated length of the journey.
- Ensure all vehicles are correctly insured, covered by a current tax disc and MOT (where applicable).
- All reasonable safety measures are taken, e.g. children in the back seat, seatbelts are worn.
- Ensure where possible, a male and female accompany mixed groups or vulnerable adults. These adults should be familiar with and agree to abide by SANA's Vulnerable Group Policy and Procedures.
- Always plan and prepare a detailed programme of activities and ensure copies are available for other members and parents/ guardians.

2. Practice To Be Avoided

In the context of your role within SANA (or affiliated club), the following practice should always be avoided:

- Avoid having 'favourites' – this could lead to resentment and jealousy by other children or vulnerable adults and could lead to false allegations.
- Avoid spending excessive amounts of time alone with children or vulnerable adults away from others.
- Ensure that when children or vulnerable adults are taken away from home adults avoid entering their rooms unless in an emergency situation or in the interest of health and safety. If it is necessary to enter rooms, the door should remain open, if appropriate.
- Avoid taking children or vulnerable adults to your home.
- Avoid where possible, doing things of a personal nature for children and vulnerable adults that they can do for themselves.

Important Note: It may sometimes be necessary for members to do things of a personal nature for children or vulnerable adults, particularly if they are very young or vulnerable. These tasks should only be carried out with the full understanding and consent of the child or vulnerable adult and where possible their parents/guardians. It is important to respect their views. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible, particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child or vulnerable adult to carry out particular activities. Do not take on the responsibility for tasks for which you are not appropriately trained.

3. Practice Never to be Sanctioned

In the context of your role within SANA (or affiliated club), the following should never be sanctioned.

- Never engage in sexually provocative games, including horseplay.
- Never engage in rough or physical contact except as permitted within the rules of the game or competition.

- Never form intimate emotional or physical relationships with children or vulnerable adults.
- Never allow or engage in touching a child or vulnerable adult in a suggestive manner.
- Never allow children or vulnerable adults to swear or use sexualised language unchallenged.
- Never make sexually suggestive comments to a child or vulnerable adult, even in fun.
- Never reduce a child or vulnerable adult to tears as a form of control.
- Never allow allegations made by a child or vulnerable adult to go unchallenged, unrecorded or not acted upon.
- Never share a room with a child or vulnerable adult for sleeping accommodation.
- Never invite or allow children or vulnerable adults to stay with you at your home.

Important Note: In special cases sharing may be required for health and safety reasons or if a child is very young or particularly vulnerable. If so, explain why this is necessary to the child/vulnerable adult and their parent or guardian and seek their consent. Where possible, ensure that at least two adults, preferable one male and one female are in the room.

4. Reporting

If members have concerns about an incident involving a child or vulnerable adult that seems untoward or unusual, they must report their concerns as soon as possible to the Child and Vulnerable Adult Officer. Parents should also be informed of the incident as soon as possible unless it is not in the child's or vulnerable adult's interests to tell them (refer to Section 10, Sharing Concerns with Parents, Guardians and Carers).

Report, record and inform if the following occur:

- If you accidentally hurt a child or vulnerable adult.
- If a child or vulnerable adult seems distressed in any manner.
- If a child or vulnerable adult misunderstands or misinterprets something you have said or done.
- If a child or vulnerable adult appears to be sexually aroused by your actions.
- If a child or vulnerable adult needs to be restrained.

Guidance

A code of conduct provides clear expectations of members and the specific responsibilities they must uphold as a member. The Code of Conduct provided sets the standards of acceptable and unacceptable behaviour for members when working with children and vulnerable adults.

The Code of Conduct detailed in this section was developed to achieve good practice by members and to reinforce common sense principles. If an organisation has specific codes of conduct for various roles and responsibilities of members already in existence, it is recommended that this Code of Conduct is either incorporated or added to the main body of those codes.

Once adopted, it is recommended that this Code of Conduct be produced in a version for children and vulnerable adults using language they can understand. This allows children, vulnerable adults, parents and guardians to be aware of behaviour that is acceptable and unacceptable by members in your organisation.

An example code of conduct for coaches is available from sports coach UK (contact Coachwise Ltd on 0113 231 1310).

SANA's Disciplinary, Complaints and Appeals Procedures should be used to deal with any breaches of the Code of Conduct and misconduct by members. It is vital that these procedures are checked to ensure that all persons to whom they should apply are bound by them. It is also important that parents and children or vulnerable adults, at the very least, are aware of the existence of these procedures.

5. Bullying – Identifying and Managing

Victims of bullying can feel lonely, isolated and deeply unhappy. It can have a devastating effect on a child's or vulnerable adult's self-esteem and destroy their self-confidence and concentration. They may become withdrawn and insecure, more cautious and less willing to take any sort of risk. They may feel it is somehow their fault or that there is something wrong with them and at worst, cause depression and/or feelings of worthlessness that leads to suicide.

To ensure that SANA creates an atmosphere where bullying of children and vulnerable adults is unacceptable and to help members manage bullying issues, guidelines for identifying and managing bullying have been developed.

Any suspicions of bullying of a child or vulnerable adult against a member will be dealt with through the SANA Disciplinary Procedures and/or Responding to a Suspicion or Allegation of Abuse against a Member of SANA (section 9.5).

6. Photographing, Videoing and Filming of Children and Vulnerable Adults

There is evidence that some people have used sporting events and activities as an opportunity to take inappropriate photographs or film footage of children and vulnerable adults. The following procedures have been developed to protect children and vulnerable adults.

- Where appropriate, all materials promoting SANA events or activities shall state that accredited photographers will be present.
- Where possible, consent from the parent/guardian for photographing, videoing and/or filming of a child or vulnerable adult must be obtained prior to the event or activity.
- Where possible, anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of SANA.
- An activity or event specific identification badge/sticker must be provided to and clearly displayed at all times by accredited photographers, film and video operators on the day of the activity or event.
- No unsupervised access or one-to-one sessions are to be permitted unless this has been approved in advance by the child or vulnerable adult, parent/guardian and the organisation, and appropriate vetting has occurred e.g. Disclosure Scotland check of individual wanting to photograph, film or video.
- SANA reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The requirements above are publicly promoted to ensure all people present at the event or activity understand the procedure and are aware of whom to contact if concerned.

7. Concerns about Photographers, Video or Film Operators

Any concerns with photographers or video or film operators are to be reported in the first instance, verbally to be followed up in writing to SANA's Child Protection Officer and where relevant, the Police.

8. Internet - Children or Vulnerable Adults in Publications and on the Internet

Sport websites and publications provide excellent opportunities to broadcast achievements of individuals to the world and to provide a showcase for the activities of young people or vulnerable adults. In some cases, however, displaying certain information about children and vulnerable adults could place them at risk. The following procedure must be followed to ensure SANA publications and SANA information on the Internet do not place children and vulnerable adults at risk.

SANA publications and SANA information on the Internet must adhere to the following:

- Publications or information on an Internet site must never include personal information that could identify a child or vulnerable adult e.g. home address, e-mail address, telephone number of a

child or vulnerable adult. Any contact information must be directed to SANA at the organisation's address.

- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable adult's parent/guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.
- The content of photographs or videos must not depict a child or vulnerable adult in a provocative pose or in a state of partial undress other than when depicting a sporting activity. Where relevant, a tracksuit may be more appropriate attire. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to, not individual members. Credit for achievements by a child or vulnerable adult are to be restricted to first names e.g. Tracey was Player of the Year 2002.
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken in publishing photographs, film or videos of children or vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute.
- Particular care is to be taken in publishing photographs, films or videos of children or vulnerable adults with physical, learning and/or communication or language disabilities, as they could be particularly vulnerable to abuse (Morgan, 1979; Watson, 1984).

Important Note: Any concerns or enquiries about publications or Internet information should be reported to SANA's Child and Vulnerable Adult Officer.

Guidance

Section 5 provides specific information about bullying which can be supported by the documents for reference below. It is recommended that if the documents for reference are used that they are supported by wider guidance on bullying or anti-harassment of adults.

It is recognised that it may be challenging in some circumstances to monitor conduct in regard to the procedures outlined for photographing, videoing and filming of children and vulnerable adults. However it is important that members, in particular event organisers, are aware of their responsibilities and trained appropriately so that the procedures including monitoring are followed, good practice is achieved and the risks are reduced.

Documents for Reference

Appendix K: Guidelines for Identifying and Managing Bullying of Children and Vulnerable Adults

For further information about bullying, see:

- www.kidscape.org.uk
- www.childline.org.uk
- www.children1st.org.uk

Appendix L: Example Consent Form for the Use of Photographs, Film or Video Recordings of Children or Vulnerable Adults

Appendix M: Example Application Form to Photograph, Film or Video a Sporting Event or Activity involving Children or Vulnerable Adults.

9. Responding to Disclosures

Information you receive about or from a child or vulnerable adult may fall into one of the following categories:

1. Suspicion or allegation of misconduct against a member of SANA
2. Suspicion or allegation of abuse against a member of SANA
3. Suspicion or allegation of inappropriate behaviour against someone who is not a member
4. Suspicion or allegation of abuse against someone who is not a member

If unclear about the nature of the information (and therefore which category the disclosure falls) advice must be sought from the Child and Vulnerable Adult Officer in SANA or the Police or Social Work Department.

It is not the responsibility of anyone from SANA to decide whether or not a child or vulnerable adult has been abused. It is however, everyone's responsibility to report concerns.

It is very important that SANA members understand what is meant by the term 'abuse'. The different types of abuse are:

- Emotional Abuse
- Neglect
- Physical Abuse
- Sexual Abuse
- Negative Discrimination (including racism)
- Bullying (includes bullying by gangs; bullying by family members; physical bullying, verbal bullying; teasing; and harassment)

The definitions for the types of abuse and signs that may suggest abuse are detailed in Appendix A. It is important that this appendix is read and understood.

9.1 How to Listen to a Disclosure

It is important to listen to the information a child or vulnerable adult discloses. When listening to a disclosure, the following good practice is required:

- React calmly so as not to frighten the child/vulnerable adult
- Listen to the child/vulnerable adult
- Do not show disbelief
- Tell the child/vulnerable adult that he/she is not to blame and that he/she was right to tell
- Take what the child/vulnerable adult says seriously, recognising the difficulties inherent in interpreting what a child/vulnerable adult says, especially if they have a speech disability and/or differences in language
- Do not pre-suppose the experience was bad or painful – it may have been neutral or even pleasurable. Always avoid projecting your own reactions onto the child or vulnerable adult
- If you need to clarify, keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said
- If you need to clarify or the statement is ambiguous, use open-ended, non-leading questions
- Do not introduce personal information from either your own experiences or those of other children or vulnerable adults
- Reassure the child or vulnerable adult

9.2 Actions to Avoid

When receiving a disclosure:

- Avoid panic
- Avoid showing shock or distaste
- Avoid probing for more information than is offered
- Avoid speculating or making assumptions
- Avoid making negative comments about the person against whom the allegation has been made
- Avoid approaching the individual against whom the allegation has been made
- Avoid making promises or agreeing to keep secrets
- Avoid giving a guarantee of confidentiality

9.3 Responding to a Suspicion or Allegation of Inappropriate Behaviour or Misconduct against Someone who is Not a Member of SANA.

In the course of your role within SANA a child or vulnerable adult may disclose information to you about a person who is not a member that leads to a suspicion or allegation of inappropriate behaviour or misconduct.

If the disclosure is about an incident that occurred during a SANA event or activity:

- Listen to the child as detailed above.
- Acknowledge the information received.
- Pass the information to both the manager of the event or activity and the Child and Vulnerable Adult Officer and if appropriate the parents/guardians/carers of the child or vulnerable adult (refer to Section 10 Sharing Concerns with Parents, Guardians or Carers).
- Make a full written record of the disclosure on the day you receive the disclosure.
- Sign and date the record then pass it to the Child and Vulnerable Adult Officer.

9.5 Responding to a Suspicion or Allegation of Inappropriate Behaviour or Misconduct against a Member of SANA.

If you receive a disclosure that leads to a suspicion or allegation of inappropriate behaviour against a member:

- Listen to the child as detailed above
- Acknowledge the information received
- Pass to the Child and Vulnerable Adult Officer
- Make a full written record of the disclosure on the day you receive the disclosure
- Sign and date the record then pass to the Child and Vulnerable Adult Office

Establishing the Basic Facts

The Child and Vulnerable Adult Officer must clarify the basic facts to establish whether there is reasonable cause to suspect or believe that misconduct has occurred. If the basic facts support a suspicion or allegation of misconduct by a member, the matter will be dealt with in accordance with SANA's Disciplinary Procedure.

9.6 Responding to a Suspicion or Allegation of Abuse against Someone who is Not a Member of SANA.

All allegations of abuse must be taken seriously. Although false allegations of abuse do occur, they are less than usual. If a child or vulnerable adult says or indicates that he/she is being abused or information

is obtained which gives concern that a child or vulnerable adult is being abused, you must react as soon as possible that day in line with the following procedures.

Where there is uncertainty about whether the concern relates to abuse or misconduct, the Child and Vulnerable Adult Officer must firstly be consulted for advice on the appropriate course of action. If the Child and Vulnerable Adult Officer is unavailable, external agencies such as the Police and Social Work Department must be consulted for advice. This is important because they have an overview of child protection issues and they may well have other information that together causes concern.

On receiving information about a non-member that leads to a suspicion or allegation of abuse:

- Listen to the child or vulnerable adult as detailed in section 9.1 How to Listen to Disclosures.
- Pass your concerns to the Social Work Department or the Police in the area where the abuse is alleged to have occurred immediately (these are available 24 hours a day). Act on any advice given. At the earliest opportunity tell the Child and Vulnerable Adult Officer about the action taken.
- Make a full written record of what has been seen, heard and/or told as soon as possible in the child/vulnerable adult's own words. The information must, where known, include the following:
 - Name of child/vulnerable adult.
 - Age, date of birth of child/vulnerable adult.
 - Home address and telephone number of the child/vulnerable adult.
 - The nature of the allegation in the child/vulnerable adult's own words.
 - Any times, dates or other relevant information.
 - Whether the person making the report is expressing their own concern or the concerns of another person.
 - The child/vulnerable adult's account, if it can be given, of what has happened and how any injuries occurred.
 - The nature of the allegation (include all of the information obtained during the initial account e.g. time, date, location of alleged incident).
 - A description of any visible (when normally dressed) injuries or bruising, behavioural signs, indirect signs (do not examine the child/vulnerable adult).
 - Details of any witnesses to the incident.
 - Whether the child/vulnerable adult's parents/guardians/carers have been contacted.
 - Details of anyone else who has been consulted and the information obtained from them.
 - If it is not the child/vulnerable adult making the report, whether the child/vulnerable adult has been spoken to, if so what was said.
- Record, sign and date on the day what you have seen, heard or been told.
- If making an electronic copy do not save to the hard drive or floppy disk. Print off the record, sign and date, then delete the electronic copy, that day.
- Pass the record to the Social Work Department or the Police.

Remember: Listen; Respond; Report and Record.

9.7 Responding to a Suspicion or Allegation of Abuse against a Member of SANA.

The feelings caused by the discovery of potential abuse by a member will raise different issues, e.g. disbelief that a member would act in this way. It is not the responsibility of a member to take responsibility or to decide whether or not a child or vulnerable adult has been abused. However, as with allegations against non-members, it is the responsibility of the individual to act on any concerns.

Any information that raises concern about the behaviour of a member towards a child or vulnerable adult must be passed on as soon as possible that day, in accordance with these procedures. No member in receipt of such information shall keep that information to himself/ herself or attempt to deal with the matter on their own.

These Procedures aim to ensure that all suspicions and/or allegations of abuse against a member are taken seriously and are dealt with in a timely and appropriate manner. They must be read in conjunction with the SANA's Disciplinary Procedures.

9.7.1 On receiving information about a member that leads to a suspicion or allegation of abuse.

Listen to the child or vulnerable adult as detailed in section 9.1 How to Listen to Disclosures.

- Pass your concerns to the Child and Vulnerable Adult Officer on the day or if not available, the Social Work Department or the Police in the area where the abuse is alleged to have occurred (these are available 24 hours a day). Act on any advice given.
- Make a full written record of what has been seen, heard and/or told as soon as possible in the child/vulnerable adult's own words.
- Sign and date the record including what you have seen, heard or been told, that day.
- If making an electronic copy do not save to the hard drive or floppy disk. Print the record, sign and date, then delete the electronic copy, that day.
- Pass the record to the Child and Vulnerable Adult Officer or the Social Work Department or Police.

Important Note: Where the concern is about the Child and Vulnerable Adult Officer it must be reported to the President and/or the Vice President or Secretary.

9.7.2 Actions for the Child and Vulnerable Adult Officer when Concerns are Reported.

Before taking any action the Child and Vulnerable Adult Officer must always seek advice from the Police or Social Work Department. Thereafter:

- **Establish Basic Facts** - the Child and Vulnerable Adult Officer must initially clarify the basic facts to establish whether there is reasonable cause to suspect or believe that a member may have abused a child and/or vulnerable adult.

Important Note:

- This may necessitate the child(ren) or vulnerable adult(s) involved being asked some basic, open-ended, non-leading questions solely with a view to clarifying the basic facts. It may also be necessary to ask similar basic questions of other children, or other appropriate individuals e.g. coaches. After seeking advice from the Police and/or Social Work Department, the parents/guardians may be approached to provide consent to speak to a child/vulnerable adult.
- Advice must be sought from the Police and/or Social Work Department as to whether the member about whom the allegation has been made may be approached as part of the initial enquiry.
- This process will not form part of the disciplinary investigation.

Making a Referral in Cases of Suspected and/or Alleged Abuse – If the basic facts support a suspicion or allegation of abuse:

- The Child and Vulnerable Adult Officer will refer the suspicion and/or allegation to the Social Work Department and the Police, as soon as possible that day.
- Appropriate steps may be required to ensure the safety of the child(ren) or vulnerable adult(s) who may be at risk.
- A record should be made of the name and designation of the Social Work Department member of staff or the Police Officer to whom the concerns were passed, together with the time and date of the call, in case any follow up is required.
- Following advice from the Social Work Department and/or Police, the parent/guardian of the child or vulnerable adult should be contacted as soon as possible.

Important Note:

- Reporting of the matter to the Police or Social Work Department must not be delayed by attempts to obtain more information. A Referral for Reporting Suspicions and/or Allegations of Abuse Against a Member of SANA Form must be completed as soon as possible that day. Where possible, a copy of this form must be sent to the Police and Social Work Department within 24 hours.

Possible Outcomes following advice from Police

Where the initial enquiry reveals that there is reasonable cause to suspect or believe that a member has abused a child and/or vulnerable adult there will be an investigation. There are three types of investigation that can result:

- A disciplinary investigation
- A child protection investigation
- A criminal investigation

Following advice from the Police, disciplinary action may be taken in cases where a criminal investigation is ongoing provided sufficient information is available to enable a decision to be made and doing so does not jeopardise the criminal investigation.

Procedures 9.7.1 and 9.7.2 are summarised in Flowchart 1 (page 14a).

9.7.3 Managing the Member Against Whom the Allegation has Been Made

Following advice from the Police, if the decision is made that the member against whom the allegation has been made is to be informed, the member should be told an allegation has been made which suggests abuse. It is essential to preserve evidence for any criminal proceedings while at the same time safeguarding the rights of the member.

9.7.4 Suspension

- Suspension is not a form of disciplinary action. The member may be suspended whilst an investigation is carried out.
- Suspension will be carried out by the SANA's Child Protection Officer (or in the case of an affiliated Club, by any two Office Bearer's of that Club, from the President and/or Chairman and Secretary and/or Treasurer) in accordance with SANA's Disciplinary Procedures.
- At the suspension interview the member will be informed of the reason suspension is taking place and given the opportunity to give a statement should he/she wish. Notification of the suspension

and the reasons will be conveyed in writing to the member in accordance with SANA's Disciplinary Procedures.

9.7.5 Managing False or Malicious Allegations

- Where after investigation, the allegation is found to be false or malicious the member will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. The member involved may wish to seek legal advice.
- All records pertaining to the circumstances and investigation will be destroyed.
- Where this involves a member of SANA, they will be advised of the appropriate counselling services available.

9.7.6 Managing Allegations of Historical Abuse

- Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by a member who is still currently working with children. Where such an allegation is made the procedures for managing allegations of abuse, detailed in Sections 9.7.3 and 9.7.5, must be followed.

10 Sharing concerns with Parents, Guardians or Carers

10.1 Where it is Not Abuse

There is always a commitment to work in partnership with parents/guardians/carers where there are concerns about a child/vulnerable adult. Therefore in most situations, not involving the possibility of the abuse of a child or vulnerable adult, it would be important to talk to parents/guardians/carers to help clarify any initial concerns. For example, if a child or vulnerable adult seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement. Common sense is advised in these situations however advice should be sought from the Child and Vulnerable Adult Officer if there is any uncertainty about the appropriate course of action.

10.2 Allegations of Abuse

There are circumstances in which a child or vulnerable adult might be placed at even greater risk if concerns are shared e.g. where a parent/guardian/carer may be responsible for the abuse or not able to respond to the situation appropriately. **In all cases of suspected or alleged abuse, advice and guidance must first be sought from the local Social Work Department or the Police as to who contacts the parents.**

11 Legal Framework

The legislation and guidance on which this policy and supporting procedures is based is located in Appendix O.

Guidance

If your organisation has members of staff, the Policy should be amended to include reference to the Line Manager when dealing with suspicions or allegations of poor practice and abuse. Staff should be supported by their Line Manager to take the appropriate action outlined in the Procedures.

Section 5 of the Children (Scotland) Act 1995 creates a statutory duty to report any suspicions of child abuse i.e. a duty to do what is reasonable in all the circumstances to safeguard the child's health, development and welfare. Failure to report concerns, turning a blind eye or failing to protect a child or vulnerable adult may result in legal action.

Defamation

Concerned adults may be reluctant to report suspicions of abuse for fear that the person suspected will sue them for defamation. An allegation of abuse will always be defamatory but damages will not be awarded if the maker of the allegation can prove that it is true. Such allegations should not be made unless the maker of the allegation has a legal duty to make it and the Receiver has such a duty to receive it. Thus a person may safely express concerns to, for example, the Police, a social work reporter, the Child and Vulnerable Adult Officer or a line manager in the governing body. Similar reciprocal duties exist between an employee and his/her employer or his/her employer's representative. Of course the making of untrue allegations for purely malicious reasons would always be actionable.

Confidentiality

Members receiving information about possible abuse should always treat that information as confidential in the sense that it must not be disclosed to anybody except those having a legal duty to receive it, for example the Police, a social work reporter, the Child and Vulnerable Adult Officer or a line manager in the governing body. Communicating information obtained from a Disclosure Certificate under the Police Act 1997 is a criminal offence.

The Procedure for Managing Allegations or Suspicions of Abuse against members must be read in conjunction with your organisation's Disciplinary Procedure.

12 Recruitment of Paid or Unpaid Employees, Full or Part-time, Volunteers, Helpers, Coaches, Officials, Board/Executive and Committee Members, Professional or Non-Professional.

All reasonable steps must be taken to ensure unsuitable people are prevented from working with children and vulnerable adults.

For all positions that require regular contact with children or vulnerable adults the following recruitment procedures must be completed.

12.1 Advertising

All forms of advertising used to recruit members for positions involving regular contact with children or vulnerable adults will include the following:

- The aims of SANA and, where appropriate, details of the particular programme involved.
- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage).
- Details of SANA's open and positive stance on child and vulnerable adult protection.

12.2 Pre-application information

Pre-application information for positions involving regular contact with children and vulnerable adults will be sent to applicants and will include:

- A job description including roles and responsibilities.
- A candidate specification (e.g. stating qualifications or experience of working with children and vulnerable adults required).
- An application form and self-declaration form.
- Information on SANA and related topics.

12.3 Application and Self-Declaration Form

All applicants will be requested to complete an application form and self-declaration form. The purpose of the application form is to obtain relevant details from the applicant for the position. The purpose of the self-declaration form is to collect information on criminal behaviour that is relevant to the position e.g. criminal records or investigations. The self-declaration form is requested in a separate sealed envelope

and is not opened until the applicant is selected for an interview. If the applicant is not selected the form is returned unopened to the applicant.

12.4 References

References will always be sought as required. Where possible at least one of these references will be from an employer or a voluntary organisation where the position required working with children or vulnerable adults in any of the following capacities: employee; volunteer; or work experience. If the person has no experience of working with children or vulnerable adults, specific training requirements will be agreed before the appointment.

12.5 Checks

SANA is registered with Disclosure Scotland and prior to appointment, a Disclosure Scotland check and/or equivalent international check will be completed. This will require the prospective position holder to complete and submit a Disclosure Scotland form, with the results returning to the Child and Vulnerable Adult Officer.

As recommended by Disclosure Scotland (Protecting the Vulnerable by Safer Recruitment 2002) the following types of checks are to be requested for positions requiring contact with children and vulnerable adults.

Standard Disclosure

Standard disclosures will be requested from those applying for positions listed in the Rehabilitation of Offenders Act 1974 (ROA)(Exceptions) Order 1975. These categories include occupations with duties that involve regular contact with children and young people under the age of 18; and the elderly, sick and handicapped people.

Enhanced Disclosure

Enhanced Disclosures will be requested for positions that involve a greater degree of contact with children or vulnerable adults. For example, positions that require regular contact with, training, supervising or being in sole charge of children and young people.

12.6 Interview

For positions that require regular contact with children or vulnerable adults, interviews will be carried out. An interview will include requests for additional information to support the application.

12.7 Offer of Position

Once a decision has been made to appoint an individual, an offer letter will be presented to the applicant including the details of the position, any special requirements and the obligations e.g. agreement to the policies and procedures of the organisation, the probation period and responsibilities of the role. Confirmation of the position being accepted will require the offer letter to be formally accepted and agreed to in writing e.g. by the individual signing and dating their agreement on the offer letter and returning it to the organisation.

12.8 Induction

The induction process for the newly appointed member will include the following:

- An assessment of training, individual aids and any other needs and aspirations.
- Clarification, agreement and signing up to the Child and Vulnerable Adult Protection Policy and Procedures.
- Clarification of the expectations, roles and responsibilities of the position.

12.9 Training

Newly appointed members will complete the following training over an agreed period:

- Protecting children and vulnerable adults.

- Working effectively with children and vulnerable adults (including presentation skills, developing child and vulnerable friendly resources and activities).
- Any other identified needs.

12.10 Probation

Newly appointed members will complete an agreed period of probation on commencement of their role.

12.11 Monitoring and Performance Appraisal

All members who have contact with children or vulnerable adults will be monitored and their performance appraised. This will provide an opportunity to evaluate progress, set new goals, identify training needs and address any concerns of poor practice.

Appendix A

Definition of Terms

Child:

A child is defined as anyone under 16 years of age.

16 to 18 year olds:

Young people aged 16 to 18 years are sometimes classified as children in Scotland. In terms of the Children (Scotland) Act 1995, a 16 to 18 year old will be regarded as a child if they are subject to a supervision requirement through a Children's Hearing.

For the purposes of Part V of the Police Act 1997 a child is defined as anyone under the age of 18 years.

Vulnerable Adults:

The term Vulnerable Adult refers to any person aged 16 or over whom for the time being:

- Are unable to safeguard their own welfare or properly manage their financial affairs; and
- Are in one or more of the following categories:
 - A person in need of care and attention by reason of either infirmity or the effects of ageing
 - A person suffering from an illness or mental disorder
 - A person substantially handicapped by a disability

Vulnerable Adults may be in need of health or social support services and may be unable to take care of himself/herself and to protect themselves from harm or exploitation.

A number of studies suggest that children and vulnerable adults are at increased risk of abuse. Various factors contribute to this such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse has occurred.

Types of Abuse

It is generally accepted that there are four forms of abuse. However, in some cases negative discrimination and bullying can have severe and adverse effects on a child or vulnerable adult. SANA is committed to protecting children and vulnerable adults from all forms of abuse.

Recognising child abuse is not easy and it is not a person's responsibility to decide whether or not a child or vulnerable adult has been abused. It is a person's responsibility to pass on any concerns and for the Police and/or Social Work Department to investigate.

The signs of abuse listed are not definitive or exhaustive. The list is designed to help SANA members to be more alert to the signs of possible abuse.

Children and vulnerable adults may display some of the indicators at some time; the presence of one or more should not be taken as proof that abuse is occurring. Any of these signs or behaviours must be seen in the context of the child/vulnerable adult's whole situation and in combination with other information related to the child/vulnerable adult and his/her circumstances. There can also be overlap between different forms of abuse.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child or vulnerable adult such as to cause severe and adverse effects on their emotional development. It may involve conveying that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person.

It may feature age or developmentally inappropriate expectations being imposed on children or vulnerable adults. It may also involve causing a child or vulnerable adult to frequently feel frightened or in danger, or the corruption or exploitation of a child or vulnerable adult.

Emotional Abuse in Sport

This may include the persistent failure to show self-respect, build self-esteem and confidence by children or vulnerable adults that may be caused by:

- Exposure to humiliating or aggressive behaviour or tone.
- Failure to intervene where self-confidence and worth are challenged or undermined.

Signs of possible emotional abuse:

- Low self esteem
- Continual self deprecation
- Sudden speech disorder
- Significant decline in concentration
- Immaturity
- 'Neurotic' behaviour e.g. rocking
- Self-mutilation
- Compulsive stealing
- Extremes of passivity or aggression
- Running away
- Indiscriminate friendliness

Neglect

Neglect is the persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs. It may involve a parent or carer failing to provide adequate food, shelter, warmth, clothing and cleanliness. It may also include leaving a child home alone, exposure in a manner likely to cause unnecessary suffering or injury or the failure to ensure that appropriate medical care or treatment is received.

Neglect in sport

This could include the lack of care, guidance, supervision or protection that may be caused by:

- Exposure to unnecessary cold or heat.
- Exposure to unhygienic conditions, lack of food, water or medical care.
- Non-intervention in bullying or taunting.

Neglect, as well as being the result of a deliberate act, can also be caused through the omission or the failure to act or protect.

Signs of possible neglect:

- Constant hunger
- Poor personal hygiene
- Constant tiredness
- Poor state of clothing
- Frequent lateness or unexplained non-attendance at school
- Untreated medical problems
- Low self esteem
- Poor peer relationships
- Stealing

Physical Abuse

Physical Abuse may involve the actual or attempted physical injury to a child or vulnerable adult including hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise harming them.

Physical Abuse may also be caused when a parent or carer feigns the symptoms of or deliberately causes ill health to a child whom they are looking after. This situation is described as Munchausen Syndrome by Proxy. A person may do this because they need or enjoy the attention they receive through having a sick child.

Physical abuse may also be a deliberate act, omission or failure to protect.

Physical Abuse in Sport

This may include bodily harm caused by lack of care, attention or knowledge that may be caused by:

- Over training or dangerous training of athletes.
- Over playing an athlete.
- Failure to do a risk assessment of physical limits or pre-existing medical conditions
- Administering, condoning or failure to intervene in drug use.

Signs of possible physical abuse:

Most children will sustain cuts and bruises throughout childhood. These are likely to occur in bony parts of the body like elbows, shins and knees. In most cases injuries or bruising will be genuinely accidental. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury or the injury appears on parts of the body where accidental injuries are unlikely e.g. on the cheeks or thighs. The age of the child must also be considered. Signs of possible physical abuse include:

Unexplained injuries or burns, particularly if they are recurrent, improbable excuses given to explain injuries.

- Refusal to discuss injuries.
- Fear of parents being approached for an explanation.
- Untreated injuries, or delays in reporting them.
- Excessive physical punishment to themselves.
- Arms and legs kept covered in hot weather.
- Avoidance of swimming, physical education etc.
- Fear of returning home.
- Aggression towards others.
- Running away.

When considering the possibility of non-accidental injury it is important to remember that injuries may have occurred for other reasons e.g. skin disorders, rare bone diseases.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities whether or not they are aware of or consent to what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. This may include non-contact activities such as forcing children or vulnerable adults to look at or be involved in the production of pornographic material, to watch sexual activities or encouraging them to behave in sexually inappropriate ways.

Boys and girls can be sexually abused by males and/or females, including persons to whom they are not related and by other young people. This includes people from all walks of life.

Sexual Abuse in Sport

This could include contact and non-contact activities and may be caused by:

- Exposure to sexually explicit inappropriate language, jokes or pornographic material
- Inappropriate touching
- Having any sexual activity or relationship
- Creating opportunities to access children or vulnerable adults ' bodies

Not all children or vulnerable adults are able to tell that they have been sexually assaulted. Changes in their behaviour may be a signal that something has happened. It is important to note that there may be no physical or behavioural signs to suggest that a child or vulnerable adult has been sexually assaulted.

A child or vulnerable adult who is distressed may display some of the following physical, behavioural or medical signs that should alert you to a problem. It is the combination and frequency of these that may indicate sexual abuse. Always seek advice.

Signs of possible sexual abuse:

- Behavioural
- Lack of trust in adults or over familiarity with adults
- Fear of a particular adult
- Social isolation -withdrawn or introversion
- Sleep disturbance (nightmares, bed-wetting, fear of sleeping alone, needing a night light)
- Running away from home
- Girls taking over the mothering role
- Sudden school problems e.g. falling standards, truancy
- Reluctance or refusal to participate in physical activity or to change clothes for games
- Low self-esteem
- Drug, alcohol or solvent abuse
- Display of sexual knowledge beyond child 's age e.g. French kissing
- Unusual interest in the genitals of adults, children or animals
- Fear of bathrooms, showers, closed doors
- Abnormal sexual drawings
- Fear of medical examinations
- Developmental regression
- Poor peer relationships
- Over sexualised behaviour
- Compulsive masturbation
- Stealing
- Irrational fears

- Psychosomatic factors e.g. recurrent abdominal or headache pain
- Sexual promiscuity
- Eating disorders
- Physical or Medical signs
- Sleeping problems, nightmares, fear of the dark
- Bruises, scratches, bite marks to the thighs or genital areas
- Anxiety, depression
- Eating disorder e.g. anorexia nervosa or bulimia
- Discomfort/difficulty in walking or sitting
- Pregnancy -particularly when reluctant to name the father
- Pain on passing urine, recurring urinary tract problem, vaginal infections or genital damage
- Venereal disease/sexually transmitted diseases
- Soiling or wetting in children who have been trained
- Self-mutilation, suicide attempts
- Itchiness, soreness, discharge, unexplained bleeding from the rectum, vagina or penis
- Stained underwear
- Unusual genital odour

Negative Discrimination (including racism)

Children and vulnerable adults may experience harassment or negative discrimination because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs. Although not in itself a category of abuse, it may be necessary for the purposes of the Child and Vulnerable Adult Protection Policy and Procedures, for negative discriminatory behaviour to be categorised as emotional abuse.

Important Note: All organisations working with children and vulnerable adults including those operating where black and ethnic communities are numerically small, should address institutional racism, defined in the MacPherson Inquiry report on Stephen Lawrence as:

'The collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion'.

Bullying

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a young person or vulnerable adult. It can occur that the abuser may be a young person, for example in the case of bullying. See Appendix K Guidelines for Identifying and Managing Bullying.