



PROCEDURE FOR RESPONDING TO CONCERNS ABOUT A CHILD

These procedures apply to all staff/volunteers involved in **Scottish Pentathlon**.

1. Concerns about the General Welfare of a Child (NOT involving concerns about child abuse)

Scottish Pentathlon is committed to working in partnership with parents/carers whenever there are concerns about a child. Parents/carers have the primary responsibility for the safety and well-being of their children.

Where the concern does not involve the possibility of abuse, worries may be discussed with parents/carers. For example, if a child seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.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.

Any significant, untoward or unusual incidents which cause concern about the welfare of a child should be recorded on the Significant Incident Form and reported to **Scottish Pentathlon** Child Protection Officer as soon as possible. Parents/carers should also be informed of the circumstances as soon as possible.

Advice should be sought from **Scottish Pentathlon** Child Protection Officer if there is any uncertainty about the appropriate course of action where there are concerns about the general welfare of a child.

2. Concerns about the Abuse of a Child

What to Do if a Child Tells You about Abuse

No member of Scottish Pentathlon shall investigate allegations of abuse or decide whether or not a child has been abused.

Allegations of abuse must always be taken seriously. False allegations are very rare. If a child says or indicates they are being abused or information is obtained which gives concern that a child is being abused, the information must be responded to on the same day in line with the following procedure.

2a Respond

- React calmly so as not to frighten the child.
- Listen to the child and take what they say seriously. Do not show disbelief.
- Reassure the child they are not to blame and were right to tell someone.
- Be aware of interpreting what a child says, especially if they have learning or physical disabilities which affect their ability to communicate or English is not their first language.
- Do not assume that the experience was bad or painful - it may have been neutral or even pleasurable.
- Avoid projecting your own reactions onto the child.
- Avoid asking any questions. If necessary only ask enough questions to gain basic information to establish the *possibility* that abuse may have occurred. Only use open-ended, non-leading questions e.g. Who? Where? When?
- Do not introduce personal information from either your own experiences or those of other children.

Avoid:

- Panicking.
- Showing shock or distaste.
- Probing for more information than is offered.
- Speculating or making assumptions.
- Making negative comments about the person against whom the allegation has been made.
- Approaching the individual against whom the allegation has been made.
- Making promises or agreeing to keep secrets and giving a guarantee of confidentiality.

Observation/Information from an individual or agency

A concern or possible abuse of a child may be observed by another child or adult and information can come from an individual or another agency/organisation.

Where there is uncertainty about what to do with the information, directly from a child's disclosure or from someone else, **Scottish Pentathlon** Child Protection Officer must firstly be consulted for advice on the appropriate course of action.

If **Scottish Pentathlon** Child Protection Officer is unavailable or an immediate response is required, the police and social work services must be consulted for advice. They have a statutory responsibility for the protection of children and they may already hold other concerning information about the child. Record any advice given.

If you are concerned about the *immediate* safety of the child:

Take whatever action is required to ensure the child's immediate safety. Pass the information immediately to the police and seek their advice.

2b Record

Make a written record of the information as soon as possible using the Significant Incident Form, completing as much of the form as possible. The following information will help the police and social workers decide what action to take next:

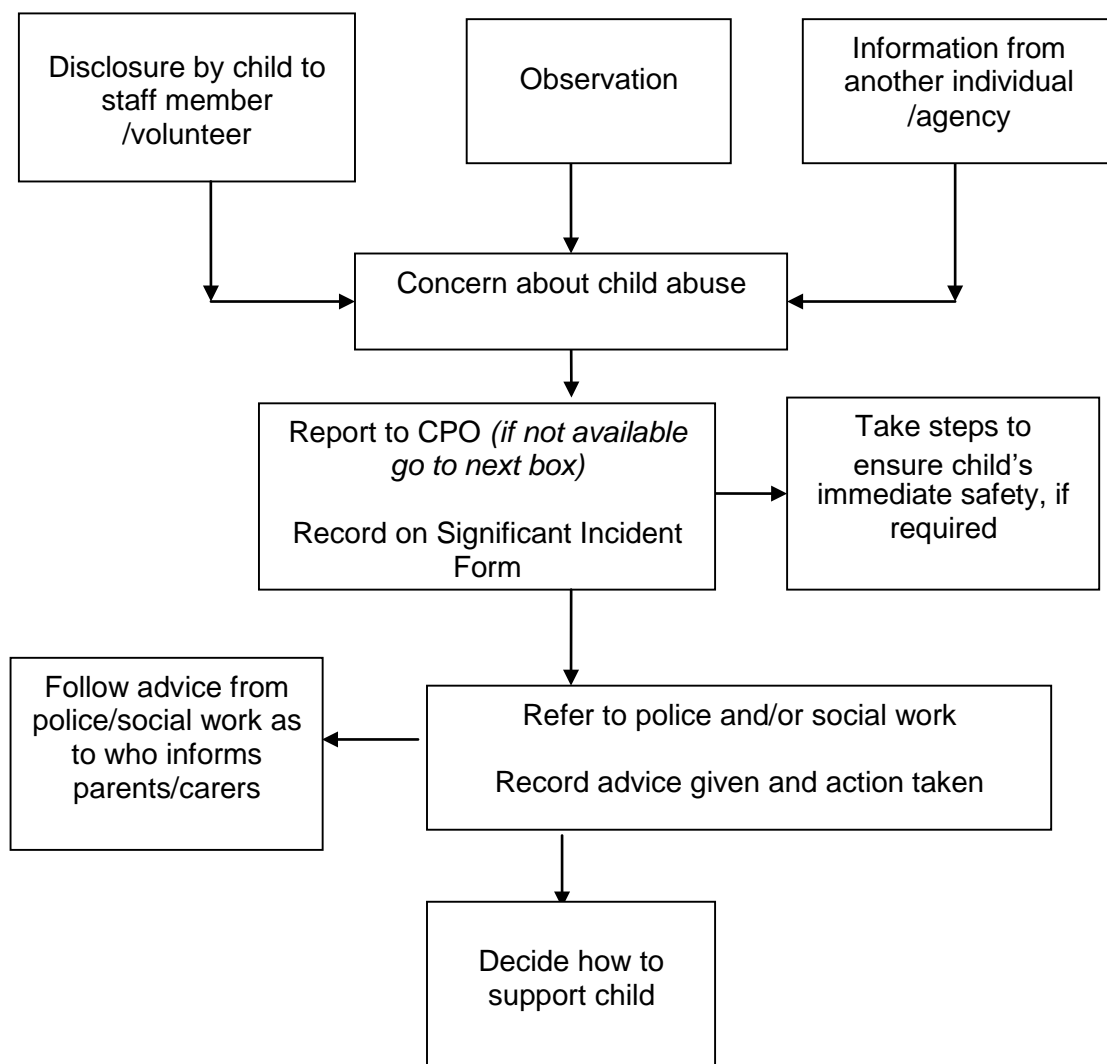
- Child's name, age and date of birth.
- Child's home address and telephone number.
- Any times, dates or other relevant information.
- Whether the person making the report is expressing their own concern or the concerns of another person.
- The child's account, if it can be given, of what has happened and how any injuries occurred *using the child's own words*.
- The nature of the concern (include all of the information obtained during the initial account e.g. time, date, location).
- A description of any visible (when normally dressed) injuries or bruising, behavioural signs, indirect signs (do not physically examine the child). □ Details of any witnesses.
- Whether the child's parents/carers have been informed.
- Details of anyone else who has been consulted and the information obtained from them.
- If it is not the child making the report, whether the child has been spoken to, if so what was said *using the child's own words*.
- The child's views on the situation.

If completing the form electronically, do not save copies to the hard drive, disk or pen-drive. Print a copy, sign and date and then delete immediately. Pass the record to social work services or the police and to the **Scottish Pentathlon** Child Protection Officer that day.

2c *Sharing Concerns with Parents/Carers*

Where there are concerns that the parents/carers may be responsible for or have knowledge of the abuse, sharing concerns with the parents/carers may place the child at further risk. ***In such cases advice must always firstly b***

RESPONDING TO CONCERNS ABOUT A CHILD FLOWCHART



PROCEDURE FOR RESPONDING TO CONCERNS ABOUT THE CONDUCT OF A MEMBER OF STAFF/VOLUNTEER

Concerns about the Conduct of a Member of Staff/Volunteer

This section of the procedure should be read in conjunction with **Scottish Pentathlon** Complaints Procedure/Performance Management Procedure/Disciplinary Procedure¹. The following section details the procedure to be followed where the concern is about a member of staff/volunteer.

These procedures aim to ensure that all concerns about the conduct of a member of staff/volunteer are dealt with in a timely, appropriate and proportionate manner. No member of staff/volunteer in receipt of information that causes concern about the conduct of a member of staff/volunteer towards children shall keep that information to himself or herself, or attempt to deal with the matter on their own.

In the event of an investigation into the conduct of a member of staff/volunteer all actions will be informed by the principles of natural justice:

- Employees and volunteers will be made aware of the nature of concern or complaint.
- Where the concern is about possible child abuse, advice will firstly be taken from the police as to what can be said to the employee or volunteer.
- An employee or volunteer will be given an opportunity to put forward their case.
- **Scottish Pentathlon** will act in good faith, ensure the matter is dealt with impartially and as quickly as possible in the circumstances.

In all cases where there are concerns about the conduct of a member of staff/volunteer towards children, the welfare of the child will be the paramount consideration.

At any point in responding to concerns about the conduct of a member of staff/volunteer, advice may be sought from the police or social work services.

1 Initial Reporting of Concerns

Any concerns for the welfare of a child arising from the conduct of a member of staff/volunteer must be reported to the line manager/ **Scottish Pentathlon** Child Protection Officer on the day the concern arises, as soon as practically possible.

Where the concern is about the line manager or the Child Protection Officer it must be reported to the Chief Executive or Chair of the organisation.

2 Recording

Concerns must be recorded using the Significant Incident Form as soon as possible. Reporting the concerns to the line manager/ **Scottish Pentathlon** Child Protection Officer should **not** be delayed by gathering information to complete the form or until a written record has been made.

All subsequent actions taken and reasons for decisions shall be recorded (in the order in which they happened) on the Significant Incident Form. This should be signed and dated by the line manager/ **Scottish Pentathlon** Child Protection Officer or the person appointed to manage the response to the concerns. Where Performance Management Procedures/Disciplinary Procedures* are invoked, a

¹ delete as appropriate to your organisation

written record will be made of all actions and reasons for decision. Guidance on the storage, sharing and retention of such records is contained in the relevant procedure.

3 *Establishing the Basic Facts*

Once the concerns have been reported, the line manager/ **Scottish Pentathlon** Child Protection Officer will:

- Establish the basic facts.
- Conduct an initial assessment of the facts in order to determine the appropriate course of action.
- Consult external agencies such as the police and social work services for advice at any time. This is important because they may hold other important information which, when considered alongside the current concerns, builds a significant picture of concern.

4 *Conducting the Initial Assessment*

The line manager/ **Scottish Pentathlon** Child Protection Officer will conduct the initial assessment.

The purpose of the initial assessment is to clarify the nature and context of the concerns. It should determine whether there is reasonable cause to suspect or believe that a child has been abused/harmed or is at risk of abuse or harm. Every situation is unique so guidance cannot be prescriptive.

- Where the established facts support a concern about possible abuse, the initial assessment will not form part of the disciplinary investigation.
- Subject to the nature and seriousness of the situation, if it is not clear at this stage whether a criminal offence may have been committed, the member of staff/volunteer *may* be approached as part of the information gathering process.
- Where the nature and seriousness of the information suggests that a criminal offence *may* have been committed, or that to assess the facts may jeopardise evidence, *advice will be sought from the police before the member of staff/ volunteer is approached.*
- An initial assessment of the basic facts may require the need to ask a child(ren) some basic, openended, 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.
- Interviewing children about possible abuse and criminal offences is the sole remit of specially trained police officers and social workers. Questioning of children by those conducting an initial assessment should always be avoided as far as possible. If it is necessary to speak to the child in order to clarify the basic facts, best practice suggests that consent from the parent be obtained.

Possible outcomes of initial assessment:

- (i) No further action (facts do not substantiate complaint).
- (ii) Situation is dealt with under **Scottish Pentathlon** Disciplinary Procedures.
- (iii) Child protection investigation (jointly by police and social work services).
- (iv) Criminal investigation (by the police).
The results of a criminal investigation may well influence the disciplinary investigation, but not in all cases.
- (v) Civil proceedings (by the child/family who alleged abuse).

5 Initial assessment supports concerns about poor practice and/or misconduct (but not possible child abuse)

The line manager/ **Scottish Pentathlon** Child Protection Officer will deal with the situation in line with **Scottish Pentathlon** Performance Management Procedures/Disciplinary Procedures².

² delete/use as appropriate to your organisation

Pending the outcome of any investigation conducted under Performance Management Procedures or Disciplinary Procedures, precautionary suspension will be considered in all cases where there is significant concern about the conduct of a member of staff/volunteer towards children (*see section 7*). The welfare of children will be the paramount concern in such circumstances.

Where the circumstances meet the referral criteria set out in the Protection of Vulnerable Groups (Scotland) Act 2007, **Scottish Pentathlon** has a duty to make a referral to Disclosure Scotland (*see section 11*).

6 Initial assessment supports concerns about possible child abuse

Where the initial assessment of information gives reasonable cause to suspect or believe possible child abuse the line manager/ **Scottish Pentathlon** Child Protection Officer will refer the concerns to the police and/or social work services as soon as possible on the day the information is received.

The line manager/ **Scottish Pentathlon** Child Protection Officer will make a written record of the name and designation of the social worker 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.

Referrals to the police/social work services will be confirmed in writing by the line manager/ **Scottish Pentathlon** Child Protection Officer within 24 hours. A copy of the Significant Incident Form should be provided to the police/ social work services on request.

Appropriate steps will be taken to ensure the safety of the child(ren) or who may be at risk. The parents/carers of the child(ren) involved will be informed as soon as possible following advice from the police/social work services.

Advice will firstly be obtained from the police/social work services about informing the staff member or volunteer involved in the concerns. If the advice is to inform the staff member or volunteer, they will be told that information has been received which may suggest an allegation of abuse. As the matter will be *sub judice* (i.e. under judicial consideration) no details will be given unless advised by the police. All actions will ensure the best evidence is preserved for any criminal proceedings while at the same time safeguarding the rights of the employee or volunteer.

Scottish Pentathlon will take all reasonable steps to support a member of staff/volunteer against whom an allegation of abuse has been made.

7 Precautionary Suspension

Suspension is not a form of disciplinary action. The member of staff/volunteer involved may be suspended whilst an investigation is carried out.

Suspension will be carried out by **[name of person/group/panel responsible]** in accordance with **Scottish Pentathlon** Disciplinary Procedures. At the suspension interview the member of staff or volunteer will be informed of the reason for suspension (within the confines of sharing information) and given the opportunity to make a statement – which will be recorded – should they wish to do so.

Notification of the suspension and the reasons will be conveyed in writing to the staff member or volunteer in accordance with **Scottish Pentathlon** Disciplinary Procedures.

8 Disciplinary Investigation

An ongoing criminal investigation does not necessarily rule out disciplinary action. However, any action taken must not jeopardise the criminal investigation. Advice must be taken from the police on this. Sufficient information should be available to enable the line manager/**Scottish Pentathlon** Child Protection Officer to make a decision whether to go ahead with disciplinary action.

9 **False or Malicious Allegations**

In exceptional circumstances where an investigation establishes an allegation is false, unfounded or malicious:

- The staff member or volunteer involved will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. They may wish to seek legal advice.
- All records pertaining to the circumstances and investigation should be kept in accordance with **Scottish Pentathlon** Policy on the Secure Storage of Information.
- The line manager/**Scottish Pentathlon** Child Protection Officer will take all reasonable steps to support the individual in this situation.
- In these circumstances **Scottish Pentathlon** will review the child's participation in **[sport]**. It may be appropriate to have a discussion with the child (with parental/carer permission).
- Data collected for the investigation will be destroyed in accordance with the requirements of the Data Protection Act 1998.

10 **Historical Allegations of Abuse**

Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by someone who is still currently working with children. These procedures will be followed in the event of an allegation of historical abuse.

11 **Protection of Vulnerable Groups (Scotland) Act 2007**

a) Scottish Pentathlon will refer to Disclosure Scotland the case of any member of staff/volunteer who (whether or not in the course of their role within the organisation) has:

- harmed a child
- placed a child at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child, or given inappropriate medical treatment to a child.

AND as a result:

1. **Scottish Pentathlon** has dismissed the member of staff or volunteer.
2. The member of staff or volunteer would have been dismissed as a result of the incident had they not resigned, retired or been made redundant.
3. **Scottish Pentathlon** has transferred the member of staff/volunteer to a position in **Scottish Pentathlon** which is not regulated work with children.
4. The member of staff or volunteer would have been dismissed or considered for dismissal where employment or volunteer role was not due to end at the expiry of a fixed term contract; or,
5. The member of staff or volunteer would have been dismissed or considered for dismissal had the contract not expired.

Scottish Pentathlon will also refer the case of a staff member or volunteer where information becomes available after the member of staff or volunteer has:

- been dismissed by **Scottish Pentathlon**,
- resigned, retired or been made redundant,
- been transferred to another position in **Scottish Pentathlon** which is not regulated work with children; and,

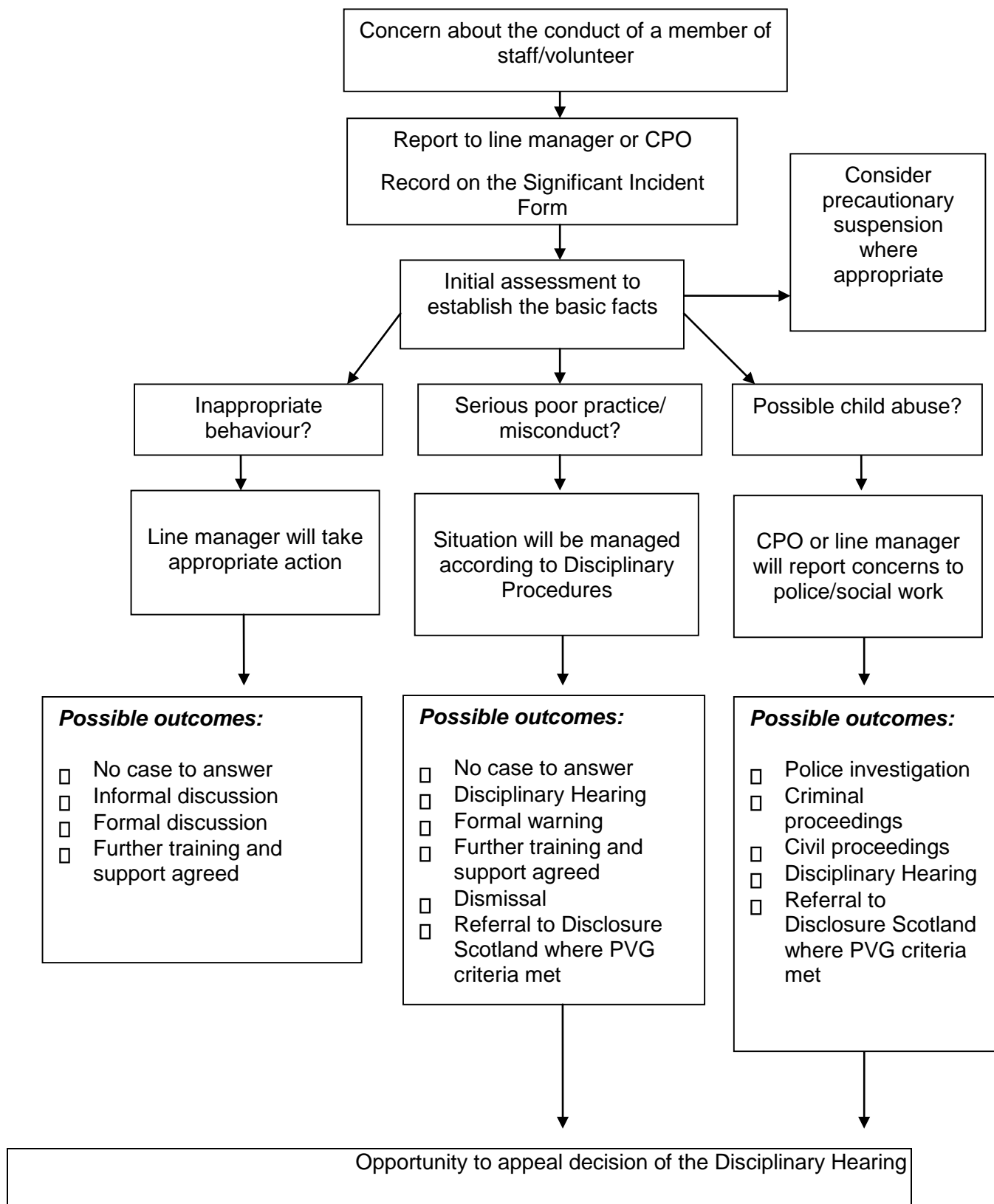
- where **Scottish Pentathlon** receives information that a member of staff or volunteer who holds a position of regulated work has been listed on the Children's List, the member of staff or volunteer will be removed from the regulated work with children post.
- b)** If Disclosure Scotland notify **Scottish Pentathlon** that a member of staff/volunteer is considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Remember that suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension the welfare of children will be the paramount concern.
- c)** If Disclosure Scotland inform **Scottish Pentathlon** that an individual is barred, that member of staff/volunteer will be removed from regulated work with children immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007.

12 Media

All media enquiries relating to the conduct of a member of staff or volunteer will be referred to **Scottish Pentathlon** Chair/Chief Executive/General Manager and/or the Child Protection Officer³.

³ delete as appropriate to your organisation

RESPONDING TO CONCERNS ABOUT THE CONDUCT OF A MEMBER OF STAFF/VOLUNTEER FLOWCHART



SIGNIFICANT INCIDENT FORM - TEMPLATE

This form must be completed as soon as possible after receiving information that causes concern about the welfare or protection of a child. The form must be passed to **[Club Name/Child Protection Officer]** as soon as possible after completion; do not delay by attempting to obtain information to complete all sections.

Complete Part A of this form if the concerns relate to the general welfare of a child.
Complete Parts A and B if the concerns relate to possible child abuse.

PART A WHERE THERE ARE CONCERNS ABOUT GENERAL WELFARE OF A CHILD

1. Child's Details

Name:	Date of Birth:
Address:	Tel No:
Postcode:	
Preferred Language:	Is an interpreter required? YES / NO
Any Additional Needs?	

2. Details of Person Recording Concerns

Name:	Position/Role:
Address:	Tel No:
Postcode:	

3. Details of Incident giving rise to Concerns

(including date, time, location, nature of concern, who, what, where, when, why)

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4. Details of any witnesses

(including names, addresses and telephone contacts)

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5. Details of injuries

(including all injuries sustained, location of injury and action taken)

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PART B WHERE THERE ARE CONCERNS ABOUT POSSIBLE CHILD ABUSE

6. Details of person about whom there is a concern

Name:	Relationship to Child:
Address:	Tel No:
Postcode:	

7. Details of concerns

(including date, time, location, nature of concern, who, what, where, when, why
Continue on a separate sheet if necessary)

8. Details of any action taken

9. Details of agencies contacted

(including date, time, name of person contacted and advice received)

10. Have the child's parents/carers been informed? YES/NO (delete as appropriate) If yes, record details / If no please state why not:

11. Child's views on situation (if expressed). Where possible, please use the child's own words.

Signed: _____

Date: _____

Print _____

Name: _____

Position: _____