

RESPONDING TO CONCERNS ABOUT A CHILD PROCEDURE

Children have the right to say what they think in all matters affecting them and to have their views taken seriously (Article 12, UNCRC). This must be at the forefront of any concerns that are raised about a child. Their views must be considered based on the age and maturity of each child. They also have a right to privacy (Article 16, UNCRC) which is also important to consider when assessing if and at what stage information is shared and who with.

These procedures apply to all volunteers and staff involved in Lochgilphead Soccer Centre or Lochgilphead Red Star Youth activities with children under 18 years old.

1. Best interests of the child

Lochgilphead Soccer Centre 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 wellbeing of their children.

Where concerns are raised about a child, this will be considered in line with the wellbeing indicators and *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 For example, if a child seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.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 and the best interests of the child will be considered as to what is the best support for each individual child. Children will be asked who they feel is suitable to be informed and when relevant, consent gained from the child.

Confidentiality will not be maintained if it is assessed that a child is at risk or their wellbeing is being impacted in such a way that their right to be protected becomes more significant. Any incidents which cause concern about the wellbeing of a child should be recorded on the Concern Recording Form (can be found on appropriate Affiliated National Association website) and reported to Lochgilphead Soccer Centre's Child Wellbeing and Protection Officer as soon as possible. In line with early intervention, the principles of the Children and Young People (Scotland) Act 2014 and the Getting it Right for Every Child approach, appropriate and proportionate information may be shared with the child's Named Person.

2. Information regarding a concern about a child

Club volunteers or members of staff may be informed in different ways with regards to details of a concern about a child. This may be a direct disclosure by the child. In this situation follow section 4 in responding to that disclosure. The details may become clear due to the observation of a child, which is perhaps demonstrated in a change in their behaviour, appearance or nature. A third option could be information that is shared from another individual or organisation. A concern or possible abuse of a child may be observed by another child or adult.

Depending on the nature of the concern, observations or information from others, this may not need to be discussed with the child, instead the information recorded then reported. Advice should be sought from the Child Wellbeing and Protection Officer if there is any uncertainty about the appropriate course of action where there are concerns about a child's wellbeing which can be discussed by anonymising the child, therefore maintaining confidentiality if appropriate.

If the Child Wellbeing and Protection Officer is not available and an immediate response is required, the police and social work services must be contacted. 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, actions taken and the response by other agencies. At the earliest opportunity thereafter the Child Wellbeing and Protection Officer should be informed.

3. Concerns affecting a child's wellbeing

If a concern about a child is identified that affects one or more of their eight wellbeing indicators (SAFE, HEALTHY, ACTIVE, NURTURED, ACHIEVING, RESPECTED, RESPONSIBLE, INCLUDED), complete Part A of the Concern Recording Form.

When information is being recorded about a child, it is important that the child understands why we are recording their details and gain their consent where possible for further reporting of the concern. If a child recognises that people can help and support, and that this is the purpose of their details being shared, they will be more included and informed of the processes.

Where there is information or details in relation to the conduct an adult affecting a child's wellbeing, this should be recorded in Part B of the Concern Recording Form.

4. Child's right to be protected

Where the concern about a child's wellbeing suggests they are in need of protection, the information must be passed on with or without their consent for the purposes of their protection. Allegations of abuse must always be taken seriously. ***No member of Lochgilphead Soccer Centre shall investigate allegations of abuse or decide whether or not a child has been abused.*** 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.

What to Do if a Child Discloses Abuse

4.1 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. What? When? Where? Who?
- 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.

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.

4.2 Record

Make a written record of the information as soon as possible using the Concern Recording Form completing as much of the form as possible. It is important that we include the contact details of the child's Named Person which will have been collated within their Consent Form – U18 Players.

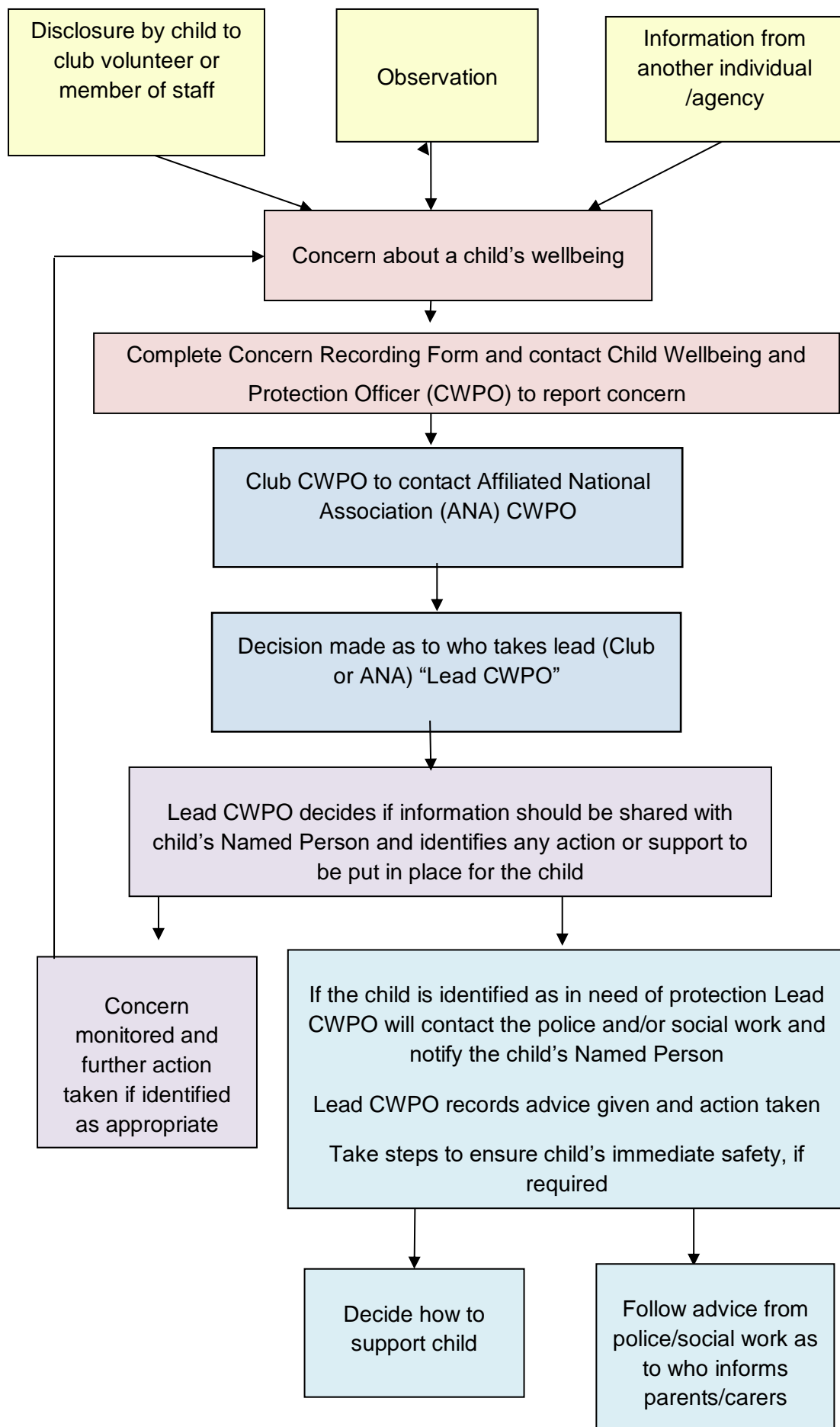
4.3 Report

Contact the Child Wellbeing and Protection Officer **Ben Tustin (mobile 07412 869716)** to report the concern then email the completed form to **btustin71@btinternet.com** as soon as possible after completion; do not delay by attempting to obtain information to complete all sections. The club Child Wellbeing and Protection Officer will email the concern recording form to the appropriate Affiliated National Association. Please do not keep any electronic, printed or written versions of this form. It is important to maintain confidentiality to delete or shred as soon as the information has been passed on.

4.4 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 be sought from the Child Wellbeing and Protection Officer or the police/social work services as to who informs the parents/carers.***

RESPONDING TO CONCERNS ABOUT A CHILD PROCEDURE FLOWCHART



RESPONDING TO CONCERNS ABOUT THE CONDUCT OF AN ADULT PROCEDURE

In all cases where there are concerns about the conduct of an adult towards a child, the best interests and wellbeing of the child will be the paramount consideration. These procedures aim to ensure that all concerns about the conduct of an adult are dealt with in a timely, appropriate and proportionate manner.

No club volunteer or member of staff in receipt of information that causes concern about the conduct of an adult towards children shall keep that information to himself or herself, or attempt to deal with the matter on their own.

At any point in responding to concerns about the conduct of an adult, advice may be sought from the police or social work services.

1. Initial Reporting of Concerns

Any concerns for the wellbeing of a child arising from the conduct of an adult must be reported to the club's Child Wellbeing and Protection Officer on the day the concern arises, as soon as practically possible.

Where the concern is about the Child Wellbeing and Protection Officer it must be reported to the Chairperson. In this situation, they will then take on the role and responsibilities as listed below of the Child Wellbeing and Protection Officer.

2. Recording and Reporting

Concerns must be recorded using the Concern Recording Form as soon as possible. Contact the Club Child Wellbeing and Protection Officer **Ben Tustin (mobile 07412 869716)** to report the concern then email the completed form to **btustin71@btinternet.com** as soon as possible after completion; do not delay by attempting to obtain information to complete all sections. The club CWPO will email the concern recording form to the appropriate Affiliated National Association. Please do not keep any electronic, printed or written versions of this form. It is important to maintain confidentiality to delete or shred as soon as the information has been passed on.

All subsequent actions taken and reasons for decisions shall be recorded (in the order in which they happened). These records should be signed and dated by the relevant Child Wellbeing and Protection Officer. Where appropriate Affiliated National Association Disciplinary Procedures are invoked for club volunteers or members of staff, a written record will be made of all actions and reasons for decision.

3. Establishing the Basic Facts

Once the concerns have been reported, the Club Child Wellbeing and Protection Officer will:

- 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 Club Child Wellbeing and 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 as far as possible at the initial stage if the adult's conduct was inappropriate behaviour, serious poor practice/misconduct or whether there is reasonable cause to suspect an adult's behaviour and conduct has been criminal. Every situation is unique so guidance cannot be prescriptive.

- Where the established facts support a concern of criminal behaviour, 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 club volunteer or member of staff *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 club volunteer or member of staff is approached.
- An initial assessment of the basic facts may require the need to ask a child 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.
- 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/carer be obtained.

Possible outcomes of initial assessment:

- (i) No further action (facts do not substantiate complaint).
- (ii) Situation is dealt with under the appropriate Affiliated National Association Disciplinary Procedures for members of staff and volunteers.
- (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 raised the concern).

5. Initial Assessment Supports Concerns about Poor Practice and/or Misconduct

The club Child Wellbeing and Protection Officer will deal with the concern in line with the Affiliated National Association Disciplinary Procedures for members of staff and volunteers. In the event of an investigation into the conduct of a volunteer or member of staff, all actions will be informed by the principles of natural justice:

- They will be made aware of the nature of concern.
- They will be given an opportunity to put forward their case.
- The club will act in good faith, ensuring the matter is dealt with impartially and as quickly as possible in the circumstances.

Pending the outcome of any investigation, precautionary suspension will be considered in all cases where there is significant concern about the conduct of a volunteer or member of staff towards children. The club will share the concern with the appropriate Affiliated National Association CWPO. Any impact on a child's wellbeing caused by an adult's poor practice and/or misconduct will be passed on to the child's Named Person by the CWPO.

6. Initial Assessment Supports Concerns about Possible Criminal Behaviour

Where the initial assessment of information gives reasonable cause to suspect an adult's behaviour and conduct has been a criminal offence, the Child Wellbeing and Protection Officer will report the concerns to the police as soon as possible on the day the information is received. The Child Wellbeing and Protection Officer will make a written record of the name of 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 will be confirmed in writing by the Child Wellbeing and Protection Officer within 24 hours. A copy of the Concern Recording Form should be provided to the police 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. Any impact on a child's wellbeing caused by an adult's possible criminal behaviour will be passed on to the child's Named Person.

Advice will firstly be obtained from the police about informing the volunteer or member of staff involved in the concerns. If the advice is to inform them, they will be told that information has been received which may suggest an allegation of abuse or possible criminal offence. 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 volunteer or member of staff.

The club and appropriate Affiliated National Association will take all reasonable steps to support a volunteer or member of staff against whom a concern has been raised.

7. Precautionary Suspension

Suspension is not a form of disciplinary action. The member of staff or volunteer involved may be suspended whilst an investigation is carried out. Suspension will be carried out by the appropriate Affiliated National Association in accordance with their 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 volunteer or member of staff in accordance with the Affiliated National Association's 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 Child Wellbeing and Protection Officer to make a decision whether to go ahead with disciplinary action.

9. False or Malicious Allegations

Where an investigation establishes an allegation or concern raised is false, unfounded or malicious:

- The volunteer or member of staff 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 shall be kept confidentially.
- The Child Wellbeing and Protection Officer will take all reasonable steps to support the individual in this situation.
- In these circumstances the Affiliated National Association will review the child's participation in football. It will be appropriate to have a discussion with the child (with parental/carer permission) in determining their views and opinions.
- 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) The Affiliated National Association will refer to Disclosure Scotland the case of any member of staff or volunteer who (whether or not in the course of their role with the Affiliated National Association) 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. The Affiliated National Association 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. The Affiliated National Association has transferred the member of staff or volunteer to a position in the Affiliated National Association 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.

The Affiliated National Association will also refer the case of a member of staff or volunteer where information becomes available after the member of staff or volunteer has:

- been dismissed by the Affiliated National Association,
- resigned, retired or been made redundant,
- been transferred to another position in the Affiliated National Association which is not regulated work with children; and,
- where the Affiliated National Association 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.

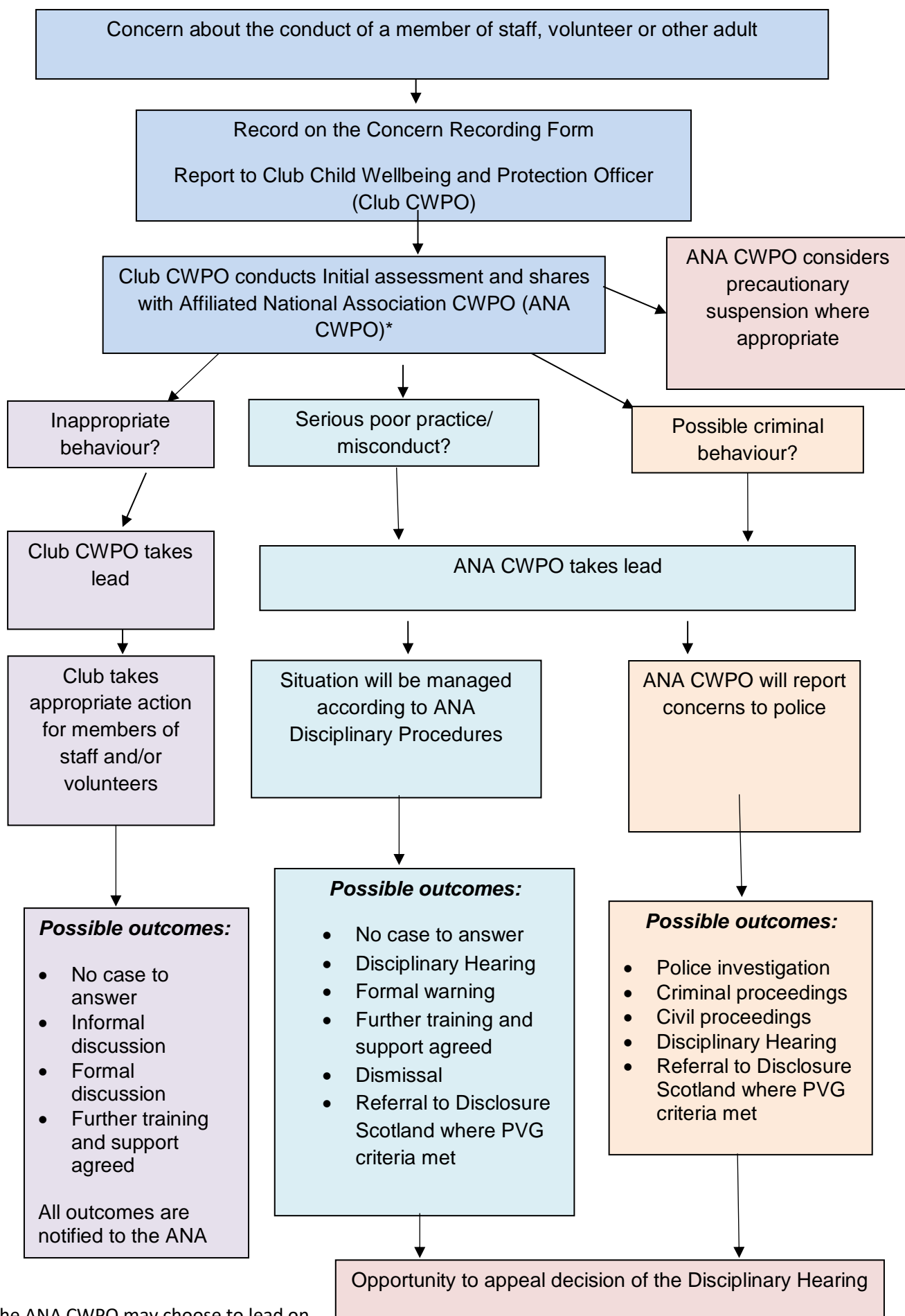
b) If Disclosure Scotland notifies the Affiliated National Association that a member of staff or volunteer is considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Precautionary suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension the best interests and wellbeing of children will be the paramount consideration.

c) If Disclosure Scotland informs the Affiliated National Association that an individual is barred, that member of staff or 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 volunteer or member of staff will be referred to the Affiliated National Association.

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*the ANA CWPO may choose to lead on inappropriate behaviour concerns