



Child & Vulnerable Adult Protection Policy

Child & Vulnerable Adult Protection Policy:

1.1 Responsibilities

Edina Hibs will:

- Respect and promote the rights of children and vulnerable adults for whom they are responsible.
- Accept the moral and legal responsibility to provide a duty of care for children and vulnerable adults for whom they are responsible, and implement procedures to safeguard their well-being and protect them from all forms of abuse.
- Promote the health and welfare of children and vulnerable adults by providing opportunities to participate in football safely.
- Recruit, train, support and supervise its staff to adopt best practice to safeguard and protect children and vulnerable adults for whom they are responsible from abuse and to minimise risk to themselves.
- Require staff to adopt and abide by this Child & Vulnerable Adult Protection Policy and supporting Procedures.
- Respond to any allegations of abuse in line with these procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Review and evaluate this policy and supporting procedures on a regular basis.

1.2 Principles

The welfare of children and vulnerable adults is everyone's responsibility, particularly when it comes to protecting them from abuse. Children and vulnerable adults have a lot to gain from football. Their natural sense of fun and spontaneity can blossom in positive football organisations. They provide an excellent opportunity for them to

learn new skills, become more confident and maximise their own unique potential. This policy and the supporting procedures are based on the following principles:

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse.
- It is everyone's responsibility to report any concerns of abuse and the responsibility of the Social Work Department and the Police to conduct, where appropriate, a conjoint interview. The role of the Social Work Department is to carry out a risk assessment and it is for the Police to determine whether a criminal offence has occurred.
- All incidents of alleged poor practice and abuse will be taken seriously and responded to swiftly and appropriately.
- Confidentiality is upheld and personal data is processed in accordance with the requirements of the Data Protection Act 1998 and the Human Rights Act 1998.

1.3 Legal Framework

This Policy and supporting Procedures are defined and informed by the following legislation and guidance:

- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975
- UN Convention of the Rights of the Child 1992
- The Children (Scotland) Act 1995
- The Criminal Procedure (Scotland) Act 1995
- Protecting Children A Code of Practice for Voluntary Organisations in Scotland Working with Children and Young People 1995
- The Sex Offenders Act 1997
- The Police Act 1997
- The Human Rights Act 1998
- The Data Protection Act 1998
- The Scottish Office Protecting Children – A Shared Responsibility: Guidance on inter-agency co-operation 1998
- Sexual Offences (Amendments) Act, 2000
- Adults with Incapacity (Scotland) Act 2000
- Disclosure Scotland Code of Conduct Making Scotland Safer (2002)
- Disclosure Scotland Code of Conduct Protecting the Vulnerable by Safer Recruitment (2002)
- The Protection of Children in (Scotland) Act 2003

1.4. Definitions of Abuse and Examples in Sport

These can be found in Appendix 2

2 Child & Vulnerable Adult Protection Procedures

2.1 Recruitment and Employment of Staff

Introduction

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

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

2.2 Pre-recruitment Process and Induction

Advertising

For all forms of advertising used to recruit staff for positions involving children or vulnerable adults the following will be included:

- The aims of The Scottish Football Association and where appropriate, 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).
- The organisation's open and positive stance on child protection

Pre-Application Information

Pre-application information for positions involving children or vulnerable adults will be sent to interested or potential applicants and will include:

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

Application and Self-Declaration Form

All applicants will be requested to complete an Application Form and all shortlisted candidates will be asked to complete a Self-Declaration Form provided by the Human Resources Department.

References

References will be sought as required within the Scottish Football Association's Recruitment and Selection Policy and Procedures. 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

with children or vulnerable adults a training requirement will be agreed before appointment.

Existing Staff

In light of the requirements of The Protection of Children (Scotland) Act 2003 (see Appendix 3, The Protection of Children (Scotland) Act 2003) all staff will be required to be the subject of a Disclosure check every five years from January 2006.

Checks

Prior to appointment a Disclosure Scotland Check and/or equivalent international check (if the applicant comes from abroad), will be completed. As recommended by Disclosure Scotland (Protecting the Vulnerable by Safer Recruitment 2002), the following types of checks will be requested for the following positions requiring contact with children and vulnerable adults:

Standard Disclosure

Standard disclosures will be available for 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 requires regular caring for, training, supervising or being in sole charge of children and young people.

Interview

For positions that require contact with children or vulnerable adults, interviews will be carried out in accordance with the Scottish Football Association Recruitment and Selection Policy and Procedures.

Induction

The induction process for the new member will include the following:

- A profile identifying training and any other needs and aspirations
- Clarification, agreement and signing up to the child protection policy and procedures
- Clarification of the expectations, roles and responsibilities of the position

Training

New staff will complete the following training over an agreed period:

- Child protection training
- Working effectively with children training (including presentation skills, developing child friendly resources and activities)
- Data Protection training

- Any other identified training needs

Monitoring and Performance Management System

All personnel are required to participate in The Scottish Football Association Performance Management System. This includes a performance development meeting with the line manager, evaluation of progress, setting of new goals and identification of training needs. The line manager and the Human Resources Manager will address any areas of responsibility which need to be worked on and provide the support to do this.

2.3 Staff with Specific Child & Vulnerable Adult Protection Responsibilities

Human Resources Manager

The Human Resources Manager has the main responsibility for managing child and vulnerable adult protection issues with staff. The role of the Human Resources Manager in relation to staff matters is largely detailed in The Scottish Football Association Procedure for Managing Suspicions and Allegations of Abuse of a Child or Vulnerable Adult against a Staff Member (see Appendix 4).

Other Staff Specific Roles

The Scottish Football Association has two members of staff namely the Head of the Youth Development Programme and the Head of Coaching and Education with direct responsibility for the promotion and development of child and vulnerable adult protection programmes. Their responsibilities will include:

- Establishing and raising awareness of child and vulnerable adult protection.
- They will also be the Child Protection Co-ordinators for the purposes of these Guidelines.
- Ensuring that the latest information on child and vulnerable adult issues is accessible within the organisation and available for partner organisations.
- Encouraging good practice and support of child and vulnerable adult protection training.
- Liaising with football organisations.

Independent Person

The Scottish Football Association has appointed Dr John Maclean, Medical Director of the National Stadium Sports Medicine Centre for the purpose of these Guidelines.

2.4 Code of Conduct for the Protection of Children & Vulnerable Adults

The Code of Conduct details the Standards and practice required by all staff and members of the Council of the Scottish Football Association when in contact with children and vulnerable adults. These are categorised into good practice; practice to be avoided; practice never to be sanctioned; and safe practice in unforeseen circumstances. If there is a suspicion or allegation of non-compliance by a staff member with this Code the staff member will be dealt with through the Scottish Football Association Disciplinary Procedures or the Procedure for Managing

Allegations of Abuse of a Child or Vulnerable Adult against a Staff Member or a member of the Council. If there is a suspicion or allegation of non-compliance by a member of the Council with this the Code the member of the Council will be dealt with through the Scottish Football Association Procedure for Managing Allegations of Abuse of a Child or Vulnerable Adult against a Staff Member or a member of the Council.

The Scottish Football Association supports and requires the following good practice with children and vulnerable adults:

For programmes involving children or vulnerable adults:

- Make football 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 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 and the child or vulnerable adult is informed of what is being done.
- For educational instruction, the instruction is to be delivered firstly 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. If it is known prior to a programme that hands on assistance will be required, the parent/guardian's consent must be obtained before they participate in the programme.
- Maintain a safe and appropriate distance from children and vulnerable adults e.g. do not have an intimate relationship.
- Build balanced relationships based on mutual trust that empowers children to share in the decision-making process.
- Involve parents and carers wherever appropriate.
- Recognise the developmental needs and capacity of children and vulnerable adults, avoid excessive training or competition and either pushing them against their will or putting undue pressure on them.

Medical Consent, injuries and applying first aid:

- All parents/guardians of children under 16 must complete the Activities and Medical Consent Form (Appendix 5) before participating in a Scottish Football Association programme, activity or event.
- If a child or vulnerable adult requires first aid or any form of medical attention whilst in your care, then the following guidance must be followed:
 - All staff should endeavour to be aware of any existing medical conditions and/or pre-existing injuries and any treatment required.
 - 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 which they understand, and their permission should be 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's parents/guardians or carers must be informed of any injury and any action taken as soon as possible
- An Incident Record Form (see Appendix 7) must be completed and signed and passed to the Line Manager as soon as possible.

Transporting of children or vulnerable adults:

- Request permission if staff are required to transport young people in their cars or minibuses.
- Ensure all vehicles are insured.
- Whilst acknowledging that same gender abuse can occur, ensure where possible, if a mixed group of children or vulnerable adults are taken away, the group has a male and female member of staff accompanying them.
- All reasonable safety measures are taken e.g. children in the back seat, seatbelts.

Practice to be avoided

The following practice should be avoided. If situations arise where these situations are unavoidable, they should only occur with the full knowledge and consent of a line manager and/or the child or vulnerable adult's parents/guardians e.g. a child sustains an injury and needs to go to hospital or a parent/guardian fails to pick up a child at the end of a session.

- Avoid having 'favourites' – this could lead to resentment and jealousy by other children or vulnerable adults and could be a cause for false allegations.
- Avoid spending excessive amounts of time alone with children away from others.
- Ensure that if children or vulnerable adults are taken away adults avoid entering children's rooms unless in emergency situations or a health and safety issue arises.
- Avoid taking children to your home.

Practice never to be sanctioned

- Never engage in rough, physical or sexually provocative games, including horseplay.
- Never allow or engage in any form of inappropriate touching.
- Never make sexually suggestive comments to a child, even in fun.
- Never reduce a child to tears as a form of control.
- Never allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Never invite or allow children to stay with you at your home unsupervised.

- Never do things of a personal nature for children and vulnerable adults that they can do for themselves.

Important Note: It may sometimes be necessary for staff or volunteers to do things of a personal nature for children, particularly if they are very young or vulnerable. These tasks should only be carried out with the full understanding and consent of their parents/guardians involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is 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. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

Reporting

It is very important if any of the following incidents should occur, that they are reported on the day to their line manager, and the Scottish Football Association Incident Record Form is completed (Appendix 6). Parents should also be informed of the incident. It is expected that staff will apply judgement and common sense when reporting an incident for example, in any of the following circumstances:

- 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 done that has serious implications.
- If a child or vulnerable adult appears to be sexually aroused by your actions.
- If a child or vulnerable adult needs to be restrained.

2.5 Consent - Photographs (including Digital Images), Videoing and Filming of Children and Vulnerable Adults and Web-sites

In all circumstances where children and vulnerable adults are likely to be photographed or video-recorded or digital images taken, it is necessary to obtain appropriate consent. Staff should ask all parents to complete the standard Consent Form (Appendix 5) when enrolling in an SFA youth activity or going on a trip. Although children can consent to having their photographs taken from 12 years of age so long as the child understands the implications (see Appendix 9), consent should also be provided by parents; this will ensure that both parties' legal rights are met. A judgement call will have to be made for some children with learning difficulties over 12 and vulnerable adults. If in doubt parental consent should be sought. Records should be kept in a secure and confidential file. It will be the responsibility of the Parent/Guardian to inform of any change in circumstances.

Storage of Photographs and videos:

These should be stored in line with the Data Protection Act i.e. all negatives and master copies should be in a secure place and labelled clearly. The video/photographs should not be kept for a longer period than is necessary i.e. the purpose for which they were taken.

Digital images

The files should be stored on a secure system and deleted when they are no longer required. If the images are to be stored on a fileserver then access should be controlled by a password.

Video, Film or Photographs (including digital images) as an Educational Aid Consent is collected from the parents/guardian of the child or vulnerable adult (Appendices 8, 9 & 9(i)) and they should be informed:

- The reason for use of the video, film or photographs
- How the equipment will be used
- How the video, film or photograph will be processed
- Who will have access to the video, film or photographs
- Where the film, video or photographs will be stored
- How long the film, video or photographs will be kept

Concerns about Photographers, Video or Film Operators

Any concerns with the manner in which or the products of photographers or video or film operators are to be reported to either the Event or Media Manager (for events) or the Programme Manager (for use as an educational aid) and the Human Resources Manager.

Children or Vulnerable Adults in Publications and on the Internet

Football 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. It can however, also provide information about children and vulnerable adults that could put them at risk. The following procedure is to be followed to ensure publications and the Internet does not put children and vulnerable adults at risk.

Publications and the Internet must adhere to the following:

- At no time is a publication or Internet site to 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 needs to be directed to either a general Scottish Football Association address or another relevant organisation's address e.g. a governing body or club.
- Before publishing any information, written consent needs to 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.
- Pictures or videos of children or vulnerable adults or a picture giving limited additional information may be used.
- The content of pictures or videos of children or vulnerable adults are to be reviewed to ensure they are not portraying the child or vulnerable adult in a demeaning or tasteless manner. Where reasonably practicable use photographs or shots that show the child or vulnerable adult:
 - In profile
 - With their backs to the cameras
 - Their faces are not clearly visible
- 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 football activity. Where relevant, a tracksuit may be more appropriate attire.

- 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.
- All published events involving children or vulnerable adults will require review to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child events e.g. team coaching sessions are not to be distributed to any individuals other than to those directly concerned.
- Particular care is to be taken in publishing photographs, films or videos of children or vulnerable adults who are considered particularly susceptible e.g. a child who may be the subject of a child protection case or a matrimonial dispute where it is known.
- 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 susceptible to abuse (Morgan, 1979; Watson, 1984).

Important Note: Any concerns or enquiries about publications or Internet information are to be discussed with Human Resources Manager.

2.6 Organised Events - Photographs (including Digital Images), Videoing and Filming of Children and Vulnerable Adults

There is evidence that some people have used football venues 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 and to minimise risk.

For activities or events where children or vulnerable adults are participating which are not in a public place:

- Anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Activity, Event or Media Manager.
- Professional photographers, film or video operators wishing to record the activity or event should seek accreditation with the event organiser by producing their professional identification for the details to be recorded. Ideally this should be requested at least five working days before the event.
- Students or amateur photographer, film or video operators wishing to record the activity or event should seek accreditation with the event organiser by producing their student card or a relevant letter from the organisation they represent e.g. club outlining their motive for attending the event.
- The Activity, Event or Media Manager must record all details of photographers, film and video operators, including professional identification or relevant consent information (Appendix 8 Form for Media)
- 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.
- The requirements above are publicly promoted to ensure all people present at the event understand the procedure and are aware of where to proceed with it and who to contact if concerned.

- No unsupervised access or one-to-one sessions are to be permitted unless this has been approved in advance and appropriate vetting has occurred e.g. Disclosure Scotland check.

NB – Edina Hibs has no control over who can take photographs or video in a public space unless they present themselves as a demonstrable risk to children or vulnerable adults.

3 Responding to Disclosures, Suspicions and Allegations of Abuse

Any allegation of physical or sexual abuse must be taken seriously. Although false allegations of abuse do occur, they are rare. 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 immediately i.e. in line with the following procedures on the day.

3.1 Definitions of Abuse of Children or Vulnerable Adults

It is very important that individuals understand what abuse of a child or vulnerable adult is. The different types of abuse are listed below:

- Emotional Abuse
- Neglect
- Physical Abuse
- Sexual Abuse
- Race and Racism
- Bullying (includes bullying by gangs; bullying by family members; physical bullying; verbal bullying; teasing; and harassment)

Further details of these definitions can be found in Appendix 2

It is not the responsibility of anyone from Edina Hibs to take responsibility or decide whether or not child abuse is taking place. It is however an individual's responsibility to pass on their concerns.

3.2 Responding to a Disclosure

On receiving information concerning a disclosure follow the steps below:

- 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 while 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 that the experience was bad or painful – it may have been neutral or even pleasurable. Always avoid projecting your own reactions onto the child.
- 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.
- Reassure the child.
- Pass your concerns on the day to the Child Protection Co-ordinator and/or the Social Work Department or the Police in the area where the abuse is alleged to have occurred (these services are available 24 hours a day).
- Make a full record of what has been said, heard and/or seen as soon as possible in the child/vulnerable adult's own words. If available, include the following information:
 1. Name of child/vulnerable adult
 2. Age, date of birth of child/vulnerable adult
 3. Home address and telephone number of the child/vulnerable adult
 4. The nature of the allegation in the child's own words.
 5. Any witnesses to the incident/s
 6. Any times, dates or other relevant information.
 7. Whether the person making the report is expressing their own concern or the concerns of another person
 8. The child/vulnerable adult's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
 9. The nature of the allegation (include all of the information obtained during the initial account e.g. time, date, location of alleged incident if available)
 10. A description of any visible injuries or bruising, behavioural signs, indirect signs
 11. Details of any witnesses to the incident
 12. Whether the child/vulnerable adult's parent or guardian have been contacted
 13. Details of anyone else who has been consulted and the information obtained from them
 14. If it is not the child/vulnerable adult making the report, whether the child/vulnerable adult been spoken to, if so what was said
- Record, sign and date on the day what you have seen or been told, using the Scottish Football Association Referral Form (Appendix 11).
- If making an electronic copy do not save to the hard drive or floppy disk. Print off the record, sign and date, and then delete electronic copy, all on the day.

Remember: Listen, Respond, Report and Record.

Actions to Avoid:

On receiving information concerning a disclosure:

- Do not panic.
- Do not allow shock or distaste to show.
- Do not probe for more information than is offered.
- Do not speculate or make assumptions.
- Do not make negative comments about the alleged abuser.
- Do not approach the alleged abuser.
- Do not make promises or agree to keep secrets.

- Do not give a guarantee of confidentiality.

3.3 Allegations of Previous Abuse (Historical Abuse)

An adult who was abused may make allegations of abuse sometime after the event e.g. as a child or by a member of staff who is still currently working with children. Where such an allegation is made, these procedures should be followed and the matter reported to the Social Work Department or the police. This is because other children, either within or outside football, may be at risk from this person.

3.4 Suspicions or Allegations of Abuse against a Member of Staff

It is important to acknowledge that the feelings caused by the discovery of potential abuse by a member of staff or volunteer will raise different issues e.g. people may feel that it could not possibly happen by the person who is alleged to have done it. It is not the responsibility of a staff or voluntary member to take responsibility or to decide whether or not the child or vulnerable adult has been abused. However, as with allegations of non-staff members, it is the responsibility of the individual to act on any concerns.

Any allegations of abuse will be dealt with through the Scottish Football Association Procedures for Managing Suspicions and Allegations of Abuse of a Child or Vulnerable Adult against a Staff Member or a member of the Council (Appendix 4). This procedure will assist in distinguishing allegations of abuse from poor practice.

3.5 Sharing concerns with Parents, Guardians or Carers

Where it is Not Abuse

There is always a commitment to work in partnership with parents/guardians/carers where there are concerns about their children/vulnerable adults. Therefore in most situations, not involving the possibility of child or vulnerable adult abuse, 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, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.

Allegations of Abuse

However 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 these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the Child & Vulnerable Adult Protection Co-ordinator and/or follow Flowchart 1 as soon as possible and record.

In all cases of abuse, advice and guidance is to be sought from the local Social Work Department or Police as to who contacts the parents.

3.6 False or Malicious Allegations

Where an investigation of abuse has been conducted and is unfounded the staff member will receive an account of the circumstances and/or investigation and a letter

confirming the conclusion of the matter. Where after reviewing the details of the account of the circumstances or the investigation it is clear that the allegation has been malicious or unfounded, the person may wish to seek legal advice and/or contact their Trade Union.

The Scottish Football Association will take all reasonable steps to support the individual in this situation. In these circumstances the Association reserves the right to discontinue a child's access to that activity.

Data collected for the investigation will be destroyed in accordance with the requirements of the Data Protection Act 1998.

Definition of Terms

Appendix 1

Child:

A child is defined as anyone less than 16 years of age.

16-18 year olds:

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

For the purposes 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 who for the time being are:

- A. Are unable to safeguard their own welfare or properly manage their financial affairs,
- And,
- B. is in one or more of the following categories:
 - I. a person in need of care and attention by reason of either infirmity or the effects of ageing
 - II. A person suffering from illness or a mental disorder
 - III. 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 him/herself or protect him/ her from harm and/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 them or adequately communicate that abuse has occurred.

Staff

The term staffs refer to any person who is engaged in a professional or voluntary capacity by the Association.

Types of Abuse (including Racism and Bullying) and examples in Sport Appendix 2

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

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to the child 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. It may also involve causing children to frequently feel frightened or in danger, or the corruption and exploitation of a child.

Some level of emotional abuse is persistent in all types of treatment although it may exist alone.

Emotional Abuse in Sport

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

- Exposing children to a humiliating, taunting or aggressive behaviour or tone
- Failure to intervene where a child's self-confidence and worth are challenged or undermined

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. 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, exposing the child in a manner likely to cause them unnecessary suffering or injury and the failure to ensure that a child's receives appropriate medical care or treatment.

Neglect in Sport

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

- Exposing the child to unnecessary cold or heat
- Exposing the child 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 omission or the failure to act or protect.

Physical Abuse

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

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 is known as Munchausen Syndrome by Proxy or Fictitious Order by Proxy. A person may do this because of the need to 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 the bodily harm caused by a lack of care, attention, or knowledge that may be caused by:

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

Sexual Abuse:

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of, or consents to what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include no-contact activities such as forcing children to look at or be involved in the production of pornographic material, to watch sexual activities or encouraging children to behave in sexually inappropriate ways.

Boys and girls can be sexually abused by males and/or females, including people 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 that 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's bodies

More detailed signs of the abused child

It is important to remember this list is not definitive or exhaustive. Any of these signs or behaviours has to be seen in the context of the child's whole situation and it is the combination with other information related to the child and his/her circumstances that may indicate abuse. There can also be an overlap between different forms of abuse.

PHYSICAL ABUSE

Signs of possible physical abuse:

- Unexplained injuries or burns, particularly if they are recurrent
- Improbable excuses given to explain injuries
- Refusal to discuss injuries
- Untreated injuries, or delay in reporting them
- Excessive physical punishment
- Arms and legs kept covered in hot weather
- Avoidance of swimming, physical education etc
- Fear of returning home
- Aggression towards others
- Running away
- Genuine accidental injuries, which are common. The nature and site of the bruising relative to the child's age is important
- Bleeding and clotting disorders
- Mongolian blue spots which occur naturally in Asian, Afro-Caribbean and Mediterranean children

When considering the possibility of non-accidental injury it is important to remember that the injuries may have occurred for other reasons. Among the most important are:

- Skin disorders e.g. impetigo
- Rare bone diseases e.g. brittle bone
- Swelling or dislocation of the eye caused by tumour
- Undiagnosed birth injury, e.g. fractured clavicle

Medical advice must be sought in all cases.

PHYSICAL NEGLECT

Signs of possible physical neglect:

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

NON ORGANIC FAILURE TO THRIVE

Signs of possible non-organic failure to thrive:

- Significant lack of growth
- Weight loss
- Hair loss
- Poor skin on muscle tone
- Circulatory disorder

EMOTIONAL ABUSE

Signs of possible emotional abuse are:

- Low self esteem
- Continual self-deprecation
- Sudden speech disorder
- Significant decline in concentration
- Immaturity
- "Neurotic" behaviour (e.g. rocking, head banging)
- Self-Mutilation
- Compulsive stealing
- Extremes of passivity or aggression
- Running away
- Indiscriminate friendliness

SIGNS OF THE SEXUALLY ABUSED CHILD

Not all children are able to tell that they have been sexually assaulted. Changes in a child's behaviour may be a signal that something has happened. It is important to remember that in sexual assault there may be no physical or behavioural signs.

NB. A child who is distressed may have some of these signs which should alert you to a problem. It is the combination and frequency of these signs that may indicate sexual abuse. Always seek advice. Try to notice changes in usual behaviour.

Signs of Possible Sexual Abuse

1 Behavioural

- Lack of trust in adults or over familiarity with adults
- Fear of a particular individual
- Social Isolation -withdrawal 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 the child's age e.g. French kissing
- Unusual interest in the genitals of adults or 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

2 Physical/Medical

- Sleeping problems, nightmares, and 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 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
- Itch, soreness, discharge, unexplained bleeding from the rectum, vagina or penis
- Stained underwear
- Unusual genital odour

Race and Racism

The Scottish Football Association has in place an on-going campaign called Show Racism the Red Card aimed at raising awareness on racism and equal opportunities. Children and vulnerable adults from black minority and ethnic groups (and their parents) may have experienced harassment, racial discrimination, and institutional racism. Although not in a category of abuse, racism may be categorised as emotional abuse under local child protection procedures.

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

Managing Bullying

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

As a result of the above and to ensure The Scottish Football Association is creating an atmosphere where bullying of children and vulnerable adults is unacceptable the Guidelines for identifying and managing bullying have been developed.

Any suspicions or allegations of bullying of a child or vulnerable adult against a staff member will be dealt with through the Scottish Football Association Disciplinary Procedures.

Bullying can be difficult to pick up because it often happens away from others and victims do not tend to tell. However you can watch for signs that may indicate the presence of bullying. The following provides common victim of bullying behaviours.

If a child or vulnerable adult:

- Hesitates to come to training/programme/session.
- Is often the last one picked for a team or group activity for no apparent reason, or gets picked on when they think your back is turned.
- Is reluctant to go to certain places or work with a certain individual/s.
- Has clothing or personal possessions go missing or are damaged.
- Has bruising or some other injury.
- Keeps 'losing' their pocket money.
- Is quite nervous, withdraws from everybody else and becomes quiet and shy, especially in the case of those who are normally noisy and loud.
- A usually quiet person becomes suddenly prone to lashing out at people, either physically or verbally.

Important Note: Remember that victims of bullying may be adults, and that a child or vulnerable adult's aggressor may not be a peer.

Action to Help the Victim/s and Prevent Bullying:

- Take all signs of bullying very seriously.
- Encourage all children to speak and share their concerns. Help the victim to speak out and tell the person in charge or someone in authority. Create an open environment.
- Take all allegations seriously and take action to ensure the victim is safe. Speak with the victim and the bully/ies separately.

- Reassure the victim/s that you can be trusted and will help them, although you cannot promise to tell no one else.
- Keep records of what is said i.e. what happened, by whom and when.
- Report any concerns to the person in charge at the organisation where the bullying is occurring.

Action towards the Bully/ies:

- Talk with the bully/ies, explain the situation and try to get the bully/ies to understand the consequences of their behaviour.
- Seek an apology from the bully to the victim/s.
- Inform the bully's parents/guardians.
- If appropriate, insist on the return of 'borrowed' items and that the bully/ies compensate the victim.
- Impose sanctions as necessary.
- Encourage and support the bully/ies to change behaviour.
- Keep a written record of action taken.

The Protection of Children (Scotland) Act 2003

Appendix 3

The Protection of Children (Scotland) Act 2003 (the "Act") came into force on 10 January 2005. The Act is principally aimed at improving safeguards for children by preventing unsuitable people from working with them. Implementation of the Act means that anyone who works or volunteers, or seeks to work or volunteer, in a childcare position must be checked through "Disclosure Scotland". The effects of the Act are widespread and almost all regulated activity with children is covered. Obligations are imposed upon all bodies, not just employers, with all organisations, whether incorporated or unincorporated, included.

Working with children (whether paid or otherwise) is widely defined in the Act as "supervising, children, whilst participating in any other organised activity." As a result of this wide definition, organisations must closely consider whether the provisions apply to them. For the purposes of the Act a child is an individual under the age of 18 years old.

The Act operates on the basis of a list that has been compiled of individuals who are considered to be unsuitable to work with children. This list is known as the “Disqualified from Working with Children List” (or “the List” for short).

Persons on the List are considered to be “disqualified” and those organisations who knowingly; -

- Offer to employ a disqualified person to work in a child care position; or
- procure work in a child care position for a disqualified person; or
- fail to remove a disqualified person from a child care position;

- Will be guilty of an offence under the Act.

Employers are advised to carry out disclosure checks on all relevant employees.

A legal duty is imposed on employers to make a referral to Scottish Ministers where an individual working in a childcare position has harmed a child or placed a child at risk and has been dismissed or moved away from contact with children as a consequence. Where an individual’s employment has terminated on the grounds of resignation, retirement, redundancy or the expiry of a term contract and, had their employment not so terminated, the employer would have dismissed or considered dismissing the individual as a result of harming a child or placing a child at risk, a referral must also be made. It is a criminal offence to fail to make such a referral.

It is important to remember that the Act applies not just to employees, but it extends to any individual who has substantial unsupervised contact with children.

The Act ought to significantly enhance the protection of children but it is important to recognise that it complements rather than replaces other child protection measures and principles of good recruitment and employee monitoring.

Appendix 4

The Scottish Football Association Procedures for managing allegations of abuse of a child or vulnerable adult made against a member of staff or a member of the Council.

1. Purpose and status of the procedures

1.1 These procedures aim to ensure that all allegations of abuse involving a child or vulnerable adult are dealt with in a timely and appropriate manner.

1.2 These procedures do not stand-alone and should be read in conjunction with The Scottish Football Association’s Child and Vulnerable Adult Protection Policy and Procedures and The Scottish Football Association's Disciplinary Procedures where the allegation relates to a member of staff.

2. Scope

2.1 These procedures apply to all The Scottish Football Association staff and all members of the Council that have contact with children and/or vulnerable adults.

2.2 Any allegation of abuse concerning a child or vulnerable adult will be taken seriously and appropriate action taken in accordance with the procedures detailed below.

3. Principles

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

4. Initial reporting of information - Staff

4.1 Any concerns for the welfare of a child or vulnerable adult arising from the behaviour of a member of staff must be reported to the Line Manager and Human Resources Manager immediately on the day, as soon as is practically possible.

4.2 Where the concern is about the Line Manager it must be reported to the Human Resources Manager.

4.3 The Line Manager and the Human Resources Manager must be consulted before any action is taken where there is uncertainty about whether the information constitutes possible abuse or not and/or it is unclear about what action should be taken.

4.4 Where allegations concern poor practice rather than possible abuse, the Line Manager and, where appropriate, the Human Resources Manager must be consulted and appropriate action taken as soon as is practically possible.

4.5 Where information received suggests a complaint against a member of staff, before any formal procedure is entered into an initial assessment of the facts (see section 5) will be carried out which could result in a formal investigation.

4.6 There may be three types of formal investigation: -

(i) A disciplinary investigation

(ii) A criminal investigation

(iii) Civil proceedings (to sue or charge in the event of an unsuccessful prosecution) may also be initiated by the person/family who alleged the abuse

4.7 The results of a criminal investigation may well influence the disciplinary investigation, but not in all cases.

5. Procedure - establishing the basic facts

5.1 Following receipt of information that may support an allegation of abuse, it is essential to establish the basic facts in order to determine the appropriate route by which to deal with the allegation.

5.2 In a large proportion of cases it will be appropriate for an initial assessment to be carried out by the appropriate Line Manager and/or or the Human Resources Manager. (This is because it is more likely that the information will be ambiguous or borderline, or where the facts do not support an allegation of abuse).

5.3 The purpose of the initial assessment is to clarify the nature of the incident, or misgivings that have led to the information being received and to establish whether there is reasonable cause to suspect or believe that a child or vulnerable adult is at risk.

5.4 The initial assessment must be conducted before any formal action is taken.

5.5 A decision has to be made at this point which route to follow. The various options are depicted in Flowchart 2 (see page 30)

5.6 External agencies such as the Police and Social Work Department may be consulted for advice. This is important because they have an overview of child protection issues and may well have other information that together causes concern.

5.7 An independent investigating officer i.e. a person who has no direct involvement in the situation, from which the investigation arises, will be appointed by the Line Manager or the Human Resources Manager, to undertake an immediate investigation into all the circumstances of the case.

5.8 Following advice from the police, cases that also involve a criminal investigation, will not preclude disciplinary action being taken provided sufficient information is available to enable the Line Manager or Human Resources Manager to make a decision

6. Procedure- Managing allegations of abuse

6.1 In all cases of suspected abuse an initial assessment of the facts must be carried out.

6.2 If the initial information received gives reasonable cause to suspect or believe that a child or vulnerable adult has been abused by a member of staff, this must be reported to the Line Manager and Human Resources Manager as soon as possible on the day.

7 Conducting an initial assessment where information may suggest an allegation of abuse

7.1 In all cases where the facts support a possible allegation of abuse, the initial assessment will not form part of the disciplinary investigation.

7.2 If appropriate, the member of staff about whom the allegation has been made may be approached as part of the information gathering process.

7.3 Where the nature and seriousness of the initial information suggests that a criminal offence may have been committed, or to assess the facts may jeopardise the evidence, in these circumstances, advice should be sought from the Police before any approach is made to the member of staff.

7.4 As each situation is unique guidance cannot be prescriptive. Assessment of the basic facts, however, may involve that the child(ren) or vulnerable adult involved are 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.

7.5 If it is necessary to speak to the child or vulnerable adult in order to clarify the basic facts best practice suggests that consent from the parent/guardian be obtained.

8 Making a referral in cases of suspected abuse

8.1 The Human Resources Manager or Line Manager will refer the allegation to the Social Work Department and the Police. Appropriate steps will be taken to ensure the safety of the child(ren) or vulnerable adult who may be at risk.

8.2 Where possible all information passed to the Police and Social Work Department should include the following, where known (complete an Incident Record Form to gather the following information, see Appendix 6):

- Name of child/vulnerable adult
- Age, date of birth of child/vulnerable adult
- Home address and telephone number of the child/vulnerable adult
- Whether the person making the report is expressing their own concern or the concerns of another person
- The nature of the allegation (include all of the information obtained during the initial investigation e.g. time, date, location of incident)
- A description of any visible injuries or bruising, behavioural signs, indirect signs.
- Details of any witnesses to the incident
- The child/vulnerable adult's account, if it can be given, of what occurred and how any injuries/bruising occurred
- Whether the child/vulnerable adult's parent or guardian 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, has the child/vulnerable adult been spoken to, if so what was said?
- Details of the member of staff against whom the allegation has been made

8.3 Reporting of the matter to the Police or Social Work Department must not be delayed by attempts to obtain more information.

8.4 Where possible any referral telephoned to the Police and Social Work Department should be confirmed in writing by the Human Resources Manager or Line manager within 24 hours.

8.5 A record should be made of the name and designation of the social work 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.

8.6 The parents or carers of the child will be contacted as soon as possible following advice from the Social Work department and or Police in line with child protection procedures

9 Procedure for managing the staff member against whom the allegation has been made

9.1 Where the information gives reasonable cause to suspect or believe that alleged abuse has occurred the Police and Social Work Department must be notified as soon as possible on the day the information is received. (See Child Abuse Referral Form Appendix 10)

9.2 Following advice from the Police, if the decision is made that the staff member against whom the allegation has been made is to be informed, the member of staff should be told that information has been received which may suggest an allegation of abuse. As the matter will be subjective no details will be given unless advised by the police.

9.3 At the same time, there must be an awareness of the need to preserve best evidence for any criminal proceedings while at the same time safeguarding the rights of the employee

9.4 The Scottish Office has recommended that the general rule should be that anyone charged with this responsibility, after applying basic tests of logic and credibility, should always notify the Police before interviewing the person against whom the allegation has been made.

10 Suspension

10.1 A precautionary suspension is not a form of disciplinary action. The member of staff may be suspended whilst an investigation is carried out. This is in accordance with The Scottish Football Association's Disciplinary Procedures

10.2 The manager dealing with the disciplinary situation will normally carry out suspension. However in exceptional circumstances, any manager may suspend a member of staff on the basis of the criteria outlined in 10.1

10.3 At the suspension interview the employee will be informed of why the suspension is taking place (within the confines detailed at 9.2) and given the opportunity to give a statement should he/she wish. Notification of the suspension and the reasons for it will be conveyed in writing to the employee within three working days of being informed of their suspension.

11 Managing allegations of historical abuse

11.1 Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by a member of staff. Where such an allegation is made these procedures must be followed.

12 Managing false or malicious allegations

12.1 Where after investigation, the allegation is found to be false or malicious the member of staff will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. The member of staff involved may wish to seek legal advice or to contact their Trade Union.

12.2 All records pertaining to the circumstances and investigation will be destroyed.

12.3 The member of staff must be advised of the appropriate counselling services available to staff.

12.4 The Line Manager and the Human Resources Manager must take all reasonable steps to support the member of staff.

13 Initial reporting of information – A member of the Council

13.1 The principles of natural justice will inform the following process and any action taken.

13.2 Any concerns for the welfare of a child or vulnerable adult arising from the behaviour of a member of the Council must be reported to the Chief Executive and Human Resources Manager immediately on the day, as soon as is practically possible.

13.3 The Chief Executive and the Human Resources Manager must be consulted before any action is taken where there is uncertainty about whether the information constitutes possible abuse or not and/or it is unclear about what action should be taken.

13.4 Where allegations concern poor practice rather than possible abuse the Chief Executive and Human Resources Manager must be consulted and appropriate action taken as soon as is practically possible.

13.5 Where information received suggests a complaint against a member of the Council, before any formal procedure is entered into an initial assessment will be carried out to establish the basic facts, which may result in a formal investigation. A report will be submitted to the Executive Committee.

13.6 There may be two types of investigation: -

(i) A criminal investigation

(ii) Civil proceedings (to sue or charge in the event of an unsuccessful prosecution) may also be initiated by the person/family who alleged the abuse

13.7 The results of a criminal investigation may well influence the initial investigation, but not in all cases.

14 Procedure - Establishing the basic facts

14.1 Following receipt of information that may support an allegation of abuse, it is essential to establish the basic facts in order to determine the appropriate route by which to deal with the allegation.

14.2 In a large proportion of cases it will be appropriate for an initial assessment to be carried out by the Chief Executive and/or or the Human Resources Manager. (This is because it is more likely that the information will be ambiguous or borderline, or where the facts do not support an allegation of abuse).

14.3 The purpose of the initial assessment is to clarify the nature of the incident, or misgivings that have led to the information being received and to establish whether there is reasonable cause to suspect or believe that a child is at risk of abuse.

14.4 The initial assessment must be conducted before any formal action is taken.

14.5 The Human Resources Manager and/or Chief Executive may consult external agencies such as the Police and Social Work Department for advice. This is important because they have an overview of child protection issues and may well have other information that together causes concern.

14.6 A decision has to be made at this point which route to follow. The various options are depicted in Flowchart 3 (see page 31).

14.7 An independent investigating officer i.e. a person who has no direct involvement in the situation, from which the investigation arises, will be appointed by the Chief Executive or the Human Resources Manager, to undertake an immediate investigation into all the circumstances of the case.

14.8 Following advice from the police, cases that also involve a criminal investigation will not preclude action being taken provided sufficient information is available to enable the Chief Executive or Human Resources Manager to make a decision

15 Procedure- Managing allegations of abuse

15.1 In all cases of suspected abuse an initial assessment of the facts must be carried out.

15.2 If the initial information received gives reasonable cause to suspect or believe that a child or vulnerable adult has been abused by a member of the Council, this must be reported to the Chief Executive and Human Resources Manager as soon as possible on the day.

16 Conducting an initial assessment where the information may suggest an allegation of abuse

16.1 In all cases where the facts support a possible allegation of abuse, the initial assessment will not form part of any subsequent investigation.

16.2 If appropriate, the member of the Council who is the subject of the information received, which may suggest an allegation, may be approached as part of the information gathering process.

16.3 . Where the nature and seriousness of the initial information suggests that a criminal offence may have been committed, or to assess the facts may jeopardise the evidence. In these circumstances, advice should be sought from the Police before any approach is made to the member of the Council.

16.4 As each situation is unique guidance cannot be prescriptive. Assessment of the basic facts, however, may mean that the child(ren) or vulnerable adult involved are 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.

16.5 If it is necessary to speak to the child or vulnerable adult in order to clarify the basic facts consent from the parent/guardian should be obtained.

17 Making a referral in cases of suspected abuse

17.1 The Human Resources Manager or Chief Executive will refer the allegation to the Social Work Department and the Police. Appropriate steps will be taken to ensure the safety of the child(ren) or vulnerable adult who may be at risk.

17.2 Where possible all information passed to the Police and Social Work Department should include the following, where known (complete an Incident Record Form to gather the following information, see Appendix 6):-

- Name of child/vulnerable adult
- Age, date of birth of child/vulnerable adult
- Home address and telephone number of the child/vulnerable adult
- Whether the person making the report is expressing their own concern or the concerns of another person
- The nature of the allegation (include all of the information obtained during the initial investigation e.g. time, date, location of incident)
- A description of any visible injuries or bruising, behavioural signs, indirect signs.
- Details of any witnesses to the incident
- The child/vulnerable adult's account, if it can be given, of what occurred and how any injuries/bruising occurred
- Whether the child/vulnerable adult's parent or guardian 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, has the child/vulnerable adult been spoken to, if so what was said?
- Details of the member of the Council against whom the allegation has been made
- Reporting of the matter to the Police or Social Work Department must not be delayed by attempts to obtain more information.
- Where possible any referral telephoned to the Police and Social Work Department should be confirmed in writing by the Human Resources Manager within 24 hours.
- A record should be made of the name and designation of the social work 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.
- The parents or carers of the child will be contacted as soon as possible following advice from the Social Work department and or Police in line with child protection procedures

18 Procedure for managing the Member of the Council against whom the allegation has been made

18.1 Where the information gives reasonable cause to suspect or believe that the alleged abuse has occurred the Police and Social Work Department must be notified as soon as possible on the day the information is received. (See Child Abuse Referral Form Appendix 10)

18.2 Following advice from the Police, if the decision is made that the member of the Council against whom the allegation has been made is to be informed, the member of the Council should be told that information has been received which may suggest an allegation of abuse.

18.3 At the same time, there must be an awareness of the need to preserve best evidence for any criminal proceedings while at the same time safeguarding the rights of the individual.

18.4 The Scottish Office has recommended that the general rule should be that anyone charged with this responsibility, after applying basic tests of logic and credibility, should always notify the Police before interviewing the person against whom the allegation has been made.

19 Suspension

19.1 A precautionary suspension is not a form of sanction. The member of the Council may be suspended whilst an investigation is carried out at the reasonable discretion of the Executive Committee.

20 Managing allegations of historical abuse

20.1 Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by a member of the Council. Where such an allegation is made these procedures must be followed.

21 Managing false or malicious allegations

21.1 Where after investigation, the allegation is found to be false or malicious the member of the Council will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. The member of the Council may wish to seek legal advice where appropriate.

THE SCOTTISH FOOTBALL ASSOCIATION Appendix 5

Consent to Participate in Activities and Consent to Medical Treatment

Yes No N/A*

To participate in football activities

To go on a football trip

N/A* means not applicable

I hereby give my consent for my child/vulnerable adult to take part in the above

Name _____

Address _____

—

—

Signed

_____ Relationship _____

I also give my consent for my child to receive any necessary medical, dental or surgical treatment and blood transfusions* (delete where appropriate) as deemed

necessary by a qualified medical practitioner (this could include in an Emergency consent by the SFA representative responsible for the children if deemed appropriate by a registered medical practitioner).

Name_____

Address_____

—

—

Signed

_____Relationship_____

THE SCOTTISH FOOTBALL ASSOCIATION APPENDIX 6

The Law and Medical Consent: Children and Vulnerable Adults

In some cases it may be necessary to obtain consent for medical examination, treatment or procedure to a child or vulnerable adult e.g. where an injury has occurred in the course of training or competition or where it is alleged that the child has been abused.

The purpose of this guidance is to provide an overview of the Law in Scotland in relation to medical consent and to advise staff members on the best practice that must be followed.

A. Children - Who can give consent?

1. The child

The Age of Legal Capacity (Scotland) Act 1991 allows children under the age of 16 to give their own consent in certain circumstances. Section 2(4) states:

“ A person under the age of 16 shall have legal capacity to consent on his/her own behalf to any surgical, medical or dental procedure or treatment where, in the opinion of a qualified medical practitioner attending him, he is capable of understanding the nature and possible consequences of the procedure or treatment”

The decision about competence is entirely one for the doctor or other medical practitioner to make.

This means where a child is assessed as being capable of providing consent, the consent of a parent/guardian is not required.

The Scottish Executive recommends that efforts should always be made to persuade the child that his/her parents/guardians or carers should be informed, except where it is clearly not in the child's best interests to do so. If a child refuses to allow parents/guardians or carers to be informed, then this must be respected.

Consent from the following categories would only be required where the child is assessed as incapable of providing consent.

2. Person with Parental Responsibilities in relation to the child.

The consent of a person who has parental responsibility towards the child should normally be required under the Children (Scotland) Act 1995 as this responsibility includes a duty to safeguard and promote the child's health, development, and welfare.

If a child's parents are or have been married to each other, both have parental responsibility and either can give consent. If the parents have not been married to each other, normally only the mother has automatic parental responsibility including the right to consent. The father will have the right to consent if either:

- He has obtained an order from the court awarding him parental responsibilities
- He and the child's mother have a registered parental responsibilities agreement

3. Person who has care and control of the child

Section 5 of the Children (Scotland) Act 1995 also allows consent to be given by those who have care or control of a child but who do not have either parental responsibilities or parental rights in respect of the child e.g. a grandparent who is the child's main carer. These people have a duty to do what is reasonable in all the circumstances to safeguard the child's health, development, and welfare. This includes giving consent to treatment or procedures.

Such consent would not be effective however, where

- The child is capable of consenting
- The person knew that the parent would not consent e.g. a parent who is a Jehovah Witness
- The medical examination was for the purpose of establishing child abuse

If the child is looked after by the Local Authority, the authority can give consent only if it has obtained a Parental Responsibilities Order from the court or consent is authorised by conditions attached to an order or warrant issued by a Court or Children's hearing.

B. Vulnerable Adults- who can give consent?

As with children, where a vulnerable adult is capable of consenting to medical treatment, consent will not be required from any other individual such as parent/guardian or carer. Again, it is for the medical profession to determine whether the vulnerable adult is capable of understanding the proposed treatment and consequences.

There are safeguards where a vulnerable adult may not be capable of consenting to medical treatment. This is dealt with in Part 5 of the Adults with Incapacity (Scotland) Act 2000. A medical practitioner must certify that he is of the opinion that an adult is incapable in relation to a decision about medical treatment. They shall then have the authority to do what is reasonable in the circumstances in relation to the proposed medical treatment to safeguard or promote the physical and/or mental health of the adult.

THE SCOTTISH FOOTBALL ASSOCIATION

Appendix 7

Incident Record Form

This form must be completed as soon as possible after receiving information that causes concern about the welfare of a child or vulnerable adult. This must be passed to the appropriate line Manager as soon as possible after completion: do not delay by attempting to obtain information to complete all the details.

1. Details of person making report

Name:

Position:

Contact telephone number:

Address:

2. Details of Child/ Vulnerable Adult

Name:

Date of Birth:

Address:

Contact telephone number:

Names and address of parents/guardian/carers:

3. Details of person about whom there is concern

Name:

Position:

Date of Birth:

Address:

4. If you are reporting this alleged incident on behalf of someone else, please provide details of that person:

Name:

Position:

Address:

Contact telephone number:

Date this person advised you of alleged incident:

Record here the information you were given from this person about the alleged incident (continue on a separate sheet if necessary):

5. Details of the alleged incident

Date of alleged incident:

Time:

Place:

Names and addresses of witnesses:
addresses of witnesses:

Names and

Describe in detail the incident causing concern:

Was the child/vulnerable adult asked what happened: YES/NO

If yes, record exactly what the child/vulnerable adult said in their own words and any questions asked if the situation needed clarification (continue on a separate sheet if required):

6. Details of action taken

Detail what action, if any, has been taken following receipt of this information including whether you have spoken to the parents:

7. Details of when passed to Line Manager

Signature:

Print name:

Date:

THE SCOTTISH FOOTBALL ASSOCIATION
POLICY FOR USE OF
PHOTOGRAPHIC & VIDEO EQUIPMENT

PERMISSION

Permission for use must be obtained before attending training / competitions (see REQUEST FOR PERMISSION TO USE CAMERA AND VIDEO EQUIPMENT application form). In order to be granted permission, you must agree to abide by the following policy.

ALL MATERIAL

Must be used for the purpose stated on your application and must not be altered in any way without the prior approval in writing of the person(s) photographed or their parents/guardian(s).

VIDEOS

Video evidence used for performance analysis and training sessions or at matches must be used solely for this purpose and viewed with the player in question. Internal training use of video evidence must not be given to any outside agency without the express consent of the player and their parent/guardian(s).

PHOTOGRAPHS (including digital images)

We would request that these follow the advice outlined in the SFA'S Child Protection Guidelines

APPLICATION FORMS are available from:

Name: _____

Tel number: _____

Address _____

Appendix 8

**THE SCOTTISH FOOTBALL ASSOCIATION
REQUEST FOR PERMISSION TO USE
CAMERA & VIDEO EQUIPMENT**

This form must be filled in by individuals who would like permission to use camera or video equipment for the purpose of analysis of performance or training and read in conjunction with the attached notes.

SECTION A TO BE COMPLETED BY APPLICANT

NAME:

ADDRESS:

DESIGNATION: _____

VENUE:

DATE(S): _____

DECLARATION I declare that the pictures/film(s) produced by the equipment stated above will not be altered in any way, without prior approval in writing of the person(s) photographed. I understand I will only use pictures/films for the purpose stated above. I have read and agree to abide by the guidelines set out in the **POLICY FOR USE OF PHOTOGRAPHIC & VIDEO EQUIPMENT**.

SIGNATURE: _____

DATE: _____

SECTION B. FOR OFFICIAL USE ONLY

APPROVED REFUSED

DATE: _____

SIGNED: _____

PRINT NAME: _____

DESIGNATION: _____

REASON FOR REFUSAL:

Now complete "Notification to Applicant" form, duplicate and store.

Appendix 8 (i)

THE SCOTTISH FOOTBALL ASSOCIATION
REQUEST FOR PERMISSION TO USE
CAMERA & VIDEO EQUIPMENT

NOTIFICATION TO APPLICANT

(Tick) INTERNAL EXTERNAL

Your application has been approved for use as follows:

PURPOSE OF USE:

VENUE _____

DATE _____

EQUIPMENT:

MODEL: _____

OFFICIAL SIGNATURE: _____

NOTE: Proof of identity and this letter of approval must be produced on request when equipment is to be used.

Appendix 8 (ii)
THE SCOTTISH FOOTBALL ASSOCIATION
REQUEST FOR PERMISSION TO USE
CAMERA & VIDEO EQUIPMENT

NOTIFICATION TO APPLICANT

(Tick) INTERNAL EXTERNAL

Your application has been refused for use as follows:

PURPOSE OF USE: _____

VENUE:

DATE: _____

EQUIPMENT:

MODEL:

OFFICIAL SIGNATURE: _____

REASON FOR REFUSAL:

—

—

THE SCOTTISH FOOTBALL ASSOCIATION

APPENDIX 9

INFORMATION FOR YOUNG PEOPLE AND PARENTS/GUARDIAN(S)
ON THE USE OF
CAMERAS AND VIDEO EQUIPMENT

The use of visual evidence in training and competition is an important tool for football. The Scottish Football Association will sometimes use videos and/or cameras during training sessions and matches for coaches and players to analyse technique and performance. Video evidence of this nature is for internal use only and shall not be shown to any external agency without the express consent of both the player and their parent/guardian(s).

PROMOTION AND ADVERTISING

Photographs for newspapers or web-sites will be used from time to time. Where appropriate, players and their parents/ guardian(s) must complete the attached Consent Form.

OPERATORS OF SUCH EQUIPMENT

Any personnel using video or camera equipment will be aware of and agree to abide by the policy and have permission from the SFA for use at named occasions. External agencies are required to apply for permission and will be made aware of and agree to abide by our policy before permission for use is granted.

If players or parents/guardian(s) do not wish players to be photographed or videoed, you should inform:

Name: _____

Designation: _____

Tel number: _____

Address _____

Who will ask you to sign a form?

THE SCOTTISH FOOTBALL ASSOCIATION APPENDIX 9 (i)

Parental Consent to Photographs/ (including Digital Photography) and Videoing of Children and Young People

This form must be completed at enrolment or when a young person joins an activity/youth team

1. Details of Child/ Young Person

Name:

Date of Birth:

Address:

Names and address of parents/guardian/carers:

Contact telephone numbers:

I hereby give my consent/do not give my consent* to my child named above to be photographed (including digital photography) and videoed for educational/training purposes.

*Delete as appropriate

Signature: _____

Date: _____

THE SCOTTISH FOOTBALL ASSOCIATION APPENDIX 10

Young Person's (Aged 12 – 16 years) Consent to Photographs (including Digital Photography) and Videoing

This form must be completed at enrolment or when a young person joins an activity/youth team

1. Details of Child/ Young Person

Name:

Date of Birth:

Address:

Names and address of parents/guardian/carers:

Contact telephone numbers:

I hereby give my consent/do not give my consent * to be photographed (including digital images) or videoed for educational/training purposes.

- delete as appropriate

Signature: _____

Date:

Child Abuse Referral Form

This form must be completed as soon as possible after receiving information that may suggest that a child is at risk or there are any concerns regarding possible abuse of a child or vulnerable adult.

1 Details of person making report

Name:

Position:

Contact telephone number:

Address:

2 Details of Child/ Vulnerable Adult

Name:

Date of Birth:

Address:

Contact telephone number:

Names and address of parents/guardian/carers:

3 Details of person about whom there is concern

Name:

Position:

Date of Birth:

Address:

4 If you are reporting this alleged incident on behalf of someone else, please provide details of that person:

Name:

Position:

Address:

Contact telephone number:

Date this person advised you of alleged incident:

Record here the information you were given from this person about the alleged incident (continue on a separate sheet if necessary):

5 Details of the alleged incident

Date of alleged incident:

Time:

Place:

Names and addresses of witnesses:

Names and addresses of witnesses:

Describe in detail visible injuries/bruises and concerning behaviour of the child/vulnerable adult, if any (use diagrams if this helps you to describe the injury). Continue on a separate sheet if required):

Was the child/vulnerable adult asked what happened: YES/NO

If yes, record exactly what the child said in their own words and any questions asked if the situation needed clarification (continue on a separate sheet if required):

6 Details of contact with the parent/guardian/carer

Note: Social Work or Police would normally do this

Have the parents/guardians/carers been advised of this matter? Yes /No

If yes, by whom and record any action taken by them:

7 Details of action taken

Detail what action, if any, has been taken, by you, following receipt of this information:

8 Details of external agencies contacted

Police

Police station contacted:

Name and contact number of Police Officer:

Advice received:

Social Work Department Social Work Dept.:

Name and contact number of individual:

Advice received:

Other: Name of organisation:

Name and contact number of individual:

Advice received:

9 Other information

Record any other information you have about this matter (it is important that all information is passed on even that which you think is not important or helpful).

Signature:

Print name:

Date:

PLEASE NOTE

Where a referral has been made to the Police and Social Work Department a copy of this form must be sent to them.

The Scottish Football Association (“the Association”)
Child Protection Policy and Procedures

Please sign and date the Declaration below and return it to
Viv Coady, Human Resources Manager.

Declaration

I have received and read the Association’s Public Interest Disclosure Policy and Procedure (“the policy”). I understand and will abide by the policy. Should I in any

way breach the conditions laid down in the policy, I understand that disciplinary action may be taken.

Signature

Name

Date