

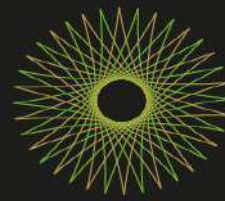
Child Protection and Vulnerable Adult SOP

SOP Title

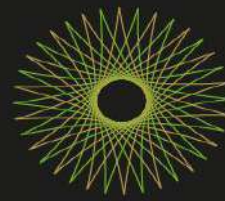
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Overview	This policy outlines how child protection is managed within Oriam. This includes child guests

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1. Objective

This policy is intended to outline a framework that all service areas must follow to ensure consistency of approach and ensure that situations that arise are dealt with as quickly as possible, sympathetically and fairly, whilst protecting the interests and rights of victims, the accused and Oriam.

2. Responsibilities

Oriam will through the dispensation of this policy and its procedures:

- Accept the moral and legal responsibility to provide a duty of care for young people and vulnerable adults and implement procedures to safeguard their well-being and protect them from abuse whilst they are users of Oriam's service
- Respect and promote the rights, wishes and feelings of young people and vulnerable adults for whom they are responsible and other facility users
- Recruit train and supervise its employees and volunteers to adopt best practice to safeguard and protect young people from abuse and its employees against false allegations (employees includes full time, part time and volunteers)
- Require employees and volunteers to adopt and abide by this Child Protection and Vulnerable Adults Policy and 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
- Ensure staff carry out a yearly knowledge check of this policy

3. Principles

The guidance given in this Child Protection and Vulnerable Adults Policy and procedures is based on the following principles:

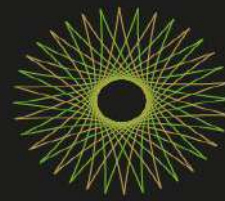
- The welfare of young people and vulnerable adults is of primary concern (the Children's Act 1995 defines a child being under the age of 16 and a young person being aged between 16 to 18 years old)
- All people whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse
- It is the responsibility of the child protection experts to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns
- All incidents of suspicious behaviour and related allegations will be taken seriously and responded to swiftly and appropriately.
- Similarly, all incidents of poor practice and related allegations will be taken seriously and responded to swiftly and appropriately.
- Confidentiality will be upheld in line with the Data Protection Act 1989, the Human Rights Act 1998 and Oriam's policies and procedures related to these areas.

4. Review

This Child Protection & Vulnerable Adults policy and associated procedures will be reviewed every 2 years. The policy will also be reviewed in the following circumstances:

- As a result of and changes in legislation
- Following a procedural review as a result of a significant incident

Please see Appendix 1 for a list of definitions



5. Recruitment and Employment

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

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

5.1 Advertising

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

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

5.2 Pre-Application Form

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

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

5.3 Application Form

All applicants will be requested to complete an application form via the Heriot Watt University website. The purpose of the application form is to obtain relevant details from the applicant for the position.

5.4 References

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

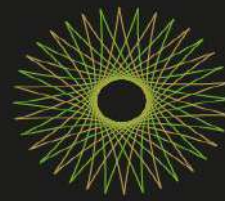
5.5 Checks

Heriot-Watt University is registered with Central Registered Body for Scotland and will carry out Disclosure Scotland PVG checks on Oriam's behalf. Oriam is also able to process basic disclosures independently.

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

Standard Disclosure

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



Enhanced Disclosure

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

5.6 Interview

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

5.7 Offer of Position

Once a decision has been made to appoint an individual, an offer letter will be presented to the applicant including the details of the position, any special requirements and the obligations e.g. agreement to the policies and procedures of Oriam, the probation period and responsibilities of the role.

Confirmation of the position being accepted will require the offer letter to be formally accepted and agreed to including signature and date and returning it to Oriam.

5.8 Induction

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

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

5.9 Training

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

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

5.10 Probation

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

5.11 Monitoring and Performance Appraisal

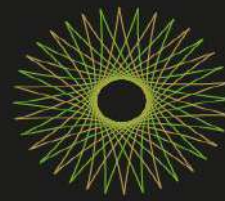
All staff members who have contact with children or vulnerable adults will be monitored and their performance appraised. This will provide an opportunity to evaluate progress, set new goals, identify training needs and address any concerns of poor practice.

6. Staff with Specific Responsibility

The Head of Operations has specific responsibility for the protection of children and vulnerable adults within Oriam. They are contactable on 0131 451 8411 during working hours. Out of working hours the Duty Manager assumes responsibility to listen, respond and then report any incident using the incident report form.

The role and responsibilities of the Head of Operations are detailed below. Specific responsibilities in relation to allegations against members are detailed in the Procedure for Managing Suspicions and Allegations of Abuse of a Child or Vulnerable Adult against Members (Section 10).

The responsibilities of the Head of Operations with regards to child and vulnerable adult protection are as follows:



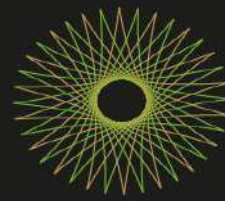
- Implement and promote Oriam's Child and Vulnerable Adult Protection Policy and Procedures
- Act as the main contact within Oriam for the protection of children and vulnerable adults
- Provide information and advice on the protection of children and vulnerable adults
- Support and raise awareness of the protection of children and vulnerable adults
- Communicate with staff members on issues of child and vulnerable adult protection
- Keep abreast of developments and understand the latest information on data protection, confidentiality and other legal issues that impact on the protection of children and vulnerable adults
- Encourage good practice and support of procedures to protect children and vulnerable adults
- Establish and maintain contact with local statutory agencies including the Police and Social Work Department
- Maintain confidential records of reported cases and action taken and liaise with the statutory agencies and ensure they have access to all necessary information
- Organise training for staff and volunteers, in conjunction with the relevant head of department
- Regularly monitor and review Oriam's Child and Vulnerable Adult Protection Policy and Procedures

7. Code of Conduct

7.1 Good Practice

Oriam supports and requires the following good practice with children and vulnerable adults:

- Make sport fun, enjoyable and promote fair play
- Always be publicly open when working with children/vulnerable adults to avoid situations where a coach and an individual child/vulnerable adult/group of participants cannot be observed
- Minimum contact with children/vulnerable adults is encouraged. Children/vulnerable adults will put their arms around coaches/teachers, take hold of their hands etc employees and volunteers will discourage this type of contact with all participants
- Coaches/teachers will move around the whole group to discourage children/vulnerable adults seeking attention, paying equal attention to all in the group
- Care should be taken when providing manual support particularly in activities such as gymnastics where a level of manual support is essential in developing skills. Any form of manual support should be provided openly and according to guidelines provided by the National Governing Body for that sport
- Parents & carers are responsible for dressing participants in appropriate clothing for the activities
- Maintain a safe and appropriate distance with participants
- Children/vulnerable adults will be escorted around Oriam facilities when under the care of coaching/teaching employees for sessions; this includes being escorted to toilet areas. Coaches/teachers will wait at the entrance to the toilet/changing room areas in public areas to safeguard themselves.
- All participants will be treated equally and with respect and dignity
- Safety and welfare of participants will always be given the highest priority
- Employees and volunteers must behave in an exemplary manner and be a role model for excellent behaviour
- Employees and volunteers will keep up-to-date with technical skills, qualifications and professional development
- Motivate the participants through positive and constructive feedback
- Create a safe and enjoyable situation which challenges each individual
- Maintain a written record of incidents, accidents, repeated misbehaviour and actions taken which will be communicated to parents & carers through the coach
- Make sessions fun, enjoyable and promote fair play



- Where possible parents/carers are responsible for the supervision and changing of children/vulnerable adults in changing room areas. Where classes have to be supervised in changing rooms, employees and volunteers must remain in public areas at all times
- Children under 8 years old should be taken into an 'opposite sex' changing area when there is no same sex adult accompanying them
- Children 8 years and over must not be taken into an 'opposite sex' changing area

7.2 Medical Treatment

If, in your capacity as a staff member of Oriam, a child or vulnerable adult requires first aid or any form of medical attention whilst in your care, then the following good practice must be followed, along with the procedures set put in Oriam's Emergency Action Plan (EAP):

- Where practicable all parents/guardians of children under 16 must complete an Emergency Contact and Medical Consent Form before participating in Oriam-led activities
- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required
- Keep a written record of any injury that occurs, along with the details of any treatment given this should be logged through the universities Shield system
- Where possible, ensure access to medical advice and/or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/vulnerable adult, in language that they understand and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible, as per the procedures in Oriam's Emergency Action Plan (EAP)
- The child's or vulnerable adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to do so
- An Accident Report Form must be completed and signed and passed to Oriam as soon as possible to record on Shield

7.3 Transportation of Participants

Oriam employees are not normally permitted to transport participants in any type of vehicle, permission must be obtained from the Heriot-Watt University Estates Department, every time an exception is required. In most situations where participants require transportation to a venue, the responsibility lies with the parent/carer.

7.4 Practice to be Avoided

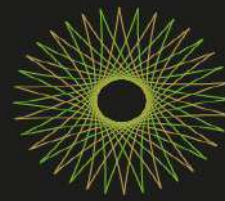
The following practice should be avoided. If situations arise where it is, they should only occur with the full knowledge and consent of a line manager and/or the child or vulnerable adult's parents/guardians e.g. a child sustains an injury and needs to go to hospital or a parent/guardian fails to pick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

7.5 Practice Never to be Sanctioned

Inclusive, but not exclusive to:

- 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

7.6 Group Movement around Facilities

In a number of Oriam programmes participants may require to move from one area of a building to another. In these circumstances, groups will be escorted by the appropriate number of coaches at all times. Ratio's are stipulated by National Governing Body guidelines.

7.7 Identification of Employees & Volunteers

Oriam will ensure all employees and volunteers are identifiable by wearing a corporate uniform to ensure that participants are safe in the knowledge of attracting an employee or volunteer's attention.

7.8 Risk Assessment

Any activity delivered by Oriam will hold a risk assessment for the activity. This must specifically detail how they will manage child protection risks. This must be approved by the Director of Operations or designate before the activity will be confirmed.

7.9 Supervision of Children

Children under the age of 16 must always have an adult or carer in the building with them. Once an induction has been completed children aged from 14 to 16 can use the gym without an adult or carer in the gym but the adult or carer must remain in the building. Children aged 10 -13 can use the gym or specific classes but they must have an adult or carer in the gym or class with them.

7.10 Reporting

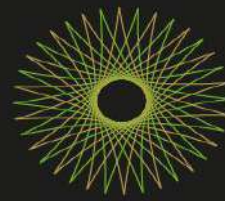
It is very important if any of the following incidents should occur, that they are reported on the day to their line manager, and an Oriam Incident Record Form is completed (Appendix 3). Parents should also be informed of the incident. It is expected that staff will apply judgement and common sense when 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

7.11 Anti Bullying

Oriam aims to safeguard children (under 18) and adults at risk from bullying, ensuring a safe and enjoyable environment. Bullying is defined as repeated abusive behaviour intended to cause harm. The policy applies to all stakeholders at the venue, including staff, coaches, volunteers, players, and parents. It emphasizes that:

- Everyone has a role in preventing bullying, with a focus on recognizing diversity and upholding safety and respect.
- Bullying behaviour is not tolerated; incidents are promptly addressed, and support is provided to both victims and those displaying bullying behaviour.
- Children are encouraged to report bullying, with provisions to help them speak openly.
- Parents are involved in handling bullying incidents and provided with advice and resources for support.



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

8.1 Photo and Video use in Oriam

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

The following is required for Oriam activities or events where children or vulnerable adult are participating:

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

8.2 Concerns about Photographers, Video or Film Operators

Any concerns with photographers or video or film operators are to be reported to Oriam Head of Operations and where relevant, the Police.

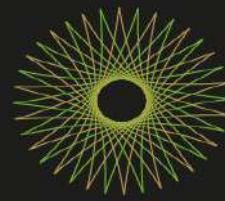
9. Children or Vulnerable Adults in Publications and Websites

9.1 Websites and Publications

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

Oriam publications and information on the internet must adhere to the following:

- Publications or information on an Internet site must never include personal information that could identify a child or vulnerable adult e.g. home address, e-mail address, telephone number of a child or vulnerable adult
- Any contact information must be directed to either Oriam or another relevant organisation's address, for example another governing body
- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable adult's parent/guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes
- The content of photographs or videos must not depict a child or vulnerable adult in a provocative pose or in a state of partial undress other than when depicting a sporting activity. Where relevant, a tracksuit may be more appropriate attire. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner



- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to, not individual members. Credit for achievements by a child or vulnerable adult are to be restricted to first names e.g. Tracey was Player of the Tournament
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned
- Particular care must be taken in publishing photographs, film or videos of children or vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute
- Particular care is to be taken in publishing photographs, films or videos of children or vulnerable adults with physical, learning and/or communication or language disabilities, as they could be particularly vulnerable to abuse (Morgan, 1979; Watson, 1984#).

9.2 Concerns about Websites and Publications

Text Any concerns or enquiries about publications or Internet information should be reported to Oriam's Head of Operations.

10. Responding to Disclosures, Suspicions and Allegations of Abuse

10.1 Scope

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.

10.2 Awareness of Abuse

Oriam accepts that abuse can become apparent in a number of ways:

1. Through observation
2. A child or vulnerable adult may tell us
3. A third party may have reported an incident, or may have a strong suspicion
4. An employee or volunteer may have a suspicion

10.3 Types of Abuse

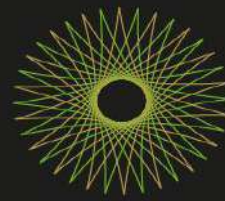
Text Child abuse can take many forms:

- Emotional
- Neglect
- Non Organic failure to thrive
- Physical
- Sexual
- Negative discrimination
- Bullying
- Abuse of position of trust

This policy and any associated procedures will deal with all forms of abuse.

10.4 Responding to a Disclosure

Text Children and young people participating in coached activity sessions are likely to confide in coaching staff/ teachers as children tell people that they trust. Sports coaches are 'role models' and often become aware of abuse. Any staff member or volunteer on receiving information concerning a disclosure follow the steps below (also summarised in a flowchart in Appendix 2):

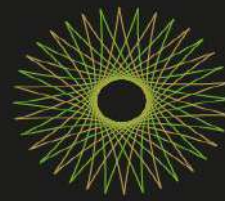


- React calmly so as not to frighten the child/vulnerable adult
- Listen to the child/vulnerable adult.
- Do not show disbelief
- Tell the child/vulnerable adult that he/she is not to blame and that he/she was right to tell
- Take what the child/vulnerable adult says seriously while recognising the difficulties 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 question
- Do not introduce personal information from either your own experiences or those of other children
- Reassure the child/ vulnerable adult
- Report your concerns on the day to the Head of Operations 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)
- If you're not sure about what to do, you can also obtain advice by telephoning the NSPCC free phone Helpline. The number is 0800 800 500 and is open 24 hours
- 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:
 - Name of child/vulnerable adult
 - Age, date of birth of child/vulnerable adult
 - Home address and telephone number of the child/vulnerable adult
 - The nature of the allegation in the child's own words
 - Any witnesses to the incident/s
 - Any times, dates or other relevant information
 - Whether the person making the report is expressing their own concern or the concerns of another person
 - The child/vulnerable adult's account, if it can be given, of what has happened and how any bruising or other injuries occurred
 - The nature of the allegation (include all of the information obtained during the initial account e.g. time, date, location of alleged incident if available)
 - A description of any visible injuries or bruising, behavioural signs, indirect signs
 - Details of any witnesses to the incident
 - 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, 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 Oriam's Referral Form (Appendix 4).
- If making an electronic copy do not save to the hard. Print off the record, sign and date, then delete electronic copy, all on the day

10.5 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

10.6 Allegations of Abuse Against Employees And Volunteers

Abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, abuse has occurred within institutions and may occur within other settings, for example, sport or other social activities. Recent reports indicate that abuse which takes place within a public setting, are rarely a one-off event. It is crucial that all employees and volunteers are aware of this possibility and that all allegations are taken seriously and appropriate action taken.

The Line Manager may be informed of situations where they are unsure about whether the allegation constitutes abuse or not, and are therefore unclear about what action to take. There may be circumstances where allegations are about poor practice rather than abuse but those responsible should always consult with senior colleagues, and gain advice from Education and Children's Services, or the NSPCC where there is any doubt. This is because this may be just one of a series of other instances which together cause concern.

It is acknowledged that feelings generated by the discovery that an employee or volunteer is, or may be abusing, will raise concerns among other employees or volunteers, including the difficulties inherent in reporting such matters. However, it is important that any concerns for the welfare of the individual arising from abuse or harassment by a member of staff or volunteer should be reported immediately.

Oriam would want to assure all employees and volunteers that it would fully support and protect anyone who, in good faith, reports his or her concern that a colleague is or may be abusing an individual.

Where there is a complaint of abuse against a member of staff, there may be three types of investigation:

1. A criminal investigation
2. A child protection & vulnerable adult investigation
3. A disciplinary or misconduct investigation

The results of a Police Scotland and/or Social Services investigation may well influence the disciplinary investigation, but not necessarily.

If, following consideration the allegation is clearly about poor practice then the Line Manager will deal with this as a misconduct issue.

If the allegation is about poor practice by the Line Manager, or where the matter has been handled inadequately and concerns remain, then this should be referred to the Head of Operations or to a member of the Oriam Senior Management Team (SMT). Oriam SMT will decide how this will be dealt with case by case and whether or not to initiate disciplinary proceedings.

Any suspicion that an individual has been abused by either an employee or a volunteer will be reported to the Head of Operations or to a member of Oriam SMT who will take such steps as he/she considers necessary to ensure the safety of the child/vulnerable adult in question and any other child/vulnerable adult who may be at risk.

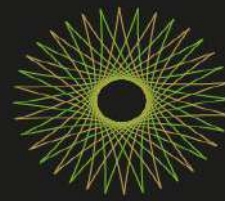
Where appropriate The Head of Operations will refer the allegation to Social Work Department who may involve the police.

The parents or carers of the individual will be contacted as soon as possible following advice from the Social Work Department.

Every effort should be made to ensure that confidentiality is maintained for all concerned.

If the Line Manager is the subject of the suspicion/allegation, the report must be made to the Head of Operations who is then responsible for taking the action outlined above.

Oriam will make an immediate decision as to whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.



Irrespective of the findings of the Social Work Department or police enquiries, Oriam must assess all individual cases under the appropriate misconduct/disciplinary procedure, to decide whether an employee or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, the Oriam Executive must reach a decision based upon the information that is available which could suggest that on a balance of probability it is more likely than not that the allegation is true. The welfare of children and vulnerable adults should always remain paramount.

Consideration should be given to what support may be appropriate to children, vulnerable adults, parents, employees and volunteers.

10.7 Allegations of Historical Abuse

Allegations of abuse may be made at some period of time after the event. For example, by an adult who was abused as a child by an employee or volunteer who is still currently working with children or vulnerable adults. Where such an allegation is made, Oriam will follow the procedures given above and report the matter to the Education and Children's Services or the police. This is because other individuals may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children and vulnerable adults.

10.8 False or Malicious Allegations

Where an investigation of abuse has been conducted and is unfounded the staff member/ volunteer 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.

Oriam will take all reasonable steps to support the individual in this situation. In these circumstances, Oriam 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.

11. Sharing concerns with Parents, Guardians or Carers

11.1 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.

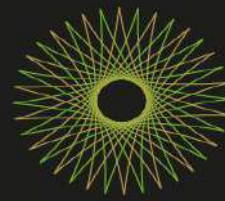
11.2 Allegations of Abuse

There are circumstances in which a child or vulnerable adult might be placed at even greater risk if concerns are shared e.g. where a parent/guardian/carer may be responsible for the abuse or not able to respond to the situation appropriately. In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the Child & Vulnerable Adult Officer and/or follow the flowchart in appendix 2 as soon as possible.

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.

12. Legal Framework

This policy and procedures have been informed by the legislation and guidance listed in appendix 5.



Appendix 1 – Definition of Terms

Child:

A child is defined as anyone under 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

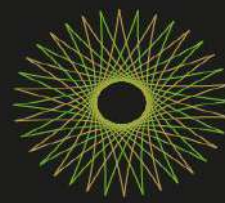
The term Vulnerable Adult refers to any person aged 16 or over who for the time being are:

- 1) Are unable to safeguard their own welfare or properly manage their financial affairs and,
- 2) Are in one or more of the following categories:
 - a) A person in need of care and attention by reason of either infirmity or the effects of ageing
 - b) A person suffering from illness or a mental disorder
 - c) 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/ herself from harm and/or exploitation.

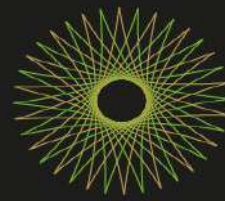
A number of studies suggest that children and vulnerable adults are at increased risk of abuse. Various factors contribute to this such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse has occurred.

Appendix 2 – Procedure for Responding to Suspicions and/or Allegations of Abuse of a Child or Vulnerable Adult against a Member of Staff or Volunteer



Appendix 3 – Incident Report Form

Participant's Name	
Date & Time Of Incident / Issue	
Description Of Issue/Incident	
Action Taken By Coach	
Parent/Carers Comments	
Action Required	
Parent/Carers Signature	
Staff Signature	



Appendix 4 – 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.

Details of person making report:

Name:
Position:
Contact telephone number:
Address:

Details of Child/ Vulnerable Adult:

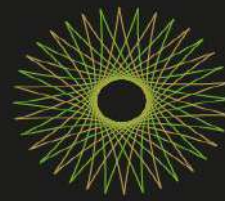
Name:
Date of Birth:
Address:
Contact telephone number:
Names and address of parents/guardian/carers:

Details of person about whom there is concern:

Name:
Position:
Date of Birth:
Address:

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):



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):

Details of contact with the parent/guardian/carer

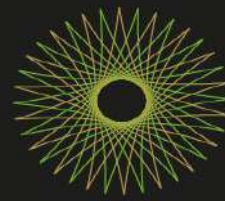
Have the parents/guardians/carers been advised of this matter? Yes /No
If yes, by whom and record any action taken by them:

Details of action taken

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

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:



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.

Appendix 5 – 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)