

“protecting our children”

ABOUT roshni

roshni - meaning 'light' in Urdu - is a charitable organisation that was established on 14 June 2002 by members of the UK's minority ethnic community.

These members, who have been born and brought up in the UK and have lived within the minority ethnic community, felt that too many incidents of abuse were not being tackled, or highlighted and that young people required a voice as to what constitutes abuse and open access to existing support networks for children and families who are being or have been affected by abuse.

Unfortunately, it is often the case, that cultural barriers and a desire not to bring shame on the community means child abuse unfortunately goes unreported.

roshni seek to ensure that, through its work, children and young people who are victims of any form of abuse have access to the services they require and that these services are sensitive to cultural and religious needs.

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FOREWORD

A Guide for Organisations in Minority Ethnic Communities

The key themes of this guide include:

- The Protection of Children (Scotland) Act 2003
- How to carry out disclosure checks through Disclosure Scotland – a requirement by Law
- Introduction of a Care and Protection Framework Promoting Good Practice within organisations

The Protection of Children (Scotland) Act 2003 has been introduced with the aim of improving safeguards for children, by identifying and putting in place measures to prevent unsuitable persons from working with them. Under the Act, a Disqualified from Working with Children List has been created, which came into operation on 10 January 2005.

The legislation introduces a range of obligations for statutory, private and voluntary sector organisations. It covers work in both paid employment and the unpaid voluntary sector. There are a range of offences created for both individuals and organisations and failure to comply with these statutory duties **could be considered an offence for which your organisation could be prosecuted**. Therefore you should be familiar with this important piece of legislation in order to protect the children and young people accessing the services provided by your organisation, whilst also ensuring the protection of your own employees and/or volunteers.

Organisations are able to carry out checks on existing and potential future employees by submitting an application for a disclosure check to Disclosure Scotland. There are various types of checks which can be carried out in different sets of circumstances so again it is important that you are aware of the circumstances when this should be done, and how this can be done most effectively.

Disclosure checks are only one part of an effective Selection and Recruitment Process to identify individuals who are suitable to be deployed in childcare positions. This guidance packs contains recommendations on introducing an effective Selection and Recruitment Policy which may assist in strengthening existing arrangements.

It contains guidance in relation to the importance of appointing a designated Child Protection Officer (CPO) within organisations, and the benefits associated with such an appointment. It also contains recommendations in relation to developing effective Child Protection Policies and incorporating a Care and Protection Framework. This will ensure the promotion of good practice within your organisation in relation to the highly important area of child protection thus ensuring maximum confidence in your organisation.

Adopting good practice provides a number of recognised benefits and will assist your organisation by:

- Providing safeguards for children and young people
- Increasing the confidence of parents that your organisation will endeavour to protect the children and young people accessing your organisation
- Protecting your organisation from prosecution for breach of The Protection of Children (Scotland) Act 2003

Section One

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INTRODUCTION

Section 1: INTRODUCTION

This pack has been developed primarily for religious organisations within the black and minority ethnic community, who employ individuals or receive assistance from individuals on a voluntary basis. Where these individuals are deployed in positions of trust in relation to children and young people there are a number of statutory and legal obligations which must be fulfilled. In particular this document provides detailed guidance in relation to the following;

- The Protection of Children (Scotland) Act 2003
- How to conduct Disclosure Scotland checks on all newly appointed staff and volunteers
- Assisting developing policies and procedures that will establish safeguards and strengthen existing measures to protect children and young people accessing your organisation

All individuals within your organisation should be made fully aware of child protection policies and procedures. A comprehensive **Child Protection Policy** is one of the most important ways of conveying the message that your organisation values the safety and protection of young people.

The Scottish Executive audit entitled, 'It's Everyone's Job to Make Sure I'm Alright' ¹(2002) emphasises that all adults have a collective responsibility for the care and welfare of children and young people in our society.

Section Two

¹ <http://www.scotland.gov.uk/library5/education/iaar-00.asp>

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THE PROTECTION OF CHILDREN (Scotland) ACT 2003

Section 2: THE PROTECTION OF CHILDREN (Scotland) ACT 2003

Introduction

The Protection of Children (Scotland) Act 2003 requires Scottish Ministers to maintain a List of persons considered unsuitable to work in “child care” positions whether in paid and/or voluntary posts. The List is known as the Disqualified from Working with Children List.

Background to Legislation

In July 2000, the Scottish Executive issued a consultation paper which set out the argument for establishing a central index containing the names of individuals considered unsuitable to “work with” children².

In September 2001 the Scottish Executive introduced the Protection of Children (Scotland) Bill which was passed by the Scottish Parliament in February 2003. The Act plugged a gap in existing measures which allowed unsuitable people to move from one child care post to another without detection if they had not been convicted of an offence. The Act provides for Scottish Ministers to keep the Disqualified from Working with Children List (DWCL), also known as the “List”. An individual working in a child care position, whether paid or unpaid, is to be referred to the “List”, when they have harmed a child or put a child at risk of harm and have been dismissed or moved away from contact with children as a consequence. Organisations have a duty to refer such individuals to the “List”. Failure to make a referral is an offence under the Act. The “List” includes those convicted of an offence against a child, when the court has referred them because it considers them to be unsuitable to work with children. Those on the “List” (other than provisionally) are disqualified from working with children and will commit a criminal offence if they apply to or work with children.

Summary of the Act

²Protecting Children and Young People: A Guide and Training Pack for the Voluntary Sector, 2004, P.11

- Scottish Ministers keep the “Disqualified from Working with Children List” (the List)
- Relevant organisations have a duty to make referrals to the List. Failure to do so will be considered an offence under the Act
- The Protection of Children (Scotland) Act 2003 Information Note states that:

“An individual working with children, whether paid or unpaid, is to be referred to the list when they have harmed a child or put a child at risk of harm and have been dismissed or moved away from contact with children as a consequence.”

- Individuals on the List will commit a criminal offence if they apply to or work with children (unless they are provisionally listed i.e. awaiting a decision)
- It is an offence for an organisation to knowingly employ a person to work with children if that person is on the List (unless provisionally)
- Organisations can find out whether an individual is on the List by carrying out a Disclosure check available from Disclosure Scotland

Does the Act Apply to Your Organisations?

The Protection of Children (Scotland) Act 2003 applies to your organisation if you employ (paid or unpaid) people to work in **child care** positions

What is a Care Position?
The Act provides for Scottish Ministers to maintain a List of persons unsuitable to work in a "child care" position. Schedule 2 of the Act defines care positions in a number of ways including:
1(d): "Whose normal duties include caring for, training, supervising or being in sole charge of children"
1(e): "Whose normal duties involve unsupervised contact with children under arrangements made by a responsible person"
1(f): "whose normal duties include caring for children under the age of 16 in the course of the children's employment"

In determining the type of positions that involve **"caring for, training, supervising or being in sole charge of children"** it is considered that Employers of children, befrienders, care workers, sports coaches, music tutors, life guards, those involved in uniformed groups, volunteer and parent helpers and youth workers are examples of positions that will fall into this definition.

If your organisation's activities fall under the categories outlined above it is important that you comply with the Act as failure to do so could lead to your organisation being prosecuted.

Your Legal Obligations

The Act places a legal obligation on **YOUR** organisation to do **3** things:

1. Ensure that the persons you employ (paid or unpaid) into care positions (as defined previously) are not named on the Disqualified from Working with Children List
2. Disclosure Scotland legislation does not apply to persons employed prior to 10 January 2005, though it is considered good practice to ensure that all relevant checks are carried out on all staff members (whether paid or unpaid)
3. Refer individuals to the List. It is imperative that your organisation understands the grounds for making referrals as this is one of the most important aspects of the act

How to Manage YOUR Legal Obligations

1. In order to ensure that persons employed into care positions, (whether paid or unpaid) are not named on the List, have **Disclosure Scotland** checks carried out. This Disclosure check is available from Disclosure Scotland who verify criminal records and other relevant information held by the police and government departments
2. Remove individuals who are fully listed from child care positions. The Act came into force in March 2003, therefore employees and volunteers (whether paid or unpaid) who commenced their work after this date must have Disclosure Scotland checks carried out
3. Organisations must understand the grounds for making referrals to the List. The Information Note on the Protection of Children (Scotland) Act 2003 – Guidance for Organisations³ states that it is your **duty** to make a referral if the individual has – either of the following -

<p>harmed a child or placed a child at risk of harm and been dismissed as a consequence</p>
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³ <http://www.scotland.gov.uk/library5/education/pcagfo.pdf>

harmed a child or placed a child at risk of harm and the organisation would have dismissed or considered dismissing the individual as a consequence, but for the fact that the individual resigned, retired or was made redundant before the organisation could take action to dismiss them

harmed a child or placed a child at risk of harm and as a consequence was transferred to a position within the organisation which is not a child care position.

harmed a child or placed a child at risk of harm and the organisation would have dismissed or considered dismissing the individual as a consequence, but for the fact that the individual was on a fixed term contract which was about to expire or had expired before the organisation could consider dismissal proceedings.

The Definition of Harm

Section 18 of the Act states:

“harm includes harm which is not just physical harm”. This includes the type of harm which arises from a degree of carelessness or neglect, which can be an act of commission or omission. This also means that harm includes physical harm, mental harm, sexual harm and emotional harm.

How to Make a Referral

“A Referral to the list is made in a written report (reference). Only individuals, who ‘work’ in child care positions (as defined by Schedule 2 of

the Act) **and** meet the grounds for referral, should be referred to Scottish Ministers for consideration for inclusion on the List. The organisation or individual which makes the referral is not required to send a copy of the reference to the individual who is the subject of the reference. This responsibility rests with the Scottish Ministers.”⁴

"An organisation may refer the case of an individual to the List where a child was harmed or put at risk of harm and the dismissal, resignation, retirement, redundancy or transfer took place prior to the Act coming into force. There is no time bar for making referrals. It will be your organisation's judgment as to the nature of the harm or risk of harm to a child, the availability and adequacy of information about the case and the wider public interest that will be of importance rather than the age of the case on its own . "

A copy of the form used for a making referral can be obtained on the Scottish Executive’s website at www.scotland.gov.uk/childprotection; alternatively, a paper copy can be obtained by telephoning the **general enquiry line**;
Tel: 0131 244 1567

The envelope containing the referral and supporting information should be clearly marked with **“Restricted – Personal Information”** and sent to;

The Manager
PO Box Number 23628
Edinburgh
EH6 6ZH

⁴ Protecting Children and Young People: A Guide and Training Pack for the Voluntary Sector, 2004, P.37

Section Three

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DISCLOSURE SCOTLAND

Section 3: DISCLOSURE SCOTLAND

Disclosure Scotland is a service designed to enhance public safety by providing potential employers and the voluntary sector with criminal history information on individuals applying for posts. Disclosure Scotland issues

certificates - known as "Disclosures" - which give details of an individual's criminal convictions or state that they have none.

How does it work?

Employers and voluntary organisations should request a Disclosure Certificate from the candidate when a provisional offer of employment or a volunteer post is made. The individual should apply for such a certificate. For Standard and Enhanced Disclosures, there is a requirement for the application to be countersigned by a registered body (any employer, organisation or individual who is entitled to ask exempted questions under the Rehabilitation of Offenders Act 1974). The original Disclosure is then issued to the individual and a copy sent to the registered body. In the case of the Basic Disclosure, the individual is able to apply directly to Disclosure Scotland, and the Disclosure document is sent to the individual only.

There are **3 types** of Disclosures available under the Disclosure Scotland Service;

1. Basic Disclosures

A Basic Disclosure contains details of convictions considered unspent under the Rehabilitation of Offenders Act 1974. They are available to anyone for any purpose, on payment of an appropriate fee. This type of Disclosure is only issued to the applicant. It is not job-specific and may be used more than once.

2. Standard Disclosures

The intermediate level of Disclosure is the Standard Disclosure. This includes convictions held on central records but includes both spent and unspent convictions. This means that even minor convictions, perhaps dating from years ago, are included on the Disclosure. The Standard Disclosure is available on payment of the appropriate fee, subject to the application first

being countersigned by a registered person (usually the potential employer or voluntary organisation). The main categories of occupations etc for which a Standard Disclosure may be required are

- Those involving regular contact with children and vulnerable adults
- Those checked in the interests of national security
- Those involved in the administration of law
- Those applying for firearms; explosives and gaming licences

A Standard Disclosure is sent to the applicant, and a copy sent to the relevant Registered Body.

3. Enhanced Disclosures

In addition to the details included in Standard Disclosures, Enhanced Disclosures may contain non conviction information which a Chief Constable may choose to disclose, which he feels is relevant to the job or voluntary work sought.

This type of Disclosure is available to -

- Those who apply for work that regularly involves caring for, training, supervising or being in sole charge of children or vulnerable adults
- Applicants for various gaming and lottery licences
- Those seeking judicial appointment
- Applicants for registration for child minding, day care and to act as foster parents or carers

Section Four

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CARE AND PROTECTION FRAMEWORK

Section 4: CARE AND PROTECTION FRAMEWORK

All organisations working with children and young people should consider appointing a Child Protection Officer (CPO) who has responsibility for the coordination and implementation of Child Protection policies and procedures. These responsibilities can be either the full time responsibility of that individual, or alternatively can be managed in conjunction with other responsibilities, either paid or unpaid.

Such an appointment is beneficial in terms of ensuring that an organisation is complying with legislation, such as the Protection of Children (Scotland) Act 2003, as well as promoting good practice. Your appointed Child Protection Officer (CPO) should be responsible for reporting concerns to the appropriate authorities and for providing training and implementing procedures to support the care and protection framework.

In considering the appointment of a Child Protection Officer (CPO) within your organisation the following factors should be taken into account;

- A Child Protection Officer (CPO) should ideally have experience of working in a children/youth/social services context
- A Child Protection Officer (CPO) must be willing to complete relevant training courses and be prepared to advise staff and committee members
- A Child Protection Officer (CPO) must be able to cope under pressure
- A Child Protection Officer (CPO) must abide by the Confidentiality Policy

To achieve the **3** obligations stated earlier YOUR organisation needs to develop **GUIDELINES** and **PROCEDURES**. These will form the Care and Protection Framework. The framework should cover the following aspects:

1. Comprehensive Recruitment Procedures

Key points:

- Appointing a recruitment coordinator
- Advertising all vacancies
- Investigating previous employment history
- Following through references
- Disclosure Scotland checks must be carried out
- Conducting face-to-face interviews with each candidate
- Providing adequate training for all staff, whether paid or unpaid
- Providing Feedback and Performance Appraisal

2. Creating a Safe and Open Working Environment

(Please refer to Section 6)

Key points:

- Promoting good practice
- Practices to avoid
- Identifying signs of abuse
- Taking appropriate actions
- Sharing your concerns and taking appropriate actions
- Managing allegations made against staff or volunteers
- Maintaining confidentiality
- Good record keeping

Section Five

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RECRUITING AND SELECTING STAFF

roshni's work involves assisting organisations, to review and, where appropriate, to modify practices and procedures in a way that will strengthen safeguards for children and young people.

It is vital that organisations adopt a Recruitment and Selection policy which helps to identify those individuals who are unsuitable to work with children or young people. This section provides advice on how this can be achieved. It is essential that all organisations entrusted with the care of children and young people adopt a robust recruitment policy and carry out a full range of checks in relation to all individuals who will be deployed in child care positions.

These include:

- The responsibility for recruitment and training of staff and/or volunteers should be devolved to an identified member of your existing team
- Do not rely on word of mouth appointments, advertise all vacancies
- Details of positions available should be circulated widely
- Obtain full Pre-Application Information from all candidates
- Ensure all candidates complete Application Forms
- Conduct Face-to-Face Interviews
- Conduct a full and thorough investigation of the applicant's employment history
- Take up references
- Obtain Disclosures Checks
- Ensure adequate supervision during any probationary period
- Maintain Personnel Records of all candidates and staff
- Provide ongoing Personal Development
- Provide Feedback and Performance Appraisal
- Ensure Committee Member Involvement in the selection and interview process

(For "Benefits" of adhering to the above please refer to Appendix 1)

Section Six

6

CREATING A SAFE AND OPEN ENVIRONMENT

Part A: Code of Conduct

This section is designed to help your organisation deal with care and protection concerns involving children and young people in a fair and consistent manner. It is a legal obligation to make referrals to “the List” when necessary. (Please revert to Section 1 for information on “the List” i.e. Disqualified from Working with Children List). Your organisation must therefore, have policies and procedures in place to improve your ability to decide when a referral is necessary.

It is important to define clear standards of behaviour when interacting with children and young people. The code of conduct highlights acceptable and unacceptable standards of behaviour. It is important that all workers, whether paid or unpaid, understand the potential consequences of behaving in an inappropriate way towards children and young people or placing them at harm.

A Code of Good Practice

This should detail the steps taken by your organisation to reduce everyday risk of harm to children and young people. Some of the factors that should be considered include:

- Health and Safety procedures, including provision of First Aid services and appropriate responses to emergency medical needs
- Availability of trained First Aiders
- Procedures for the safe transportation of children and young people
- Guidance on the use of physical contact
- Procedures for responding to allegations of bullying and harassment

Promoting Good Practice with Young People

- Give enthusiastic and constructive feedback rather than negative criticism
- Treat all young people equally and with dignity and respect
- Be an excellent role model
- Always be concerned with the welfare of each young person in your care
- Encourage the involvement of parents wherever possible however always consider that where they may be deployed in the care or protection of other children, they should be subject to the same rigorous selection processes (including Disclosure checks) as other employees and/or volunteers.
- Keep a written record, or a diary of each activity/session. This record should include a register of children and staff present, and details of any significant incidents, including any injuries that required first aid, regardless of how minor or trivial they may appear to be.
- Ensure that if any form of manual or physical support is required for a child, it is provided openly, the child is informed of what is being done and their consent is obtained, where possible.
- Provide recommended adult to child ratios, which vary with age. The guidelines for adult to child ratios are as follows ⁵(for care in non-domestic premises):

For children aged under 2	Ratio 1:3
For children aged 2	Ratio 1:5
For children aged 3 and over	Ratio 1:10
For children aged 8 or over	Ratio 1:15

Please note this guidance is illustrative only and each organisation should produce their own guidance dependant on the nature of activities undertaken.

⁵ <http://www.scotland.gov.uk/library2/doc15/reec-05.asp>

Practices to Avoid

- Avoid spending time alone with young people away from others
- Avoid taking young people alone on car journeys
- Avoid having 'favourites' – this could lead to resentment and jealousy by other children or vulnerable adults and could potentially lead to false allegations being made

Please note it is rare for a child to fabricate an allegation of abuse against an adult however adults should take care not to expose themselves to situations where this could occur.

Abuse is a very complex problem, and the information we provide is not a substitute for the advice of professionals. It is only to give you simple, proactive steps to help protect children.

6 steps to help protect children are:

- Step 1: Learn the facts, realities—not trust—should influence your decisions regarding a child or young person
- Step 2: Minimize Opportunity, if you eliminate or reduce one-adult/one-child situations, you'll dramatically lower the risk of abuse
- Step 3: Stay Alert, expect the unexpected. Not all children react in the same way to being abused and workers should be alert to any behaviours which are not of the ordinary. At the same time the workers should remain open minded and never make assumptions about a child or young person's behaviour
- Step 4: Make a Plan and ensure all workers/volunteers know where to go, who to call and how to respond
- Step 5: Highlight any suspicions, i.e. report any concerns to appropriate agencies, and **do not** investigate yourself
- Step 6: Get involved, volunteer and financially support organisations that fight the tragedy of abuse

Practices never to be sanctioned

If cases arise where the following situations occur then it may be necessary to refer the person to the "List", though please note that any initial suspicions would not always automatically result in dismissal. However the actions listed below are unacceptable and could potentially cause alarm or distress to children and/or young people. Where individuals are found to engage in these forms of behaviour, consideration must be given to invoking child protection measures which may include notifying the Child Protection Officer (CPO), notifying the Police, Social Work and/or providing a notification to the Disqualified from Working with Children List.

- Engaging in rough, physical or sexually provocative games
- Allowing or engage any form of inappropriate touching
- Using inappropriate or sexual language in the presence of a child or young person
- Allowing young people to use inappropriate language unchallenged
- Making sexually suggestive comments to a child or young person
- Doing things of a personal nature for young people that they can do for themselves
- Inviting or allowing young people to stay with you at your home unsupervised
- Reducing children to tears as a form of control
- Administering any form of punishment involving physical duress such as adopting a difficult position. An example of this is the "Murgha" position, which has often been used
- Administering any form of punishment which is designed to humiliate or embarrass a young person.
- Referring to a child's religion, culture, ethnicity, disability or gender in a way that is derogatory
- Allowing allegations of child abuse made by a child to go unrecorded or not acted upon

Part B: Recognising and Dealing with Abuse

Recognising signs of abuse is difficult, even for child protection professionals. Not all children react in similar ways and all staff must remain vigilant and open minded. It would be useful to consider some of the characteristics of a child who may be suffering from abuse:

Identifying Signs of Abuse

- Someone else (a young person or adult) expresses concern about a child or young person
- Changes in a child's behaviour or attitude such as becoming withdrawn and quiet, or displaying sudden outbursts of anger
- Fear of particular adults, especially those with whom a close relationship would normally be expected
- Difficulty in making friends or wanting to be left alone
- Constant hunger and stealing food from other young people
- An unkempt appearance
- Inappropriate sexual awareness
- Displaying sexually inappropriate behaviours
- Visible signs of discomfort or pain
- An unusual distribution of injuries, or injuries in unusual locations
- Inconsistent accounts of how injuries sustained
- Children who are reluctant to go home

Whilst there may be some other reasonable explanations for these behaviours, you should raise concerns and prompt further exploration. It is not the responsibility of any employee or volunteer to decide whether child abuse is taking place, there is however, a responsibility to protect young people by informing the appropriate agencies that can make enquires and take the necessary action to protect the child.

Concerns about a young person can come in a number of ways:

- A child or young person alleges that abuse has taken place
- A child or young person reports abuse that occurred some time ago
- An allegation is received from an anonymous, or named third party
 - A child or young person exhibits signs of abuse such as behaviour, play, drawing and statements that may cause suspicion of abuse
- A report is made against a worker of the organisation

The key role of the Child Protection Officer (CPO) or those dealing with young people in the organisation should be observing, reporting, recording and co-operating with child protection agencies. Your organisation must never be involved in investigating the suspected case of abuse, nor should they seek proof before making a referral to the appropriate agency.

Taking Appropriate Action

If a child or young person wants to talk about abuse:

- Make an accurate record of all that was said. These records must be factual and accurate, as later the notes may be used as evidence
- Accept what the child says and keep calm
- Reassure them that they were right to tell you
- Reassure them that they are not to blame
- Make sure that you have understood what they have told you
- Keep questions to a minimum, but clarify any facts or words that you do not understand
- Encourage the young person to use their own words
- Be honest straight away and tell them that you cannot make promises that you cannot keep
- 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 or vulnerable adult
- Avoid telling young people that everything will be fine
- Let them know what action you plan to take and assure them that you will keep them informed on what happens
- End the disclosure and ensure that they have the means to return home safely. If it is considered that the child or young person will be at immediate risk by returning home then immediate contact should be made with Social Services or the Police
- Ensure information is stored securely and confidentially

(Please see Appendix 2 for useful contact numbers)

Sharing Your Concern

With Parents

Often it may be appropriate to discuss initial concerns of a minor nature with the parents. For example, you find out that there has been bereavement or problems in the family, which may explain why a young person's behaviour may have changed. If concerns remain then further action would be required.

With Professionals

Concerns should be raised with the appropriate agency. In most cases this would be the Social Services duty senior. Social Services will advise what to do next and will take responsibility for ensuring that appropriate investigations take place. If a child requires medical attention as a result of abuse, then medical attention must be sought as a matter of urgency. If the nature of the alleged abuse is such that it is considered criminal in nature then a referral should be made to the police.

(Please see Appendix 2 for useful contact numbers)

Allegations against Staff or Volunteers

Reporting suspicions, allegations or incidents of abuse against a colleague, staff or volunteer can be distressing, however the welfare of the young person must be of paramount importance. Such incidents must be reported to a member of the committee or the individual who is responsible for Child Protection within your organisation. The Child Protection Officer must ensure the anonymity of anyone who, in good faith, reports his or her concerns about a colleague's practice or the possibility that a child is being abused.

Allegations made against workers should be managed accordingly:

- The concern must be reported immediately to the designated CPO
- The CPO should immediately contact Social Services or the Police and follow the advice they receive
- A full report should be written by the person who initially received or witnessed the concern. This report should include all details of what was seen or heard. The CPO may support the worker through this task, but may not complete the report for the worker or volunteer
- The CPO should add to the report by adding the outcome of the consultation with Social Services or the Police, including a summary of the advice given
- The CPO and the witness to the concern should sign and date the report and hand it to the Police or Social Services. You will be interviewed and a statement will be obtained
- Inform the worker, if advised by the Police to do so, that an allegation has been made against them
- Any internal review carried out by the organisation does not compromise the work of the child protection agencies. The internal review must not in anyway involve the questioning of the child or young person
- Where the organisation's own internal review suggests that the worker has breached the code of conduct then the disciplinary procedure should be followed. Removing the worker from any position which involves working with children and young people
- If the organisations review indicates that the worker harmed or placed the child at risk of harm then a referral to the Disqualified from Working with Children List should be made

Confidentiality

When information about abuse is disclosed it is paramount that the person receiving this confidential disclosure only shares this information with the appropriate designated person within your organisation. This individual must then report the incident to the relevant child protection agency and appropriate authorities.

Good Record Keeping

“Good record keeping is an essential source of evidence for reviews, investigations and referrals to other agencies such as the Police, Social Work and in relation to the Act, Scottish Ministers. Any information recorded in a record relating to a child, young person or worker should be accurate, factual and jargon-free. Where opinions and judgments are made it should be clear who has expressed them, how and why certain conclusions were reached. Organisations should not record any comments or views which they are not able to justify⁶.”

⁶ <http://www.crbs.org.uk/pocsa/ModuleSix/goodRecordKeeping.htm>

Section Seven

7

APPENDIX AND FEEDBACK FORM

APPENDIX 1

BENEFITS OF THE RECRUITMENT AND MONITORING OF STAFF

Appointing a Recruitment Coordinator: To coordinate the recruitment procedure and ensuring that guidelines are being followed and training standards are met.

Word of mouth appointments: It is very common in smaller organisations to rely on the reputation of workers who are known within the field. This allows such applicants/volunteers to completely bypass the recruitment process and may place children at risk. Do not rely on word of mouth appointments, you should advertise all vacancies and circulate details of positions as widely as possible.

Pre-application Information: Applicants and volunteers should have a clear understanding of what is expected of them if they accept the role. It is important to include information about the level of disclosure required which will inform applicants/volunteers about their eligibility to the role. A job description including roles and responsibilities, It is important to highlight the relationship that they will have with children and young people as well as the level of responsibility that they will have.

Application Forms: Smaller organisations may feel awkward asking applicants/volunteers that are known to them, to fill out an application form. However, it is good practice to ensure that ALL applicants/volunteers fill in a form, which should at least contain the following:

Personal details (including both current and previous addresses, date of birth and National Insurance number). **Employment History** (including employment gaps and reasons for leaving previous employment). **Experience** of working with children and young people. **Referees** (the applicant should be made aware that relatives do not suffice as a relevant referee). It should be noted that the post being applied for will require a **Disclosure Check**, and any convictions, cautions etc should be declared by the applicant. The applicant should be required to sign and date a **Declaration** which states that they are not on the List, exempt from working with children, and have no convictions (or has stated convictions and cautions if any).

Face-to-Face Interviews: must be conducted with every applicant that is being considered for the post. It is recommended that the interview be conducted with more than one interviewer present; in order to prevent disputes as to what was said in the interview. The interviewers should, before the interview, agree upon what they are looking for in a successful candidate, and discuss how they will question the candidate in order to find the most suitable person for the post.

Employment History: Candidates should be made aware that they should list all employment since leaving higher education, as well as reasons for leaving employment and explain any gaps in employment.

References: References help to give a further perspective on the suitability of the applicant or volunteer. It is not acceptable to use a family reference, the most suitable reference are from those who have supervised the prospective candidate's performance. References should include any incidents or concerns that occurred during employment, comments on candidates' performance and behaviour when working with children and young people. Referees should be contacted directly to ensure accurate information and any discrepancies that are highlighted from the reference should be discussed with the candidate.

Obtain Disclosure Checks: Under the provisions of the Act it is an offence if organisations knowingly recruit an individual who is fully listed on the Disqualified from Working with Children List and could lead to prosecution. It should be noted that where volunteers are being used for one-off events such as day trips or outings, you are obliged to use those who already have a disclosure check, as using volunteers, even for one day. A photocopy of the volunteers' disclosure form should be kept by the organisation. Disclosures may hold sensitive information; therefore it is important that they are stored in the appropriate way.

Supervision during any probationary period: It is good practice to supervise any new staff/volunteer in order to ensure their suitability and that they are able to work safely with children and young people.

Personnel Records: A written record should be kept of all workers/volunteers which should include completed application forms and references as well as incident reports if applicable. This information is useful for recording procedures of incidents and determining if deciding that an individual should be referred to the list.

Personal Development: Staff/volunteers must have an understanding of the personal, social, emotional, and physical needs of children and young people.

Feedback and Performance Appraisal: Regular meetings should be arranged for staff and volunteers to review and plan their work, to discuss any problems encountered with any young person and how this was resolved. This also provides an open way to discuss any recurrent issues as well as sharing experiences and to voice concerns.

Committee Member involvement: The members should be involved in the recruitment and selection process and the Child Protection Officer (CPO) should also be appointed from the committee. The CPO should take the opportunity to observe staff interacting with young people.

APPENDIX 2 STRATHCLYDE POLICE CONTACT NUMBERS

Strathclyde Police Family Protection Policy Unit
173 Pitt Street
Glasgow, G2 4JS
Tel - 0141 532 2218/2328/2289

"A" Division Family Protection Unit
Stewart Street Police Office
50 Stewart Street
Glasgow, G4 0HY
Tel - 0141 532 3014/3015/3114

"C" Division Family Protection Unit
Saracen Police Office
104 Barloch Street, Saracen
Glasgow, G22 5BY
Tel - 0141 532 3965/3936/3967

"E" Division Family Protection Unit
Baird Street Police Office
6 Baird Street
Glasgow, G4 0EX
Tel - 0141 5324210/4214/4206

"G" Division Family Protection Unit
Aitkenhead Road Police Office
744 Aitkenhead Road
Glasgow, G42 0NS
Tel - 0141 532 4914/4915/4985

"K" Division Family Protection Unit
Renfrew Police Office
Inchinnan Road
Renfrew, PA4 8ND
Tel - 0141 532 6120/6121/6158

"L" Division Family Protection Unit
Clydebank Police Office
50 Montrose Street
Clydebank, G81 2QD
Tel - 0141 532 3400/3331/3325

"N" Division Family Protection Unit
Motherwell Police Office,
217 Windmilhill Street
Motherwell, ML1 1RZ
Tel - 01698 483000

"Q" Division Family Protection Unit
Cambuslang Police Office
Tabernacle Street
Cambuslang, G72 8LA
Tel - 0141 532 4104/4105/4106

"U" Division Family Protection Unit
Ayr Police Office
1 King Street
Ayr, KA8 0BU
Tel - 01292 664014/4159/4057

OTHER USEFUL CONTACT NUMBERS

roshni		0141 433 4343
Glasgow City Council, Social Work	Southside	0141 420 8000
	West End	0141 274 4300
	North	0141 276 7010
	East End	0845 345 4600
Disclosure Scotland		0131 244 1567
Scottish Executive		0141 248 2855
City of Glasgow, Social Services		0141 248 3535
Children's Panel		0141 287 5880
Youth Counselling Services Agency		0141 420 6600
NSPCC		0800 056 0566
Breathing Space		0800 83 85 87
Kidscape		08451 205 204
Govanhill Youth Project		0141 423 8793
Glasgow's Anti-Racist Alliance (GARA)		0141 572 1140
Women's Rape Crisis Scotland		0141 248 8848
Glasgow Women's Aid		0141 553 2022
Hemat-Gryffe Women's Aid		0141 353 0859
FRANK Helpline		0800 77 66 00
Breakthrough for Women		0141 552 5483
Scottish Refugee Council		0800 085 6087
Men in Mind		0131 225 8508

FEEDBACK FORM

Name: _____

Organisation: _____

Telephone: _____

Email: _____

	Strongly Agree	Agree	No Feelings	Disagree	Strongly Disagree
The objectives and purpose of the guidance pack was clear.					
The guidance pack was easy to understand.					
The guidance pack increased your knowledge of Disclosure Scotland and the Protection of Children (Scotland) Act 2003.					
The information contained in the guidance pack was comprehensive and relevant.					
The guidance pack gave you a better understanding on Child Protection issues.					

General Comments: