

Concerns about the Conduct of a BSL Staff Member or Volunteer (Coach, Official or Club Member)

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

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

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

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

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

1 Initial Reporting of Concerns

Any concerns of the welfare of a child arising from the conduct of a member of staff/volunteer must be reported to the Club Child Protection Officer on the day the concerns arise, as soon as practically possible.

Where the concern is about the line manager or the Child Protection officer it must be reported to Boxing Scotland Child Protection Officer.

2 Recording

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

All subsequent actions taken and reasons for decisions shall be recorded (in the order in which they happened) on the Significant Incident Form. This should be signed and dated by the Club Child Protection Officer or the person appointed to manage the response to the concerns. Where Disciplinary Procedures* are invoked, a written record will be made of all actions and reasons for decision. Guidance on the storage, sharing and retention of such records is contained in the relevant procedure.

3 Establishing the Basic Facts

Once the concerns the concerns have been reported Club Child Protection officer will:

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

4 Conducting the Initial Assessment

The Club Child Protection Officer will conduct the initial assessment.

The purpose of the initial assessment is to clarify the nature and context of the concerns. It should determine whether there is reasonable cause to suspect or believe that a child has been abused/ harmed or is at risk of abuse or harm.

Every situation is unique so guidance cannot be prescriptive.

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

Possible outcomes of initial assessment:

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

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

The Club Child Protection Officer will deal with the situation in line with Boxing Scotland Disciplinary Procedures.

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

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

6 Initial assessment supports concerns about possible child abuse

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

The Club Child Protection Officer will make a written record of the name and designation of the social worker or the police officer to whom the concerns were passed together with the time and date of the call, in case any follow up is required.

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

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

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

The Club &/or Boxing Scotland will take all reasonable steps to support a member of staff/volunteer against whom an allegation of abuse has been made.

7 Precautionary Suspension

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

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

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

8 Disciplinary Investigations

An ongoing criminal investigation does not necessarily rule out disciplinary action. However, any action taken must not jeopardise the criminal investigation. Advice must be taken from the police on this. Sufficient information should be available to enable Boxing Scotland Chief Operating Officer to make a decision whether to go ahead with disciplinary action.

9 False or Malicious Allegations

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

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

10 Historical Allegations of Abuse

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

11 Protection of Vulnerable Groups (Scotland) Act 2007

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

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

AND as a result:

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

Boxing Scotland will also refer the case of a staff member or volunteer where information becomes available after the

member of staff or volunteer has:

- Been dismissed by Boxing Scotland,
- Resigned, retired, or been made redundant
- Been transferred to another post in Boxing Scotland which is not regulated work with children; and,
- Where Boxing Scotland receives information that a member of staff or volunteer who holds a position of regulated work has been listed on the Children's List, the member of staff or volunteer will be removed from the regulated work with the children post.

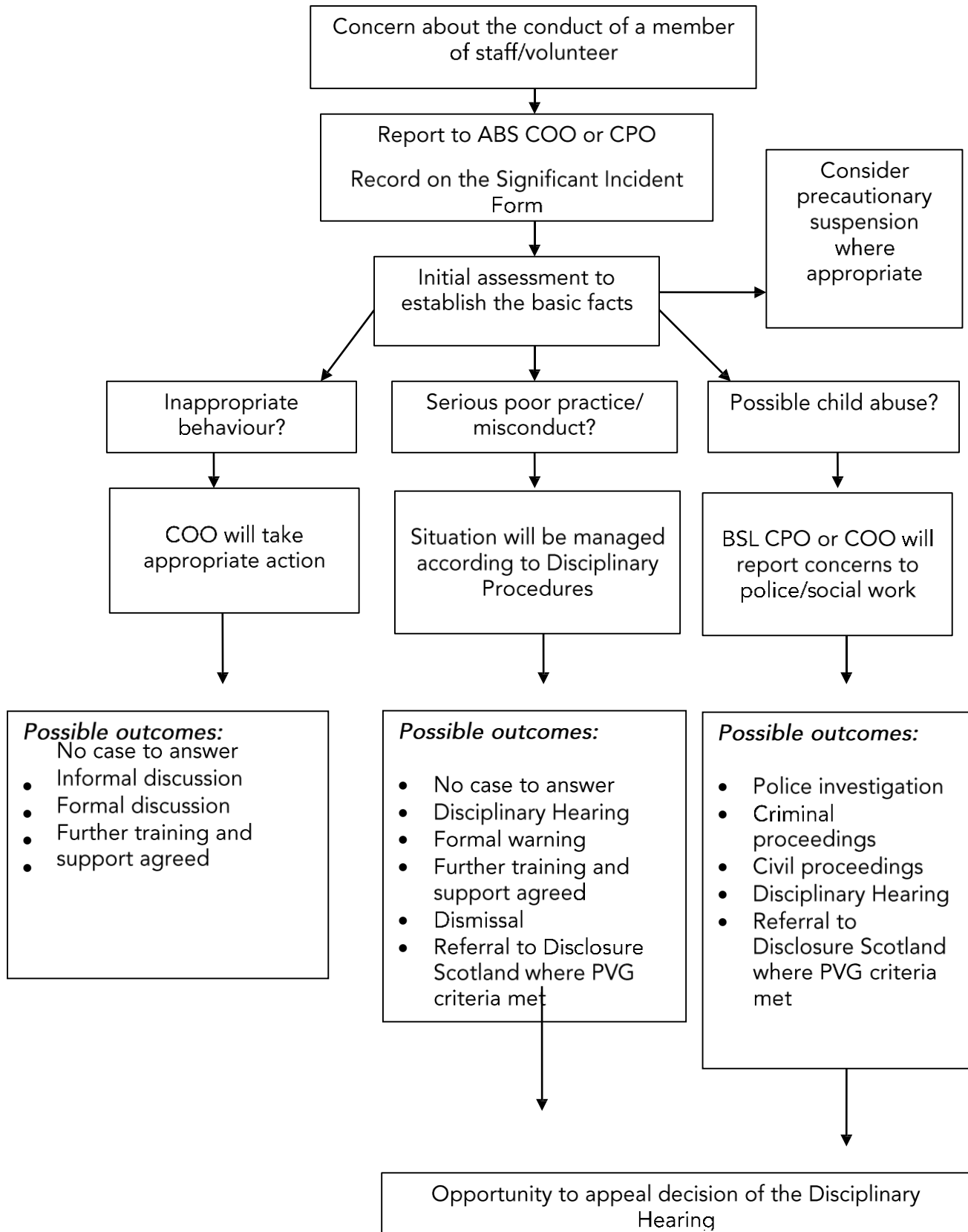
If Disclosure Scotland notify Boxing Scotland that a member of staff/volunteer is considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Remember that suspension is not a form of disciplinary action and does not involve pre-judgement. In all cases of suspension the welfare of children will be the paramount concern.

If Disclosure Scotland inform Boxing Scotland that an individual is barred, that member of staff/volunteer will be removed from regulated work with children immediately in line with the Prosecution of Vulnerable Groups (Scotland) Act 2007

12 Media

All media enquiries relating to the conduct of a member of staff or volunteer will be referred to Boxing Scotland Chief Operating Officer.

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



REVIEW OF THE MANAGEMENT OF CONCERNS

1. Establish the facts of the case, a chronology of events and the roles of individuals and organisations involved.

Setting out the actual sequence of events will help the reviewer to understand what happened, when, and who was involved; for example:

23 April 2011 Child disclosed physical abuse to coach.

23 April 2011 Coach reported concern to club CPO.

24 April 2011 Club CPO reported incident to SGB CPO.

24 April 2011 SGB CPO sought advice from PC Smith, London Road Police Station, referral then made to the Family Protection Unit.

2. Identify any issues or key questions relating to the aims of the review.

Having established the sequence of events the reviewer should then be able to answer the questions contained in the specific remit of the review.

If the reviewer considers that a child may still be at risk despite action taken during the case or as a result of Boxing Scotland Ltd failure to take appropriate action, they should be prepared to act. Any urgent issues should be addressed immediately without waiting for the conclusion of the review.

3. Identify any other relevant points or observations.

The reviewer may identify issues which are worth exploring further. These may include:

PROCEDURES	PEOPLE
<ul style="list-style-type: none">• Were the relevant procedures followed?• If not, is there a reasonable explanation for this?• Were the timescales appropriate?• Do the current procedures provide adequate information about what to do in such a situation?• If appropriate, was a referral made to Disclosure Scotland as required by the Protection of Vulnerable Groups (Scotland) Act 2007?	<ul style="list-style-type: none">• Were the right people involved?• Were the views of the child/family obtained?• Were those involved aware of the procedures?• Had the people involved been trained on the procedures?• Where appropriate, were external organisations involved; for example, the police or governing body of sport?
OUTCOMES	RECORDING
<ul style="list-style-type: none">• Was the outcome appropriate in the case?• If not, why not?• Is there a need to take further action in this case; for example, referring the case to police/social work?	<ul style="list-style-type: none">• Were records kept?• Is the quality of the information recorded satisfactory?• Can the forms be improved?

4. Identify any lessons to be learned and what changes need to be made.

5. Make recommendations.

Recommendations may include things like changes to procedures, forms and/or the provision of training. It may be helpful for the reviewer to prioritise the recommendations as appropriate; for example, essential, desirable or helpful.

POST REVIEW

Responding to the Findings and Recommendations

Having invested the time and effort in conducting a review, Boxing Scotland Ltd should carefully consider how to respond to the findings and any recommendations. It must also consider how to advise/support any others on whose behalf it has conducted the review. Decisions on how to react to the recommendations should be taken by the appropriate board/management/executive committee.

Where recommendations are to be followed, the management should identify the priorities, what action is required, who will take action and timescales for completion. This information must be clearly communicated to those involved. Management should follow up to check that action has in fact been taken.

If it is decided not to follow the recommendations, this decision and the reasons should be clearly recorded in management minutes.

Applying the Learning in Practice

Lessons learned and/or changes made to procedures or practice must be communicated to those who need to know so they can be put into practice. This can be achieved in a number of ways:

- a briefing note
- training session
- group email
- article in an Boxing Scotland Ltd publication or website.

The best method will often be determined by the significance or nature of the information to be passed on. Like all other policies and procedures, these changes in practice should be subject to regular monitoring and review to ensure compliance.

Sharing the Findings and Recommendations Internally and Externally

There are benefits to sharing the outcomes of a review with others:

- It demonstrates that Boxing Scotland Ltd is committed to continuous improvement.
- Other individuals and organisations may benefit from the lessons learned from Boxing Scotland's experience.
- It can contribute to the wider understanding of child protection in sport and the ways in which practice and guidance can be enhanced.

Remember that many of the details of the case will be confidential, so any information shared must be presented in a way that protects the anonymity and privacy of those involved.

Internally

Identify those within Boxing Scotland Ltd who should get feedback on the outcomes of the review. This will include the board/management/executive committee; the individuals involved in the case, and where appropriate, member clubs.

Externally

Boxing Scotland Ltd should also consider whether there are other organisations or partners who would benefit from the review and its recommendations.

Depending on the circumstances of the case, there may be media interest in the outcome of the review. Boxing Scotland Ltd should have a strategy in place to deal with any enquiries from the media.

REVIEW PLANNING - TEMPLATE

Name of reviewer:	
Case reference:	If this record is going to be shared with others, the details of the case should be anonymised using a unique reference number or identifier.
Outstanding investigations and proceedings:	If relevant to this case, have the following been concluded: 1. Police and social work child protection investigation? Y/N 2. A criminal investigation by the police? Y/N 3. Any related legal proceedings? Y/N If the answer to any of these questions is no, the review cannot proceed.
Remit of review:	List here in bullet point form the reasons for the review <ul style="list-style-type: none">• To fully understand the allegations• To gather full facts, evidence and witness statements from all involved•
Timescales for completion:	This should be the dates when the review will begin and end with the reported findings.
How will the review	List here the methods to be used to conduct the review; for example:

be conducted?	<ul style="list-style-type: none"> • a review of all paper records • telephone/face to face interviews with relevant individuals • contact with other organisations involved as necessary.
Are there any special considerations or features in this case?	For example, this case was reported in the press, the child involved has a learning disability.
How will the findings and recommendations be reported?	Boxing Scotland Child Protection Officer and COO would compile a report containing all relevant facts, findings & evidence. This would then be marked strictly confidential and the matter escalated to the Board if required and any other relevant organisations such as Police, Social Work etc.
Who will the outcomes of the review be shared with?	Please see above
Is a media strategy required?	Depending on the severity of the individual case.

SIGNIFICANT INCIDENT FORM - TEMPLATE

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

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

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

1. Child's Details

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

2. Details of Person Recording Concerns

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

3. Details of Incident giving rise to Concerns

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

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4. Details of any witnesses

(including names, addresses and telephone contacts)

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5. Details of injuries

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

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PART B WHERE THERE ARE CONCERNS ABOUT POSSIBLE CHILD ABUSE

1. Details of person about whom there is a concern

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

2. Details of concerns

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

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3. Details of any action taken

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4. Details of agencies contacted

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

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

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

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Signed: _____

Date: _____

Print Name: _____

Position: _____