

Child Protection Guidance and Toolkit for Third Sector Organisations in Highland



This Guidance has been produced for larger Third Sector Organisations and those with a number of paid staff who should have robust child protection policies and procedures in place. This Guidance sits behind the [Highland Child Protection Committee Guidelines](#) and provides further tools to help support recruitment of staff and volunteers, as well as more detailed guidance on child protection issues.

For smaller Organisations primarily using volunteers to provide activities for children, young people and families in Highland you may wish to visit the [Highland Child Protection Guidance for Community Groups](#). This may include sports clubs, arts and crafts groups, religious organisations or any organised groups/activities which involve regular contact with children and young people.

Please note that whilst this guidance refers to work with children and young people, many of the issues covered are also applicable to working with vulnerable adults. Further advice and information on Adult Support and Protection can be found online.

Highland Child Protection Committee would like to thank the Keeping Children Safe Reference Group for their support in developing this guidance.

Welcome from the Chair

Highland Child Protection Committee believes that every child, regardless of age, has at all times the right to feel safe and protected from harm. This Guidance has been designed to help your organisation protect these rights. Child Protection is the responsibility of every adult who has involvement with children, young people and families including those working within adult services. All organisations working with these groups should have an appropriate child protection policy and statement for all staff and volunteers.

This Guidance aims to help organisations ensure they have the right policies and procedures in place, and follow appropriate recruitment and selection processes to ensure checks and balances are in place. Please note, this document provides *guidance* only and is not designed to be overly prescriptive. Organisations may choose which tools to use and/or provide additional guidance or direction for staff and volunteers to meet specific service requirements.

You may also be affiliated to a national or larger organisation that already has a child or adult protection policy in place. This Guidance should help you ensure that your organisation's policy is compatible with Scottish legislation and Highland practice. Most of the content also applies to self-employed individuals who are involved in delivering activities or services to children and young people. If you hire facilities from Highland Council or High Life Highland, receive or wish to apply for a Highland Council grant towards your activities, you **MUST** read this document and put this guidance into action. Compliance will be audited.

In Scotland, children are defined within law as under the age of 16 years. However, the Children and Young People (Scotland) 2014 Act and UN Convention on the Rights of the Child recognise our responsibility to provide services and support to all children and young people under the age of 18 years.

Children and young people usually trust and respect the adults involved in providing activities for them. On occasion, staff or volunteers may become concerned about a child or young person, or the child may disclose something has happened to them. It is crucial that organisations feel able to respond appropriately to concerns about children and young people.

This Guidance aims to provide the information you need to help you make sure your organisation has the right procedures and guidelines in place, along with access to ongoing training and support to help ensure you are competent and confident in dealing with child protection issues.

Further information and guidance on child protection issues is also available on the Highland Child Protection Committee Website – www.hcpc.scot

**DCI Vince McLaughlin, Chair, Highland Child Protection Committee
Child Protection**

The United Nations Convention on the Rights of the Child (1989) *Article 19* states that each child has the right to protection from all forms of abuse, neglect or exploitation. It also says in *Article 12* that children have the right to express their views on any issues or decisions affecting them and to have those views taken into consideration.

The Children (Scotland) Act 1995 put these rights into Scottish law and placed a duty on anyone aged 16 or over, who has care and control of a child, to do all that is reasonable in the circumstances to safeguard a child's health, development and welfare.

'The welfare of the child is paramount'– In other words, the safety and wellbeing of children must come before anything else. Because of this, sharing information and taking other steps to make sure that children are protected should come before dealing with any other concerns.

What does this mean for my Organisation?

Every day in Highland children and young people receive a service from third sector providers and take part in activities in their community. As a community based organisation, you offer a very valuable service and you will already be taking steps to make sure that the environment and services you provide are safe and suitable.

Children and others learn to trust and respect the adults involved in providing activities. This places your staff and volunteers in a unique position in the lives of those taking part. There may come a time when a child confides in a member of staff or a volunteer, or when someone working with a child notices that something is wrong.

Your group has a duty to make sure that staff and volunteers are given the information, knowledge and backup that will help them to give the support, guidance and help needed when they believe that someone is being harmed or at risk of harm. These policies have been written to help you, your management committee, staff and volunteers to think through these issues and develop your own child protection guidelines for your group. They will also help you to consider any training that may be needed and point you in the right direction for help and advice in the future.

The Toolkit at the end of this document contains samples of recruitment and selection documents as well as flowchart examples of child protection processes. These include:

- Sample child protection policy
- A sample policy statement
- Policy on information & storage
- Policy on recruitment of ex-offenders
- Personal Profile Form

- Vetting Checklist
- Reference Form
- Reference Follow Up Telephone Conversation Record (optional if additional information is sought/required)
- Recruitment and Induction
- 10 Tips for Working with Children
- Responding to Child Protection concerns
- Good Practice Guidance for working with Children

Creating a safe environment

It is good practice for all organisations to have a nominated Child Protection Lead who is selected by the organisation and vetted appropriately. This may be a Manager or another nominated person within the Organisation. The Child Protection Lead is responsible for ensuring that:

- Child protection policies and procedures are up to date
- Policy is clearly displayed (if possible) and all volunteers/staff are aware of the policy and have read and understood it
- Staff know how to access specialist child protection advice
- Any child protection concerns are shared and recorded appropriately
- PVG checks for staff and volunteers are carried out and recorded/stored effectively
- Records are kept and referrals are made to Disclosure Scotland in cases where staff or volunteers are suspected or known to have harmed a child, and that these individuals are removed from unsupervised contact with children/adults 'at risk' until such time as a decision is made whether their names should be added to the Disqualified from Working with Children list

Staff and Volunteers should always know who their nominated child protection lead is and how to contact them. In most circumstances, any concerns should be discussed with line managers in the first instance.

Organisations should have a Child Protection Policy in place which is proportionate and appropriate (see **Tool 1** for sample policy). Where organisations receive funding or use premises from High Life Highland and/or Highland Council this is mandatory. Organisations should make a note in their minutes to show that they have agreed a policy and this has been made known to all members and volunteers. In addition, they **are required** to make sure that any organisations applying to use their facilities for activities involving children have a policy in place. Organisations should also have a Policy Statement which is displayed or available to view by all those using the Organisation and/or volunteering with the Organisation. A Sample Statement is provided in Tool 2.

Hosting public events with children

Any group or organisation who intend to host a public licensed event in the Highland Council local authority area require a license from Highland Council.

The Highland Council will need to be satisfied that the organisers have given due consideration to the safeguarding of children and young people, through the creation of a Child Protection Policy Statement and designation of a representative as the Child Protection Lead.

The *guidance* provided by Highland Council is designed to help an event organiser to consider every aspect of safeguarding they will be responsible for, with suggestions for how to achieve this and links to support from other stakeholders.

The guidance provides information on basic safeguarding which would be required of any event, as well as specific child protection considerations for events where children and young people will be present. Basic safeguarding includes the provision of welfare and first aid services, drinking water, ensuring staff are adequately trained and briefed, responsible sales of alcohol and tobacco products and the prevention of gender-based violence.

To satisfy the HC that due consideration of these factors has been made an applicant should produce a safeguarding policy statement and risk assessment. In addition, an organiser applying for a license to host an event with children or young adults must provide a Child Protection Policy Statement which addresses:

- the provision of a safe space, separate from the welfare area for adults, for lost children and vulnerable adults
- the PVG status of staff supporting children, young or vulnerable adults
- the age at which an adult can be deemed responsible to look after non-familial children and the number of children they can assume responsibility for
- the provision of smoke-free children's areas
- the responsible promotion and sales of alcohol ensuring children and young adults are protected from harm, possibly in separate safe spaces.

Coronavirus

All third sector organisations have a responsibility to follow [Health Protection Scotland](#) guidance for non-healthcare settings. [Highland Council](#) provides links to NHS Scotland, Scottish Government and travel advice from the Foreign and

Commonwealth Office. The NSPCC consider the additional threats to children and young people arising from Covid-19 and how these can be combatted.

Recruitment of Staff and Volunteers

It is good practice to use similar standards when recruiting both volunteers and paid staff. They should know what is expected of them. Tasks to be carried out should be clearly defined, so that everyone is clear about who is responsible for what. Staff and volunteers should:

- have clear lines of support and supervision
- be valued
- have safe working conditions
- be insured
- know their rights and responsibilities, how to make a complaint and how things will be dealt with if they do something wrong
- be paid agreed expenses where appropriate
- be provided with an introduction to their role in the organisation, and given appropriate levels of supervision to assess progress and to sort out any problems
- receive appropriate and relevant training
- be free from any sort of discrimination or harassment which breaks the law on equality

Recruitment of staff

The following procedure is recommended:

- Identify someone within the group to take responsibility for co-ordinating the recruitment of staff
- Advertise all posts and ensure you have a fair recruitment policy
- Provide applicants with a job description outlining the roles and responsibilities of the post.
- It should be made clear to applicants that a PVG check would be required to undertake work with children/young people
- Consent to undertake a PVG check should be included in the application form. Consideration could also be given to a 'self-disclosure form' to give potential applicants an opportunity to reveal any criminal history at an early stage.
- Identify an interview panel and agree interview format/questions
- Select candidates for interview and undertake interviews
- Offer position subject to reference and PVG Scheme membership check
- Ensure PVG Scheme forms completed – see Section on PVG Scheme Checks for information on agencies that can provide you with advice and assistance on this matter

- Obtain a minimum of 2 written references to obtain views on the applicant's suitability for the job
- If references and PVG Scheme check suitable, then appoint applicant to post
- If PVG check highlights vetting information, consider whether these are relevant to the post and make a decision on whether to appoint in line with your equal opportunities policy and bearing in mind that children's safety should be your priority. See section on equal opportunities policy
- Ensure you have a Personal Profile Form with details of each employee/volunteer
- Provide a new member of staff with appropriate training and ensure support is provided

Enrolment of volunteers

The approach outlined in the section on the recruitment of staff can be followed and it is seen to be best practice in relation to the recruitment of staff and volunteers.

- It is important that you have a system of enrolling volunteers as under the legislation all reasonable steps must be taken to ensure that unsuitable people are prevented from working with children.
- Unfortunately, not everyone has the best interests of children in mind and statistics reveal that in many cases children are abused by a person they know well.
- To safeguard yourself against allegations that you failed to take reasonable steps to protect the children who attend your group it is suggested that you follow the steps outlined Tool 10.
- It is important to plan ahead to identify the volunteers you may need in the future as the steps in the enrolment process will take some time to implement. It may be advantageous to have a pool of volunteers that you can call on as and when you need them or in an emergency and arrange to have them enrolled in your group now.

Protection of Vulnerable Groups (Scotland) Act 2007

The Protection of Vulnerable Groups (PVG) (Scotland) Act defines regulated work by reference to: the activities that a person does; the establishments in which a person works; the position that they hold; or the people for whom they have day to day supervision or management responsibility.

Is my organisation covered by the Act?

The Act covers organisations of any size, from a large local or national concern to a small group of half a dozen or so individuals, whether formal or informal and regardless of whether there is a formal management structure or whether

members run the group themselves. However, the purpose of the group must be clearly understood and everyone should be clear about who is in charge.

Regulated Work

There are two types of regulated work:

- regulated work with children;
- regulated work with adults.

The reason for having two types of regulated work, and two corresponding lists of individuals who are unsuitable to do such work, is to allow for the fact that unsuitability to work with one group does not always go hand in hand with unsuitability to work with the other.

When do I need to do a PVG check?

You need to undertake checks for anyone, paid or unpaid, ***whose normal duties fit the definitions for regulated work with children or adults.***

Where an organisation is also a Scottish charity then trustees concerned with its management or control may also be required to be checked.

Disclosure 'Referrals'

The PVG Act aims to provide a robust system by which unsuitable people are prevented from doing regulated work with children or protected adults, and by which people who become unsuitable are identified. For it to work effectively, it is necessary for organisations to pass on information to Disclosure Scotland that indicates an individual may be unsuitable to do regulated work so that it can be properly evaluated and appropriate action taken.

The process of providing such information to Disclosure Scotland is called 'making a referral'. The PVG Act places **a duty** on organisations and personnel suppliers to make a referral when certain criteria are met. Broadly speaking, the criteria are that: (a) an individual doing regulated work has done something to harm a child or protected adult and (b) the impact is so serious that the organisation has (or would) permanently remove the individual from regulated work. The first of these criteria is known as the referral ground.

The PVG Act also gives organisations and personnel suppliers **a power** to make referrals where the criteria were met before the PVG Act comes into force.

Making a referral is very important. Failure to refer an individual may mean that an individual who is unsuitable to do regulated work does not get barred from doing that type of work and can go on and harm other vulnerable people in other settings.

Further information is available at:

<https://www.mygov.scot/disclosure-types/?via=http://www.disclosurecotland.co.uk/documents/DSPProtectionUnitDeterminationsEMPLOYERREFERRALFORMFeb11.doc>

When a referral is made, the evidence will be considered and a decision made whether to include the person on the List of people barred from working with Children, adults or both. Courts can also refer people who have committed an offence against persons in either group and who, as a consequence, are considered unsuitable to work with them in future.

It is an offence for an individual to do, or seek or agree to do, regulated work of the type from which they are barred.

It is also an offence for an organisation to knowingly recruit an individual who is barred to do regulated work of the type to which the barring relates.

For further information about the Protection of Vulnerable Groups Scheme visit: <https://www.mygov.scot/pvg-scheme/>

Tool 3 of this tool kit provides further guidance regarding the secure handling of information.

Please note, these checks allow us to screen those who apply for paid posts or volunteer and check any recorded information about them. However, it is not a guarantee of suitability to work with children and you should use your professional judgement and the knowledge you and your staff may have about potential volunteers and their suitability.

Recruitment of Volunteers with Criminal Convictions

Having a criminal conviction does not necessarily preclude someone from being employed by, or involved with Organisations, and it may be discriminatory to reject them on this basis. However, it is important to consider any risks involved for children, young people and other volunteers so the offences do need to be considered. The type(s) of work to be undertaken, nature and number of offences, length of time and specific issues affecting the person at the time and since may all be considered. Further information and advice about the Rehabilitation of Offenders Act including amendments made in February 2018 can be found [here](#). Tool 4 provides further guidance for Organisations where a volunteer or staff member may have previous convictions.

Specific Circumstances

Transporting children and young people:

Where possible, ensure transport arrangements are in place prior to activities taking place. Consider any risks involved and ensure information is available for other members and parents/carers. If it is necessary to transport children other than by use of hired transport e.g. bus company, minibus then the following good practice should be implemented:

- Drivers should be vetted appropriately in accordance with these guidelines
- Vehicles should be roadworthy and appropriately taxed and insured
- Consent should be obtained from the child's parent/carer
- A collection point and drop off point should be identified and parents/carers notified of these points.
- Ensure an adequate adult-child ratio and, where possible, both male and female staff should accompany mixed groups of children. Ensure the accommodation and sleeping arrangements are suitable
- Always have a list of emergency contacts

Photographing, videoing and filming:

Publications and websites are a great way to promote the achievements of children and organisations. However, it is important to consider any risks that may arise from posting photos/videos online. For example, some children may be subject to statutory measures or may be living with parents or carers who have had to flee domestic abuse or other threatening situations. To reveal their whereabouts may place them at risk.

The following measures are recommended as good practice and will contribute to safe participation in your organisation:

- Consent should always be obtained from the parent/carer and child whose picture may be taken or used.
- The organisation 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.
- People are made aware where they can report concerns about the use of photographs and films, i.e. the Designated Child Protection Officer for the organisation and/or the Police. Further information on [Sexting](#) can be found on the Highland Child Protection Committee website www.hcpc.scot

Publications and Websites:

- Always obtain consent before displaying pictures or information.
- Never include personal information that could identify a child or place them at risk e.g. full name, home address, e-mail address, telephone number, dates, place and times activities take place. Instead give the contact details of a organisation leader who can deal with requests for information about the organisation.
- Never depict children in a provocative, demeaning or tasteless manner.

Tool 11 contains 10 top tips for effective Child Protection in Organisations

Dealing with a Child Protection Situation:

Being alert to signs and symptoms:

People who abuse others often do so in a manner that makes it difficult for children or young people to tell someone else if they are being abused.

However there may be signs which make you concerned and may be an indication of abuse or neglect.

The child/young person may:

- have unexplained bruising or bruising in an unusual place
- appear afraid, quiet or withdrawn
- appear afraid to go home
- be left unattended or unsupervised
- have inappropriate levels of responsibility for their age
- be acting out in a sexually inappropriate way
- be misusing drugs or alcohol
- be being bullied

The parent/carer (or another adult) may be:

- verbally abusive towards a child or young person
- acting in a violent or sexual manner towards a child, young person or adult who is less able to protect him/herself
- misusing drink or drugs whilst caring for a child or young person

Tool 13 provides a list of general points to consider when working with children and young people.

What should I do if I have a concern?

Speak to your line manager/nominated Child Protection person as soon as possible. If you are unable to contact them, or it is not appropriate to do so, you should contact your local Family Team ([hyperlink](#)).

If your concern is urgent, don't delay and call the Police immediately on 999

Responding to children who disclose abuse

It is important to know that if you suspect a child is being abused, or they disclose abuse or neglect to you, you have a responsibility to respond appropriately.

Whether you are a volunteer or a paid member of staff you must, at all times:

- Allow the child/young person to speak without interruptions. Reassure them they are right to tell but don't make suggestions to them which could imply making an investigation.
- Do not investigate or question other than to clarify your understanding. If the matter is to be investigated further this will be done by trained professionals.
- Be clear about what will happen next, who you will tell and when.
- Remain calm, no matter how difficult it is to hear what the child/young person is telling you.
- As soon as practical, write down everything the child/young person told you, but remember that this is a confidential matter between you and that individual.
- Contact your nominated child protection officer as soon as possible.

Remember it is not your job to decide if abuse has taken place – it is your responsibility to report concerns.

What happens next?

All child protection concerns are treated in confidence and seriously. You may be asked for further information and/or the child/young person may be interviewed.

Tool 12 provides a flowchart of actions for reporting and recording concerns about children.

Storage and Handling of Information

Tool 3 discusses storage of information in relation to Disclosure Scotland. However, your organisation should also consider how information about children or young people will be recorded and stored. This should include:

- Any personal information about children
- Any records of concerns about children
- Copies of any child concern forms
- Volunteer/staff records
- Training records

NB: This list is not exhaustive. All information should be treated in confidence and stored securely. This includes both paper and electronic information.

Every organisation should have clear procedures for information handling and storage that comply with the General Data Protection Regulation (GDPR). This should include:

1. **Tell people what you are doing with their data**
People should know what you are doing with their information and who it will be shared with. This is a legal requirement (as well as established best practice) so it is important you are open and honest with people about how their data will be used.
2. **Make sure your staff/volunteers are adequately trained**
New employees/volunteers must receive data protection training to explain how they should store and handle personal information. Refresher training should be provided at regular intervals for existing staff.
3. **Use strong passwords when storing information electronically**
There is no point protecting the personal information you hold with a password if that password is easy to guess. All passwords should

contain upper and lower case letters, a number and ideally a symbol. This will help to keep your information secure from would-be thieves.

4. Encrypt all portable devices

Make sure all portable devices – such as memory sticks and laptops – used to store personal information are encrypted.

5. Only keep people’s information for as long as necessary

Make sure your organisation has established retention periods in place and set up a process for deleting personal information once it is no longer required.

<https://ico.org.uk/for-organisations/charity/>

Organisations should also ensure they have the **relevant consent** from service users to store and share information. This includes consent from children and young people.

Further information and advice, along with a range of tools and checklists is available from the Information Commissioner’s Office - <https://ico.org.uk/>

Training and Further Information

We would recommend that everyone who has contact with children has some child protection training. In Highland this is available online or face-to-face and further information can be found in the Training section of www.hcpc.scot

Child Protection Leads should ensure they are confident and competent in responding to child protection concerns and we would recommend attendance at the Recognition and Response training as a minimum requirement.

Full details of all child protection training is available at www.hcpc.scot

Sample Child Protection Policy

Child Protection Policy for....(*name of organisation*)

We believe that every child regardless of age has, at all times and in all situations, a right to feel safe and protected from any situation or practice that results in a child being physically or psychologically damaged. In our organisation, if we have suspicions about a child's physical, sexual or emotional well-being, we will take action.

We recognise that child protection should not be treated in isolation - we will take on board guidance given by Highland Child Protection Committee and will address recruitment and selection of volunteers and paid employees by doing the following:

1. We accept that it is our responsibility as an organisation to check that all adults in positions requiring disclosure checks are members of the appropriate Protection of Vulnerable Groups Scheme and have been appropriately vetted
2. We will ensure we have a record of personal details for each member of staff/volunteer
3. We will ensure we have carried out necessary checks in relation to anyone working with children and young people, including requesting references where appropriate
4. We will interview prospective volunteers and staff
5. We will notify Disclosure Scotland if anyone on the Disqualified from Working with Children List applies to work for or volunteer with our organisation
6. We will ensure that all staff are given Codes of Practice to work to
7. We will remove any member of staff or volunteer whom we know or suspect to have caused harm to a child or to have placed a child at risk of harm and we will notify Disclosure Scotland of our actions and the reasons for them, even if that person has left our organisation

All members of staff and volunteers are encouraged to share concerns with the organisation's Child Protection Lead. If the situation urgent, the child is too frightened to go home or we have very serious doubts about the child's safety, we will contact Social Work or Police immediately.

Child Protection Is Everyone's Responsibility

If our concerns are more general about a child's welfare, then we will discuss these with our organisation's Child Protection Lead/Designated Person, who would then make a referral to an appropriate professional for assessment of the child's needs. It is important that all volunteers and staff communicate concerns accurately.

If the situation is clearly an urgent case, the child is too frightened to go home or we have very serious doubts about the child's safety, we will contact Social Work Services or Police immediately.

To this end, volunteers and staff will follow the procedures below;

1. Upon the receipt of any information from a child or suspicions, it is necessary to make an accurate and detailed written record of what they have seen, heard or know, at the time the event occurs;
2. Share their concerns with the Child Protection Lead for the organisation and agree what action to take;
3. Avoid asking any more questions than are necessary to clarify whether there is a concern. Always REFER to statutory services to undertake in depth INVESTIGATION of any suspicions or allegations about abuse.

If we have concerns we must act - it may be the final piece of the jigsaw that is needed to protect that child - or we may prevent, further children from being hurt.

Contact numbers for Local Family Teams and the Police are available at www.hcpc.scot

For ease of reference note them below:

Local Family Team (Care and Protection)	
Police	101 (non-urgent) 999 (urgent)
Out of hours Social Work Emergency Service:	08457 697284

DURING COVID-19.....

If you have a concern about a child or young person or any other queries and are unsure which number to contact please call us and we will signpost you to the right person/team:

- 01463 644461 – (Mon-Wed only)
- 07584 268884
- 07775 016980
- 07917 596598

Please note, these lines are covered as much as possible between 9am-5pm Monday-Friday.

Policy Statement for (Name of Organisation)

Date

We will:

- Hold a register of every child/protected adult involved with the organisation including relevant medical details and have a contact name and number close to hand in case of emergencies;
- Treat everyone with respect;
- Remember that some issues are confidential;
- Provide an example we would wish others to follow;
- Where possible consider activities which involve more than one adult being present or at least within sight and hearing of others;
- Be aware that someone else might misinterpret our actions even if they are well-intentioned;
- Respect a child's right to personal privacy;
- Provide time for children to talk to us;
- Encourage children and adults to respect and care for others;
- Take action to stop any inappropriate verbal or physical behaviour;
- Remember to REFER not INVESTIGATE any suspicions or allegations about abuse;
- Only share concerns and seek support from those identified in the organisation's child/adult protection policy;

Contact numbers for Local Family Teams and the Police are available at www.hcpc.scot

Designated Child Protection Lead

Name:

Contact Details:

Policy on the Secure Handling, Use, Storage and Retention of Disclosure Information.

In accordance with the Disclosure Scotland Code of Practice, for registered persons and other recipients of Disclosure Information, we will ensure the following practice.

- Checks will only be requested when necessary and relevant to a particular post and the information provided on a disclosure certificate will only be used for recruitment purposes.
- We will ensure that an individual's consent is given before seeking a disclosure, and will seek their consent before using disclosure information for any purpose other than recruitment.
- Information will only be shared with those authorised to see it in the course of their duties.
- Where additional information is provided to our designated signatory and not to the applicant, our designated signatory will not disclose this information to the applicant, but will inform them of the fact that additional information has been provided, should this information affect the recruitment decision.
- Information will be stored in a locked non-portable container, for a maximum of 6 months. Only those authorised to see this information in the course of their duties will have access to this container.
- Information will be destroyed by shredding.
- No image or photocopy of the disclosure information will be made, however the following details may be retained:
 - Date of issue of PVG check
 - Name of subject
 - Disclosure type
 - Position for which disclosure was requested
 - Unique reference number of disclosure
 - Recruitment decision taken
- If the subject of the Disclosure check is found to be on the 'Disqualified from Working with (Children/Adults) List' we will notify the Police that an attempt has been made to acquire work with children/adults.
- We will ensure that all staff with access to information are aware of this policy and have received relevant training and support.
- We will make a copy of this policy available to any applicant for a post (paid or voluntary) with us that requires a PVG check.

Further advice and information can be found here:
<https://www.mygov.scot/pvg-scheme/?via=https://www.disclosurescotland.co.uk/disclosureinformation/pvg-scheme.htm>

Policy on Recruitment of Ex-Offenders

Policy Statement for:

.....

We will treat any applicant for any position (paid or voluntary) within our organisation fairly and not discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed.

Where appropriate we will require membership of the Protection of Vulnerable Organisations Scheme and request PVG scheme record as necessary and relevant to the position sought.

Where a position requires a disclosure we will make this clear on the application form, job advert and any other information provided about the post.

At interview we will make sure that open and measured discussions can take place on the subject of offences.

Failure to reveal information at interview, that is directly relevant to the position sought, could lead to withdrawal of an offer of employment.

At interview or when receiving a disclosure which shows a conviction or which contains intelligence of significance to working with children and families or protected adults, we will use our professional judgement and take into consideration –

- Whether the applicant is banned from working with our client organisation
- Whether the conviction/intelligence is relevant to the position being offered.
- The seriousness of the offence revealed.
- The length of time since the offence took place.
- Whether the applicant has a pattern of offending behaviour.
- Whether the applicant's circumstances have changed since offending took place.

We will ensure that all our members (staff or volunteers) involved in the recruitment process are aware of this policy and have received relevant training and support.

Any applicant for any post that requires a disclosure may receive a copy of this policy and the Code of Practice.

Personal Profile Form

To be completed by all new volunteers/employees at [AGENCY NAME]

1. Personal Details

Title	
Forename	
Surname	
Date of Birth	
Address	
Telephone No:	
E-mail:	

Occupation		
Currently employed?	YES	NO

2. Qualifications/Training

<p>Please enter details of any qualifications or training courses you have attended which are relevant to caring for young children. Date(s) Title of Qualification/Training Subjects Studied Length of Course Name of Organisation</p>

3. Experience

<p>Please give details of experience of working with children/young people In what capacity? Between which dates? Other comments:</p>

4. Referees

Please provide the names and addresses of TWO responsible persons for reference purposes. Referees should not be related to you and, where possible, should have a knowledge of your ability to care for or be in the proximity of children/protected adults. All references will be taken up. You should secure prior agreement of referees before providing their names.

Referee 1	Referee 2
Name:	Name:
Address:	Address:
Telephone Number:	Telephone Number:
E-mail:	E-mail:
How do you know this person?	How do you know this person?

5. Declaration

I have read and understood the organisation's Child Protection Policy and agree to the appropriate vetting procedures. I do not know of any reason I cannot work with children and young people in a paid or voluntary capacity. I agree to inform the organisation of any change in circumstances.

Signed: _____ Date: _____

Criminal Convictions Declaration: Regulated Work

Anyone applying to do regulated work with children is required to complete a self-declaration form as part of the recruitment process.

Regulated work with children is any role, paid or voluntary, where the normal duties include caring for, supervising or being in sole charge of children.

Regulated work is exempt from the Rehabilitation of Offenders Act 1974 by the Exclusions and Exceptions Scotland Order 2010. Candidates are therefore required to disclose all convictions (spent and unspent), cautions, and any relevant non-conviction information. For further information please request and refer to the Children 1st Staff and Volunteer Vetting Policy.

Please note that any information you give in this form will be managed in the strictest confidence and in accordance with Data Protection regulations.

Having a criminal record will not necessarily bar you from volunteering with us. This will depend on the circumstances and background of any offences and the nature of the position. However please note, all information provided on this form must be true and correct. We reserve the right to consider relevant action if false statements become known during selection processes.

If you have no convictions, cautions, or relevant non-conviction information please go to **Section 4**.

Section 1 – Convictions and Cautions

(please continue on a separate sheet, if necessary)

a)	Please give the date and details of the offence(s) with which you were charged, the sentence that you received and the court where your case(s) was heard.
b)	Please give details of the reasons and circumstances that led to your offence(s).
c)	Has any other organisation(s) supported you to work through any of the above issues?

d)	Please give details of how you completed the sentence imposed, (for example did you pay your fine as required, what conditions were attached to your probation/community service/supervised attendance order, did you comply with the requirements of your order/custodial sentence etc)?
e)	What have you learned from the experience?

Section 2 – Details of any disciplinary action in relation to children

If you have ever been disciplined because of inappropriate behaviour towards a child which may have harmed them or put them at risk of harm, please give details:

Section 3 – Relevant non-conviction information (including any police information)

(please continue on a separate sheet, if necessary)

a)	Please provide details of investigations, reasons and circumstances that led to your investigation(s) and disposal if known.
b)	Are you, or have you ever been, known to any Social Work Department/ Social Services Department as an actual or potential risk to children? If yes, please provide details:

YES/NO

Section 4 – Protection of Vulnerable Groups (Scotland) Act 2007

Please read the following notes on the *Protection of Vulnerable Groups (Scotland) Act 2007* (PVG Act):

1. *Section 34* of the PVG Act makes it an offence for an individual to do, or to seek or agree to do any regulated work (paid or unpaid) from which the individual is barred.

2. *Section 35* of the same act makes it an offence for an organisation to offer regulated work (paid or unpaid) to an individual barred from that work.
3. A person is barred from regulated work with children if they are:
 - The subject of an automatic listing (under *section 14* of the PVG Act).
 - Included in the PVG Children’s List (and, by default, the Independent Safeguarding Authority Children’s List which covers the rest of the UK) under *section 15* of the PVG Act.
4. Under *section 12* of the PVG Act an individual can be ‘considered for listing’ as information on their suitability to work with children is assessed.

Please indicate your eligibility to work with children by selecting one of the following:

- I am not barred from regulated work with children, nor am I under ‘consideration for listing’
- I am under ‘consideration for listing’
- I am barred from regulated work with children

Section 5 – Declaration

1. I hereby declare and represent that, except for as disclosed above, I have not at any time, whether in the United Kingdom or abroad, been found guilty and sentenced by a court for a criminal offence.
2. I will assist the organisation to request a Scheme Record/Scheme Record Update (as appropriate under the PVG Act) for the purposes of verifying the replies given in this declaration, including enquiries of any relevant authority.
3. I agree to inform the organisation if I am convicted of an offence while a member of staff/volunteer with the organisation. I understand that failure to do so may lead to the immediate suspension of my work (paid or unpaid) for the organisation and/or the termination of my services.
4. If I become considered for listing, I understand this will result in precautionary suspension.
5. I agree to abide by the conditions above and certify that the information contained in this form is true and correct to the best of my knowledge and I realise that false information or wilful omissions may lead to the immediate suspension of my work for the organisation or the termination of my services.

Signature: **Date:**

Vetting Checklist

Name of Organisation:

Name of Volunteer/Employee:

This Checklist and a Child Protection Personal Profile Form must be completed for all new volunteers/employees in your organisation who have substantial access to children.

1	Have you explained the need for vetting to the potential volunteer or employee?	YES/NO
2	Have you given the volunteer or employee an opportunity to read your Child Protection Policy and discussed any issues arising out of this with him/her?	YES/NO
3	Have you set up a personnel file for the potential volunteer/ employee?	YES/NO
4	Has the volunteer/employee completed a Child/Adult Protection Personal Profile Form? (Please attach the completed form to this check list)	YES/NO
5	Have you carried out appropriate vetting? Have you ensured that the volunteer is a member of the Protection of Vulnerable Groups Scheme or is prepared to join? Has the volunteer consented to a disclosure check (where this is required) and completed the appropriate paperwork and has this been followed through?	YES/NO
6	Were the results satisfactory?	YES/NO
7	Have you taken up two written references? (Please attach the references to this check list)	YES/NO
8	Have you followed up these references with either a telephone call or conversation? (Please attach a written record with full details including the date of the call or conversation to this checklist)	YES/NO
9	Has the above individual been approved as a volunteer/ employee with your organisation? (You must be able to answer YES to questions 1-8 above before you sign this form)	YES/NO
10	Have you carried out an induction explaining the organisation's code of conduct and the volunteer's/ employee's role in the protection of Children?	YES/NO

Signed:	
Date:	
Name (in block capitals):	
Position in Organisation:	

REFERENCE QUESTIONNAIRE

POSITION:

The post involves access to children. As an organisation committed to the welfare and protection of children, we are anxious to know if there is any reason at all to be concerned about this applicant being in contact with children or young people.

The information given in this reference will be held in confidence.

Name and Address of Candidate:

1. How long have you known the candidate?

2. In what capacity have you known the candidate?

3. With reference to the enclosed Job Description and Job Specification, please comment on the candidate's suitability for the post:

4. If you are aware of any reason why our Organisation should not employ this candidate, please give details:

Signed _____ Date _____

Name (Print):

Address:

Position:

Reference Follow Up Telephone Conversation Record (optional)

Please use block capitals and black ink only

Volunteer/Employee Name:

Employee/Volunteer Name:	
Referee Name:	
Referee Address:	
Contact Telephone No:	
Email Address:	

Relationship to Employee/Volunteer?

Length of time you have known the Employee/Volunteer?

Is there any reason you believe this person is not suitable to work with children or young people.	YES	NO
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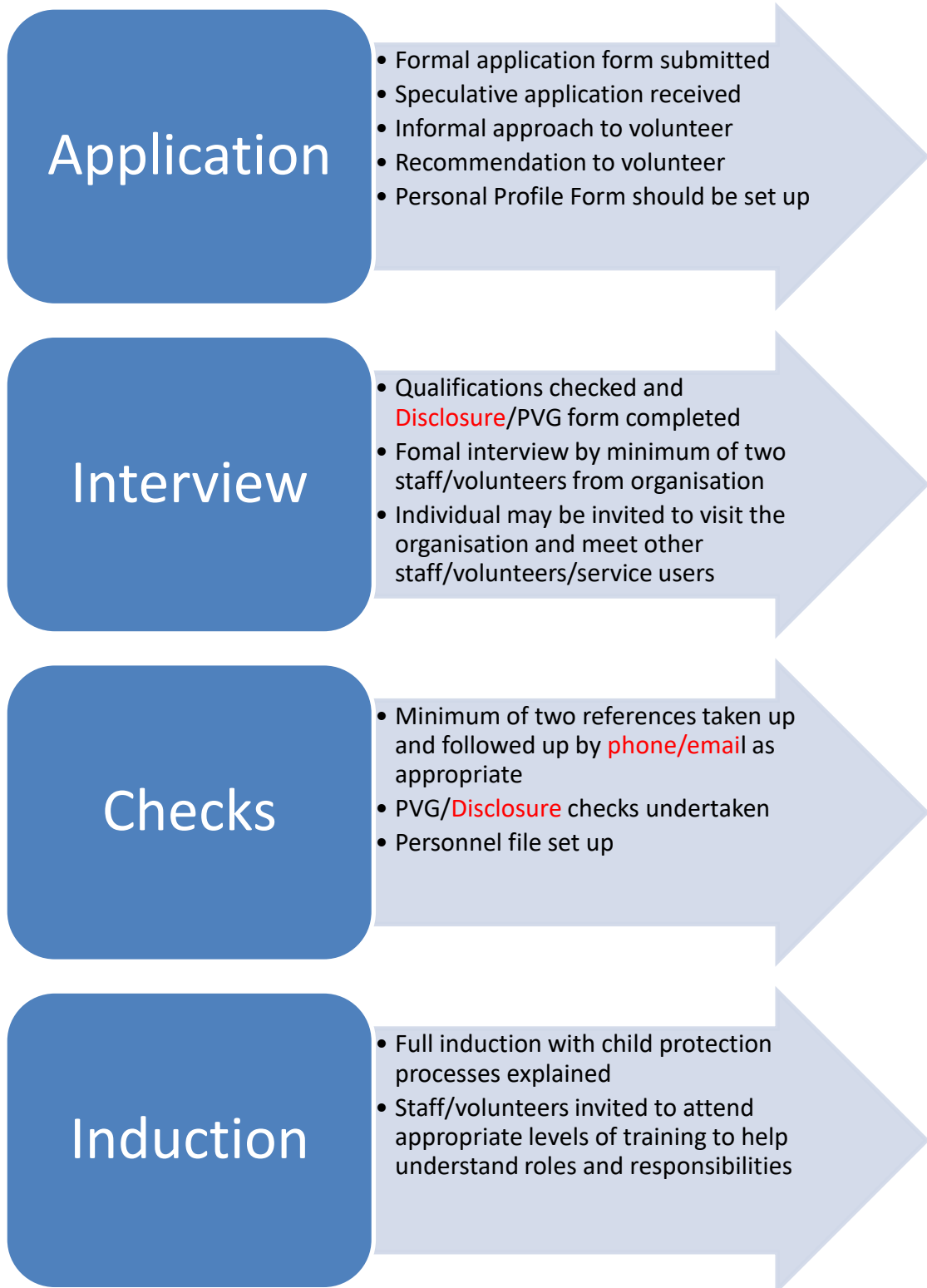
NB: If you answered NO, we will contact you to discuss your answer further and in confidence

Do you have any further comments as to this person's suitability to work in this role?

Signed:

Date:

Recruitment and Induction Processes for Staff/Volunteers



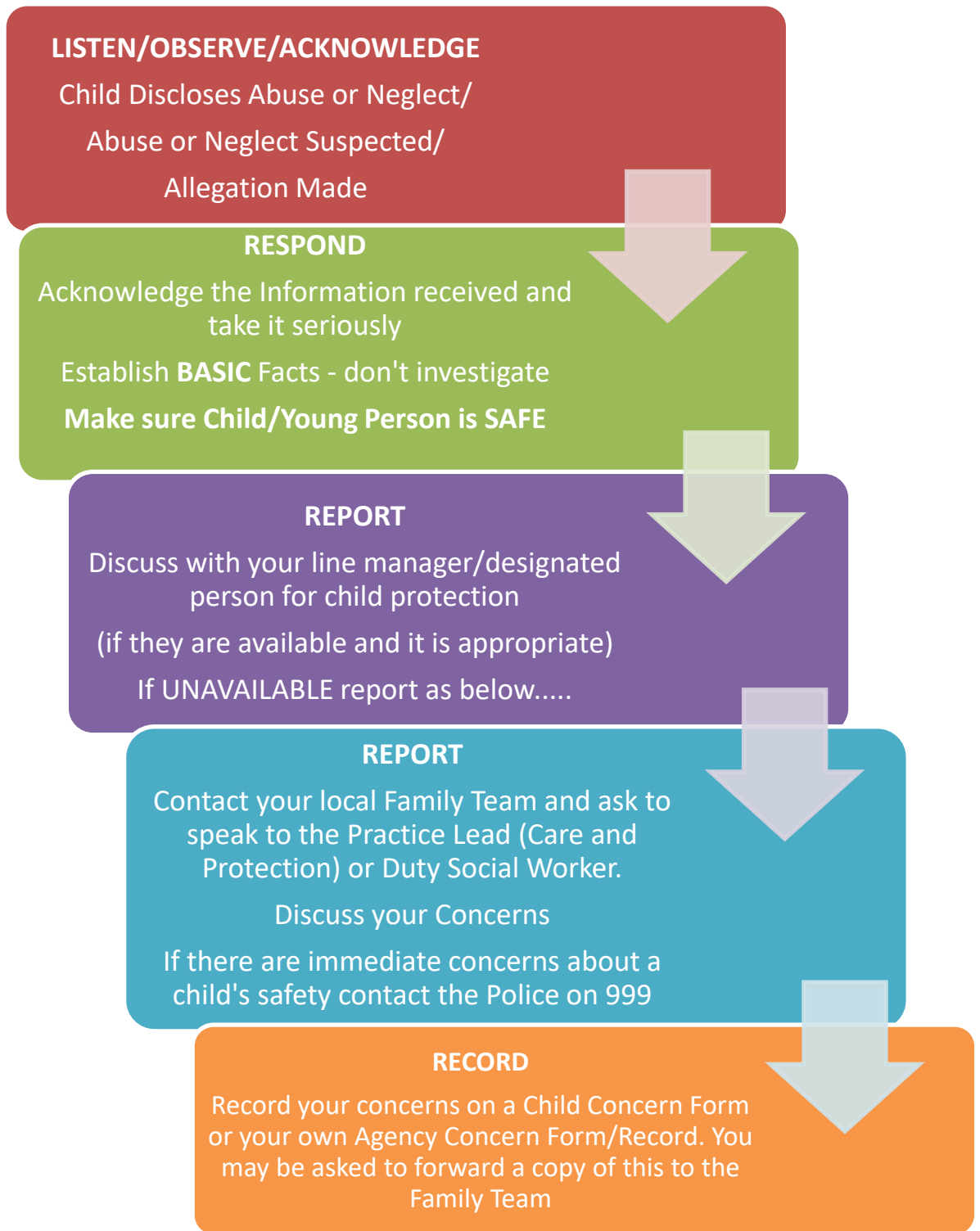
10 Tips for Child Protection

Remember - the protection of children and young people is the responsibility of everyone in your organisation, not just the people who run or manage the organisation. Policies and procedures will only be effective when they operate in a culture where children and young people are respected and given every opportunity to thrive and flourish. The following actions can help to create a safer environment for everyone.

1. Have a Child Protection policy and make sure that it is clearly displayed and communicated. Make sure copies are available for all staff/volunteers, children and parents/carers
2. Draw up a Child Protection policy statement with the name and contact details for your Nominated Child Protection Officer, local area Family Team and Police. Ensure that this is clearly displayed, known and understood and copies made available to children/staff/volunteers/parents/carers as appropriate
3. Appoint a Child Protection Lead/Nominated Person for your organisation, and provide them with access to appropriate training
4. Agree and provide a code of conduct for staff and volunteers, this should include expectations of conduct and procedures for outings and taking of photos/use of media
5. Implement safe recruitment and vetting procedures for staff and volunteers and provide access to Child Protection training
6. Involve members in monitoring and regularly reviewing policy and protocol
7. Treat everyone equally and with respect; encourage children to feel comfortable and confident that they are valued and listened to
8. Encourage an open and inclusive ethos for all children, staff, volunteers, parents and carers
9. Where it is necessary for a staff member/volunteer to be alone with a child or young person, ensure that the door is open and another adult is within earshot
10. Respect children and young people's personal space

Any concerns about child/adult abuse or the conduct of a member towards children, young people and adults who may be less able to protect themselves should be reported to the Child Protection Lead in the first instance. Where it is not possible or appropriate to speak to the Child Protection Lead, contact your local Family Team or the Police.

Responding to Child Protection Concerns



¹ Where an allegation is made against a member of staff/volunteer in your project, you should have procedures in place to respond to these. However, child protection concerns should still be reported as above.

Good Practice for Staff and Volunteers

General Points:

- Treat everyone with respect.
- Always respect a child/protected adult's right to personal privacy.
- Never make salacious, suggestive or demeaning remarks/gestures towards a child/protected adult.
- Avoid any physical horseplay with a child/protected adult or any actions another adult may misinterpret, no matter how innocent and well intentioned your actions may be.
- Always encourage children/protected adult to feel comfortable and confident to point out to you attitudes or behaviours they do not like (including your own).
- If you suspect that a child, young person or protected adult is becoming inappropriately attracted to you (or another volunteer), you must share your concerns with a member of senior management.

One-to-One Situations:

- It may be important for you to be alone with a child. In these circumstances try to ensure that others are within earshot and preferably within vision.
- If you are on your own with a child NEVER have the door locked.
- Do not isolate yourself from the rest of the group.
- Try to find a room with a window in the door, or use a ground floor room with windows.
- If possible consider leaving the door open or ajar.

Behaviour to Avoid

- General behaviour, avoid the following:
 - Losing your temper
 - Raising your voice unnecessarily
 - Inappropriate language or behaviour
- Befriending children on social media sites unless the official site of the group/organisation
- Sending inappropriate messages/images to children

NEVER:

- Raise your hand
- Threaten a child
- Hit a child
- Strike or use an implement on a child
- Grab or pull at a child's clothing
- Have inappropriate touching or contact with a child whether 'invited' or not.



Safeguarding Audit Tool for Third Sector Organisations

Aspect of safeguarding	What we do well	What/how we will improve	Target date/ responsibility	Review impact of improvement made for children (incl date & evidence source.)



Name of Third Sector Organisation:

Date:

This tool is designed to assist you to evaluate the safeguarding procedures in place in your organisation linked to Highland Child Protection Guidance and Toolkit for Third Sector Organisations. Complete sections relevant to your organisation/personalise as appropriate.

What is safeguarding? It is the action that organisations take to protect children and vulnerable or protected adults (vulnerable beneficiaries) from harm including emotional, physical, sexual, neglect or financial harm. Charities working with vulnerable beneficiaries must do all they can to keep them safe and protected from harm ensuring appropriate policies, practices and procedures are in place and adhered to. For more in-depth information on broader aspects of safeguarding and self-evaluation tools click on the links below or copy and paste into your browser:

Highland Child Protection Committee www.hcpc.scot or [Click here](#)

OSCR (Office of the Scottish Charity Regulator) <https://www.oscr.org.uk/guidance-and-forms/safeguarding-guidance-keeping-vulnerable-beneficiaries-safe/> or [Click here](#)

Top Ten Safeguarding Tips <https://www.oscr.org.uk/media/3128/10-safeguarding-steps.pdf> or [Click here](#)

NSPCC Safeguarding <https://learning.nspcc.org.uk/media/1079/safeguarding-standards-and-guidance.pdf> or [Click here](#)

Aspect of safeguarding	What we do well	Actions/next steps (where required)	Target date/responsible	Review impact of improvement made for children (incl date & evidence source.)
Nominated Child Protection Lead selected, vetted, accessed appropriate level of training (www.hcpc.scot)				
Child Protection Policy (reviewed annually) P 13,14,15)				

<p>All employees/ volunteers have read, understood policy, know protocol and contact numbers</p>				
<p>All employees/ volunteers access the appropriate level and frequency of child protection training</p> <p>(Free Child Protection e-module www.hcpc.scot)</p>				
<p>Child protection concerns, and children's disclosure are responded to, recorded and reported in line with policy P 9, 10, 11 Example flow chart P 29</p>				

<p>Where appropriate review of referred concerns is used to inform learning</p> <p>Sample review format www.hcpc.scot</p>				
<p>Robust recruitment and employment processes for all employees/volunteers including:</p> <p>Good Practice P 30 Job description Personal profile P 18,19 Criminal convictions P 20 21 PVG declaration P 21 Vetting check list P 23 References P 19, 24, 25 Disclosure Referrals/convictions P 7, 8</p>				

All employees/ volunteers are treated equally, have induction, support and supervision, training and guidance P 5,6, 27				
Procedure for transporting children and young people known and adhered to P 9				
Procedure for photographing, videoing and filming known and adhered to P 9				
Publications and websites P 9				
All employees/ volunteers are aware of the General Data Protection Regulation (GDPR), records and information storage is GDPR compliant P 11,12				

Name:

Date