

## SOA CHILD PROTECTION POLICY

Scottish Orienteering Association (SOA) is fully committed to safeguarding the welfare of all children in its care. We recognise the responsibility to promote safe practice and to protect children from harm, abuse and exploitation. For the purposes of this policy and associated procedures a child is recognised as someone under the age of 18 years. Staff and volunteers will work together to embrace difference and diversity and respect the rights of children and young people. This document outlines the SOA's commitment to protecting children.

This policy statement is based on the following principles:

- The welfare of children is the primary concern.
- All children, whatever their age, culture, disability, gender, language, racial origin, socioeconomic status, religious belief and/or sexual identity have the right to protection from all forms of harm and abuse.
- Child protection is everyone's responsibility.
- Children have the right to express views on all matters which affect them, should they wish to do so.
- Organisations shall work in partnership together with children and parents/carers to promote the welfare, health and development of children.

The SOA will:

1. Promote the health and welfare of children by providing opportunities for them to take part in orienteering safely.
2. Respect and promote the rights, wishes and feelings of children.
3. Promote and implement appropriate procedures to safeguard the well-being of children and protect them from abuse.
4. Comply with current legislation in requiring coaches and coaching assistants who are working with children to be members of the Protection of Vulnerable Groups (PVG).
5. Recruit, train, support and supervise its staff, members and volunteers to adopt best practice to safeguard and protect children from abuse and to reduce risk to themselves.
6. Require staff, members and volunteers to adopt and abide by this Child Protection Policy, and related procedures.
7. Support and encourage all adult members and volunteers working with children to attend basic Child Protection training.
8. Support and require all members to observe the Scottish Orienteering Code of Conduct for Coaches, including verbal and non-verbal actions when involved in activities with children.
9. Take seriously all concerns about breach of this Code of Conduct and respond to them in line with the SOA's Complaints Policy and/or Disciplinary Procedure and/or Procedure for Responding to Concerns about Child Abuse
10. Respond to any allegations of misconduct or abuse of children in line with this Policy and these procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
11. Follow appropriate procedures for recruitment and selection of people to ensure staff/volunteers have been correctly vetted for working with children as appropriate.
12. Reserve the right to require staff, members and volunteers to complete a Self-Declaration form for Regulated Work with Children.
13. Make readily available all associated procedures and documents as listed below and promote awareness of these amongst members.
14. Observe guidelines issued by local Child Protection Committees for the protection of children.
15. Regularly review any child protection issues that arise; monitor and evaluate the implementation of this Policy and these procedures.
16. Adopt British Orienteering's "O-Safe" guidelines for aspects where the SOA does not have its own specific guidance or policy.

**Notes** (1) Licensed coaches have signed and abide by the British Orienteering Coaches' Code of Conduct; other adults working with children are required to abide by that Code of Conduct with the exception of the third and fourth points under "Professional Responsibilities".

#### **Associated documents**

- SOA Child Protection Officer Job Description
- Disciplinary Procedure
- Code of Conduct for Coaches
- Risk Assessment form
- Procedure for Recruitment and Selection of Staff/Volunteers
- Data Protection Policy
- Complaints & Grievance Procedure
- Flowchart on how to respond to concerns about a child

### **DISCIPLINARY PROCEDURE (copy of the SOA disciplinary policy)**

The Scottish Orienteering Association ("SOA" hereafter) aims to encourage high standards of individual behaviour in all aspects of the sport. This procedure sets out the action which will be taken when the code of conduct is breached by a volunteer or a member of staff.

#### **1. PRINCIPLES**

- a) This procedure is designed to establish the facts quickly and to deal with disciplinary issues consistently.
- b) No disciplinary action will be taken until a matter has been fully investigated.
- c) The member of staff/volunteer involved may be suspended from their role while an investigation is carried out. Suspension is not a form of disciplinary action. A decision to suspend will be made by the Chief Operating Officer. Notification of the suspension and the reasons will be conveyed in writing to the member of staff/volunteer.
- d) At every stage of the formal disciplinary procedure the member of staff/volunteer will have the opportunity to state his/her case at a disciplinary hearing. If so wished he/she will have the opportunity to be represented or accompanied at the hearings by a third party e.g. a friend or colleague or a trade union representative, (where applicable).
- e) The member of staff/volunteer has the right to appeal against any disciplinary action.
- f) The disciplinary procedure may be implemented at Stage 1, 2 or 3 if the member of staff/volunteer's alleged misconduct warrants such action.

#### **2. THE PROCEDURE**

##### **2.1 Initial Assessment/Stage**

The purpose of the initial assessment is to clarify the nature and context of the concern. It should determine whether there is reasonable cause to suspect or believe that a child has been abused or harmed, or is at risk of abuse or harm. It will involve asking some basic questions of appropriate individuals with the sole purpose of clarifying the basic facts.

If the nature of the concern suggests a criminal offence has occurred, or that a child may have been abused, then advice must be sought from the police before speaking to child witnesses or to the member of staff/volunteer at the centre of the allegation.

The possible outcomes of the initial assessment are:

1. No further action (facts do not substantiate complaint).
2. Situation is dealt with under formal disciplinary procedures (by sports organisation).
3. Child protection investigation (jointly by the police or social work services).

#### 4. Criminal investigation (by the police).

Where a member of staff/volunteer fails to meet the required standard of behaviour and the shortfall a minor nature, the [role title] may decide to speak to the member of staff/volunteer on an informal basis to avoid the need for formal disciplinary action.

The [role title] will also advise the member of staff/volunteer of the need to achieve and maintain the standards required. The [role title] may inform the member of staff/volunteer that failure to achieve the required standards will result in a formal disciplinary hearing, which may result in disciplinary action. Facts of the conversation should be noted and confirmed in writing to the member of staff/volunteer so there is clarity about what has to be achieved.

Following the initial assessment a period of precautionary suspension may be helpful or necessary while a concern is being further investigated.

### 2.2 Precautionary Suspension

Precautionary suspension may be considered in the following circumstances:

- if the police or social work services advise suspension
- if the allegation made against the member of staff/volunteer was ultimately to be proved, then there would be a significant concern about the conduct of that member of staff/volunteer towards children or other adults
- if the member of staff/volunteer's attendance or involvement in the club could compromise the investigation
- if Disclosure Scotland notify the SOA that an individual is being considered for the Children's List. Suspension is not a form of disciplinary action and does not involve pre-judgment. It should only be considered in the above circumstances. In all cases of suspension the welfare of children will be the paramount concern.

### 2.3 Formal Disciplinary Procedure

#### Stage 1 - First warning

If conduct is unsatisfactory, the member of staff/volunteer will be given a written warning. Such warnings will be recorded. The warning will expire after [6 months] of satisfactory conduct. A final written warning may be considered if there is no sustained satisfactory improvement or change.

#### Stage 2 - Final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given. The written warning will expire after [12 months]. Action at Stage 3 will be taken if there is no sustained satisfactory improvement or change.

#### Stage 3 - Dismissal or Action Short of Dismissal

If the conduct has failed to improve, the member of staff/volunteer may suffer demotion, disciplinary transfer, or dismissal.

Gross misconduct - If, after investigation, it is confirmed that a member of staff/volunteer has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice: - theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying, abuse of a child and gross insubordination.

Following advice from the police, cases that also involve a criminal investigation will not preclude disciplinary action being taken. This is provided sufficient information is available to enable the SOA to make a decision and that to do so does not jeopardize the criminal investigation. Any decision to dismiss will be taken by the SOA only after full investigation.

## 3. APPEALS

A member of staff/volunteer who wishes to appeal against any disciplinary decision must do so to the Chief Operating Officer within seven working days of the disciplinary decision being made known to them.

The member of staff/volunteer should provide a written statement of the appeal, indicating the grounds for the appeal, together with such accompanying documents as they feel appropriate.

The appeal will be heard by the appeal committee (consisting of the Chief Operating Officer and two SOA board members) and a decision on the case made as impartially as possible.

The Chief Operating Officer will notify the member of staff/volunteer of the decision in writing as expeditiously as possible. The decision of appeal committee is final and there is no right of appeal.

#### **4. REFERRALS TO THE CHILDREN'S LIST**

Where the SOA takes disciplinary action to remove a member of staff/volunteer from regulated work as a result of harmful behaviour towards a child, then they have a duty to refer the member of staff/volunteer to Disclosure Scotland so that consideration can be given to whether that individual should be barred from any kind of regulated work with children. Without this duty there would be no way of preventing individuals moving undetected to other organisations where they may continue to pose a risk.

The Protection of Vulnerable Groups (Scotland) Act 2007 stipulates that organisations must 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. The SOA has dismissed the member of staff/volunteer.
2. The member of staff/volunteer would have been dismissed as a result of the incident had they not resigned, retired or been made redundant.
3. The SOA has transferred the member of staff/volunteer to a position within the SOA which is not regulated work with children.
4. The member of staff/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,
5. The member of staff/volunteer would have been dismissed or considered for dismissal had the contract not expired.

The SOA will also refer the case of a member of staff/volunteer where information becomes available after the member of staff/volunteer has:

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

# CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN IN SPORT

## Why this is important

A Code of Conduct has a number of important functions.

It

- sets out what behaviour is acceptable and unacceptable,
- defines standards of practice expected from those to whom it applies,
- forms the basis for challenging and improving practice,
- helps to safeguard staff by encouraging them to adhere to agreed standards of practice,
- sets out for children and parents the standards of practice which they and the organisation should expect from those who work/volunteer with children,

The SOA supports and requires *all* members to observe the following standards of practice, including verbal and non-verbal actions when involved in activities with children.

All concerns about breach of this Code of Conduct will be taken seriously and responded to in line with the SOA's Complaints Policy, Performance Management, Disciplinary Procedure and/or Procedure for Responding to Concerns about Child Abuse.

## Good practice

- Make sport fun, enjoyable and promote fair play.
- Treat all children equally, with respect, dignity and fairness.
- Involve parents wherever possible.
- Build balanced relationships based on mutual trust that empower and include children in the decision-making process.
- Always work in an open environment. Avoid private or unobserved situations.
- Put the welfare of each child first before winning or achieving performance goals.
- Be an excellent role model including not smoking or drinking alcohol in the company of children.
- Give enthusiastic and constructive feedback rather than negative criticism.
- Recognise the developmental needs and capacity of children and avoid excessive training and competition, pushing them against their will and putting undue pressure on them.

## Practices to be avoided

In the context of your role within the SOA, the following practice should be avoided:

- Having 'favourites' - this could lead to resentment and jealousy by other children and could be misinterpreted by others.
- Spending excessive amounts of time alone with children away from others.
- Entering children's bedrooms on trips away from home, unless in an emergency situation or in the interest of health and safety. If it is necessary to enter rooms, alert the occupants by knocking and announcing your intention to enter. The door should remain open, if appropriate.
- Where possible, doing things of a personal nature for children that they can do for themselves.

## **Practice never to be sanctioned**

In the context of your role within the SOA, the following practices will never be sanctioned:

- Engaging in sexually provocative games, including horseplay.
- Engaging in rough or physical contact except as permitted within the rules of the game or competition.
- Forming intimate emotional, physical or sexual relationships with children.
- Allowing or engaging in touching a child in a sexually suggestive manner.
- Allowing children to swear or use sexualised language unchallenged.
- Making sexually suggestive comments to a child, even in fun.
- Reducing a child to tears as a form of control.
- Allowing allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Inviting or allowing children to stay with you at your home.
- Coaches and other leaders sharing a room alone with a child for sleeping accommodation.

Some residential facilities offer dormitory sleeping arrangements where leaders may be required to share with children. In such circumstances organisers must ensure that at least two adults who have been recruited and selected using the recommended procedure are present, preferably one male and one female, and that such arrangements have been discussed and agreed with children and parents in advance.

In some circumstances older children may be required to share rooms with senior team mates (i.e. over 18s). If this is necessary, it should be discussed and agreed in advance with the young person and the parents (where appropriate and practicable). The young people involved should also be aware of whom they should speak to if they have any worries or concerns during this time.

Should issues arise from application of the above policy and code of conduct they can be dealt with in keeping with the Complaints and Grievance Policy.