

APPENDIX 7: FREQUENTLY ASKED QUESTIONS

Why have we removed references to 'Vulnerable Adults' from these guidelines?

Over the last three years, there have been considerable developments specifically in the protection of Scotland's children and young people. That is not to say that the protection of vulnerable adults (now referred to as 'adults at risk') is not important. Whilst many of the principles are the same, new legislation and Adults at Risk may be sensitive about being included in the same reference as children and young people.

Why are we defining a child as anyone under 18 years in these guidelines?

Whilst the Children Scotland Act 1995 defines a child as under 16, there are some cases where the definition of a child extends to 18 years, including the Protection of Children (Scotland) Act 2003, the Police Act 1997 and United Nations Convention on the Rights of the Child. To ensure compliance with legislation, moral obligations towards the welfare of young people, and for the purposes of best practice and consistency across the sport and the voluntary sector, this policy will apply to all those under 18 years.

The Local Authority from which we hire our pool is asking that all our Members using the pool have a disclosure. Is this correct?

No. SSAC has obtained guidance on this from relevant authorities and have reviewed the legislation. The legislation requires those in child care positions "whose normal duties include caring for, training, supervising or being in sole charge of children;" have a disclosure and the posts identified are listed in Appendix 6. This therefore does not apply to other Members using the pool facilities. Any Branch which is having difficulty in this matter is invited to contact the Child Protection Officer via SSAC HQ.

What training is recommended for Branch Child Protection Officers?

A role description for the post is available in Appendix 2 or on the SSAC Website www.scotsac.com. It is recommended that all Branch Child Protection Officers attend the 'In Safe Hands' workshop from the Child Protection in Sport Service. This course runs throughout the year, and dates are available from www.childprotectioninsport.org.uk/training_events.html

What training is recommended for those holding childcare positions?

Included within the SSAC Instructor courses are lectures on child protection, and the implementation of our policy. We also recommend anyone working in a childcare role attends a 'Safeguard and Protecting Children', a 3 hour workshop from sportscoachUK. Details are available from www.childprotectioninsport.org.uk/training_events.html

Who will see the contents of a disclosure certificate?

Disclosure certificates are returned from Disclosure Scotland/CRBS to the SSAC Lead Signatory and a copy to the individual. The SSAC Lead Signatory is Hazel McBride. Only the Lead Signatory will view the full disclosure. In the event of a disclosure containing relevant information, this information will be made available to the SSAC Child Protection Panel for consideration, with all personal information removed in order that the individual may not be identified. Only authorised persons will have access to confidential information and inappropriate disclosure of information obtained from a Disclosure Scotland check is a criminal offence.

All disclosure certificates are handled in accordance with our policy on the secure handling, use, storage and retention of disclosure information.

How will a decision be reached on my suitability for a childcare role?

An assessment of your suitability will be made based on the information included in your application form, references, disclosure and interview. This assessment will be performed by the person appointing you, or referred to the Child Protection Panel in cases where the decision is not clear.

Does my Branch need a Child Protection Officer?

It is highly recommended that all Branches of SSAC, particularly those with Members under 18 years old, appoint a Child Protection Officer. It is possible to include the duties of the CPO within another role on the Branch Committee. Please ensure to inform SSAC HQ of the nominated CPO.

I've already had a disclosure check with another organisation – do I need another one?

Yes. A disclosure is only part of the recruitment and selection process and each organisation appointing an individual must request its own disclosure. Future planned changes to legislation by the Scottish Government will change this.

Will Branches in England and Ireland be covered?

The Child Protection policy is based on Scots Law as the organisation is primarily based in Scotland. Some differences exist in legislation between Scotland, England and Ireland, but are unlikely to have a significant affect on the implementation of the policy.

Why are disclosure checks not carried out before attendance on a course?

It is not possible or permitted to carry out a disclosure check prior to a candidate being considered for a post.

What happens if I am not appointed?

If you have applied for a childcare post and are not appointed, you will be notified must not act in any childcare role within SSAC. The self declaration form asks candidates to declare relevant criminal convictions and the role job descriptions make it clear that a disclosure check is part of the selection process. Candidates who give false information on their self-declaration form will be dealt with in line with the disciplinary procedure.

Is everyone wishing to take photos on SSAC activities required to complete a permission form?

No. This form must be completed by individuals seeking permission to use camera or video equipment to photograph or video activities involving children within SSAC. Therefore, Members who are taking photos of other diving activities or marine life, not including those under 18 years old do not need to request permission.

Are you planning to check those already in roles identified as childcare roles?

We do not plan to do this immediately. At this time the Scottish Executive does not encourage organisations to run retrospective checks on existing staff or volunteers working with Children, young people, and Adults at Risk. However Section 11(3)(b) of the Protection of Children (Scotland) Act 2003 is still to be implemented and brings into the legislation the requirement to check retrospectively. It is anticipated that this will take effect in the next 3-5 years.

What if I complete all elements of my Instructor award, but do not complete a satisfactory enhanced disclosure?

It is a requirement for all new appointments to positions listed in Appendix 6 to have obtained an enhanced disclosure and any Member failing to submit the necessary paperwork or receive a satisfactory disclosure will not be appointed to the position and acting in such a role will be dealt with in accordance with our disciplinary procedures.

If your query is not answered here, or elsewhere in this policy, please contact the SSAC Lead Child Protection Officer childprotection@scotsac.com