



SAFEGUARDING AND PROTECTING YOUTH MEMBERS AND VULNERABLE ADULTS PARTICIPATING IN SNORKELLING AND DIVING ACTIVITIES WITH THE SCOTTISH SUB AQUA CLUB

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ScotSAC Policy and Practice Relating to Youth Members and Vulnerable Adults

1 Introduction

This policy and practice document has been written for ScotSAC by David Law CQSW LLB(Hons), (Lead Wellbeing and Protection Officer at ScotSAC in June 2024). It has been drawn, in part, from previous documents as well as material provided by Sportscotland, Children 1st and other sporting organisations.

NB All members should be encouraged to read this policy and practice document, irrespective of whether your branch accepts young people as members, given that they also may apply to other young people (such as spectators) as well as vulnerable adults. For ease of practice on a day to day basis, certain sections will be available as separate documents such as Section 4 -Introduction to Protecting Young People and Vulnerable Adults.

ScotSAC aims to be an inclusive organisation open to anyone who is interested in developing skills in Scuba diving and snorkelling. This includes, where possible, encouraging young people and vulnerable adults to participate and develop skills in the sport. ScotSAC aims to do this by providing opportunities for all members to develop the necessary knowledge and skills to participate safely in the sport both within the club and in individual activities that are not organised by the club.

We are keen to encourage young people over the age of 7 for snorkelling, over the age of 11 for SCUBA and 12 for open water because of the benefits for young people partaking in sports and also because, in encouraging and supporting them, they will hopefully develop a lifelong interest and remain members of the club as adults. These members until recently were referred to as junior members, it was felt however that this suggests they are not full members and it has been decided therefore to refer to them as youth members.

We are also keen to promote inclusivity and encourage and support adults who are vulnerable or have additional needs to learn and develop the necessary skills to be able to enjoy and partake in diving.

To achieve these aims, ScotSAC has set out the framework and knowledge required to ensure the safe participation of these groups. For ease, this document refers to young people and vulnerable adults to include young people and adults with disabilities or who have additional needs, this can include young people and vulnerable adults who have developmental needs. It should be noted however that being disabled, in and of itself, does not mean a young person or vulnerable adult requires to be treated differently from other members, rather that they are assisted to partake in club activities as equals which means that allowances and extra support may be required.

2 Our Commitment

Scottish Sub-Aqua Club is fully committed to safeguarding the wellbeing of all young people and vulnerable adults who join the club or are otherwise involved e.g. as spectators. It recognises the responsibility to promote wellbeing and safe practice and to protect them from harm, abuse and exploitation. Staff and volunteers will work together to embrace difference and diversity and respect the rights of young people and vulnerable adults.

Our commitment to protecting young people and vulnerable adults is based on the following principles:

- The wellbeing of young people and vulnerable adults is the primary concern
- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm and abuse
- The wellbeing and protection of all young people and vulnerable adults is everyone's responsibility
- Young people and vulnerable adults have the right to express views on all matters which affect them
- Scottish Sub-Aqua Club will work in partnership with young people and vulnerable adults together with their parents/carers to promote their wellbeing, health and development whilst participating in the sport

We will:

- Promote the health and wellbeing of young people and vulnerable adults by providing opportunities for them to take part in sport safely
- Respect and promote the rights, wishes and feelings of young people and vulnerable adults
- Promote and implement appropriate procedures to safeguard the wellbeing of young people and vulnerable adults and protect them from abuse or harm
- Recruit, train, support and supervise staff, members and volunteers, adopting best practice to safeguard and protect young people and vulnerable adults from abuse, harm and to reduce risk.
- Require staff, members and volunteers to adopt and abide by this Policy Statement and associated procedures.
- Respond to any allegations of misconduct or abuse of young people and vulnerable adults in line with the Responding to Concerns Procedure as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Regularly monitor and evaluate the implementation of this policy and these procedures.

We will regularly review this policy and associated procedures:

- In accordance with changes in legislation and guidance on the protection of young people and vulnerable adults or following any changes within Scottish Sub-Aqua Club
- Following any issues or concerns raised about the wellbeing and protection of young people and vulnerable adults within Scottish Sub-Aqua Club.
- In all other circumstances, at least every three years.

If you have any concerns, you can contact:

- Your local ScotSAC Branch Wellbeing and Protection Officer or the Lead Wellbeing and Protection and Officer, Scottish Sub Aqua Club via childprotection@ScotSAC.com 01786 643356
- Chair Scottish Sub Aqua Club Chair@ScotSAC.com
- National Diving Officer, Scottish Sub-Aqua Club NDO@scotsac.com
- Child Wellbeing and Protection in Sport 0141 419 1156
- Children First Parentline 08000 28 22 33 or Your local Social Work Department.

3 Legal Framework

The legal framework within which ScotSAC operates draws on Scots Law and UK Law but is also underpinned by broader Conventions such as the European Convention on Human Rights (ECHR), the UN Convention of the Rights of the Child (UNCRC), the UN Sustainability Goals and the Convention on the Rights of Persons with Disabilities (UNCRPD). It further draws on wider UK legislation such as the Human Rights Act 1998 and the Equality Act 2010. The role of ScotSAC members is to operate within that framework and for this purpose key elements of the legal framework are discussed below. It is important to recognise however that, where concerns exist it is not the job of members to investigate such concerns beyond identifying that a concern exists and supporting the individual. It is the job and duty of trained professionals such as Social Workers or Police to undertake any investigation. Indeed, inappropriate questioning can not only be very distressing for the young person or vulnerable adult but also undermine any future action to protect the individual. State intervention in the lives of young people and vulnerable adults does not require proof that an offence has been committed but rather that a young person or vulnerable adult is at risk of “significant harm”. As such, it is not necessary for members to know Criminal Law and for that reason no details are provided. If members are interested in knowing more about criminal law you can contact the Lead Wellbeing and Protection Officer for more information.

NB It should be noted that, except when discussing the relevant legislation and guidance, the term “young people” has been used rather than “child” this reflects the fact that whilst

many definitions refer to a child as being under 18, most adolescents consider themselves young people rather than children.

3.1 Working in Partnership with Parents and Caregivers

Parents have key responsibilities in relation to young people and the rights to exercise them. Caregivers for vulnerable adults will have a better understanding of the individuals they care for and their needs. As such, it is important to work in partnership with parents and caregivers unless doing so might be detrimental to protecting young people or vulnerable adults.

3.2 Definitions of a Child/Young Person

There are various definitions of a child:

The **UN Convention on the Rights of the Child**, which has been incorporated into Scottish Legislation, defines a child as being anyone under the age of 18

The **Children Scotland Act 1995** has differing definitions. Children and young people are seen in the context of Parental Responsibilities and Rights, this means that parents have responsibilities towards their children and the rights to exercise them.

- Parental Responsibilities are to:
 - safeguard and promote the child's health, development and welfare;
 - provide direction and guidance appropriate to the child's stage of development;
 - act as the child's legal representative.
- Parental Rights are to:
 - have the child living with them or otherwise to regulate the child's residence;
 - control, direct or guide the child's upbringing, in a manner appropriate to the stage of development of the child;
 - act as the child's legal representative.
 - If the child is not living with a parent, that parent has a right to maintain personal relations and direct contact with the child on a regular basis.

All parental rights end at age 16. Some parental responsibilities also end at 16 however, both parents have a responsibility to guide, advise and support, including giving financial support to their child – even if they don't have parental rights and responsibilities for a child they care for. This responsibility continues up to the age of 18 and, under the Education (Scotland) Act, up to 25 if the child is in education or training. Mothers automatically have parental rights and responsibilities, however fathers only have responsibilities and rights if they are married to the mother at the time of conception or subsequently, their name is registered on the child's birth certificate or they have subsequently acquired them by other means. **NB. Only parents having responsibilities and rights should consent to their child partaking in sporting activities.**

Age of Legal Capacity (Scotland) Act 1991.

The Age of Legal Capacity (Scotland) Act 1991 is concerned with regulating the capacity of children/ young people to enter into "transactions". For the Act to apply, the action of the child/young person must be one which "has legal effect." Going to visit a friend is not an action having legal effect, buying a bus ticket is because it is a contract. An important element of the definition is that concerning "the giving by a person of any consent having legal effect." This includes consent to medical examination and treatment where it is assumed that a child/young person of any age is capable of giving consent if, in the view of a medical practitioner, they have the capacity to do so. The Act makes an assumption that most young people over the age of 12 have such capacity however, in practice many health professionals are uncomfortable making this assumption until the young person has reached 16 years of age.

NB. When young people are involved in sporting activities it is important to respect their right to make such decisions.

3.3 Duty of Care

In addition to primary and secondary legislation, there exists a Common Law Duty of Care in relation to all members of ScotSAC, placing responsibility on ScotSAC, including those responsible for activities, to ensure:

- Wellbeing,
- Welfare, including protecting people from harm, abuse and injury,
- Compliance, following regulations and rules relating to the duty of care and,
- Good practice taking an effective and proven approach to care

Specifically, in relation to young people and vulnerable adults who are involved in organised sports activities and are, to any extent, under the care and/or control of one or more adults, the adult(s) have a duty to take reasonable care to ensure their safety and welfare. The duty occurs in two ways:

- A Legal Duty of Care has a strict definition. The most obvious example of this is in Health and Safety procedures where clear guidance is provided about what reasonable steps should be taken to minimise the hazards related to activities, substances or situations
- A Moral Duty of Care is more correctly a responsibility for safety and welfare. Members have a responsibility for those young people and vulnerable adults, (and other staff), who are under their control. To determine if a breach of the duty of care has occurred, the ordinary civil law of negligence would be applied. The question is whether the accused in acting or omitting to act, has failed to reach the standard of a reasonable person. In specialist sports activities the qualified instructor has a duty of care for all those taking part irrespective of their age or position. The key point here is that the individual administering the activity, whatever their status, should be appropriately trained and authorised.

Section 5 Children (Scotland) Act 1995

In addition to the Common Law duty of care referred to above, **Section 5 Children (Scotland) Act 1995** places a specific responsibility on anyone having care or control of a child/young person under 16, though not having responsibilities and rights over that child, to do whatever is reasonable to safeguard the child/ young person's health, development and welfare. It applies to anyone having care and control of a child/young person in a sporting activity such as during ScotSAC activities.

NB. "Loco Parentis" does not apply in Scots Law.

3.4 Duty of care to vulnerable adults - Wellbeing & Protection of Adults

ScotSAC is committed to ensuring every member who takes part in club activities should be able to participate in an enjoyable and safe environment which promotes inclusion and protects them from harm, poor practice, exploitation, bullying and abuse. It is acknowledged that there are certain groups within our adult membership that have higher risk factors. ScotSAC recognises its responsibility to promote safe practice and to protect all members, especially vulnerable adults at risk from harm, poor practice, exploitation and abuse. ScotSAC recognises that not all vulnerable adults have obvious difficulties or disabilities, especially when such risk comes from issues related to their mental health.

Protection of Vulnerable Groups (Scotland) Act 2007/ Disclosure (Scotland) Act 2020

Whilst there had previously been a Department of Health list of people unsuitable to work with children, following the issues raised in the Dunblane and other Inquiries, specific provisions were introduced to regulate who could work with young people and other vulnerable groups. The significant shift in emphasis meant that it was no longer a case of proving that someone was unsuitable but rather that the individual had to demonstrate that they were suitable and safe in offering care to young people and vulnerable adults including checking of records. This legislation provides a requirement for those involved with young people and vulnerable adults to undergo a Disclosure Scotland check to confirm they are suitable to work with these groups.

Rehabilitation of Offenders Act 1974 as amended by Exclusions and Exceptions (Scotland) Amendment Order 2010/ Police Act 1997

Generally, criminal convictions become spent after a period of time (which depends on the sentence imposed by the court at the time of conviction). As a result of this legislation, spent convictions, generally, do not have to be disclosed to potential employers. There are however, certain jobs and voluntary positions for which prospective employers need to know about a person's criminal record to decide whether they are suitable for the position, e.g. regulated work with children and protected adults. The Order lists the positions and professions where there is an exception to the general rule on non-disclosure of convictions. Part V of the Police Act 1997 made it possible for local authorities, third sector organisations (e.g. sports organisations) as well as other organisations to seek to obtain criminal record

certificates on individuals likely to undertake direct work with young people and other vulnerable groups.

Protection of Vulnerable Groups (Scotland) Act 2007

This Act supersedes the previous legislation contained in the Protection of Children (Scotland) Act 2003. All organisations have a legal responsibility to ensure that any individual who will be in regulated work with children or protected adults is not listed on the Children's List and/or Adult's List, which bars them from working with children and/or protected adults.

Regulated work with children/young people includes:

- caring for children/young people
- teaching, instructing, training or supervising them
- being in sole charge of them
- having unsupervised access to them
- being a host parent.

Disclosure (Scotland) Act 2020

This Act simplifies the process for disclosing criminal history information about people. It defines and sets out the process of how certain offences are disclosed and introduces a new appeals procedure. The Act amends the PVG Scheme to simplify the levels of disclosure and makes it mandatory for those who want to work with children, young people or vulnerable adults to become members of the PVG scheme. As of April 2026, membership of the scheme must be renewed every five years. ScotSAC members having significant contact with Young People and Vulnerable adults are required to obtain a Disclosure Certificate which is a criminal record check. After applying you get a certificate showing any unspent criminal convictions you have. Unspent means you need to disclose them. You can use this certificate to show to prospective employers or other people that need to know this information. We register all our instructors in clubs that accept youth members and vulnerable adults and all Open Water Instructors or above with the PVG scheme. It is currently free when done through Volunteer Scotland.

3.5 Guidance

In addition to primary legislation and common law the Scottish Government produces National Guidance on Child Protection, the latest edition of which was produced in 2023.

3.6 Confidentiality

Confidentiality is a big issue for young people and vulnerable adults. In general, they should be regarded as having the same rights to confidentiality as all adults. However, within any confidential situation, it can be legitimate to breach a confidence if to do so would be to further the public interest, including the prevention of harm. There is a public interest in the protection of young people and vulnerable adults.

This does not mean that no confidentiality can be provided, nor does it mean that adults must obtain parental consent before talking to a young person or vulnerable adult where there are concerns. There is no requirement that information of what has been said must be passed on to parents or carers.

It is important that agencies and individuals working with young people and vulnerable adults think through the issue of confidentiality, the circumstances in which it might be breached and what should happen if these circumstances arise. Suitable means should be found to communicate this policy to young people and to seek advice where appropriate.

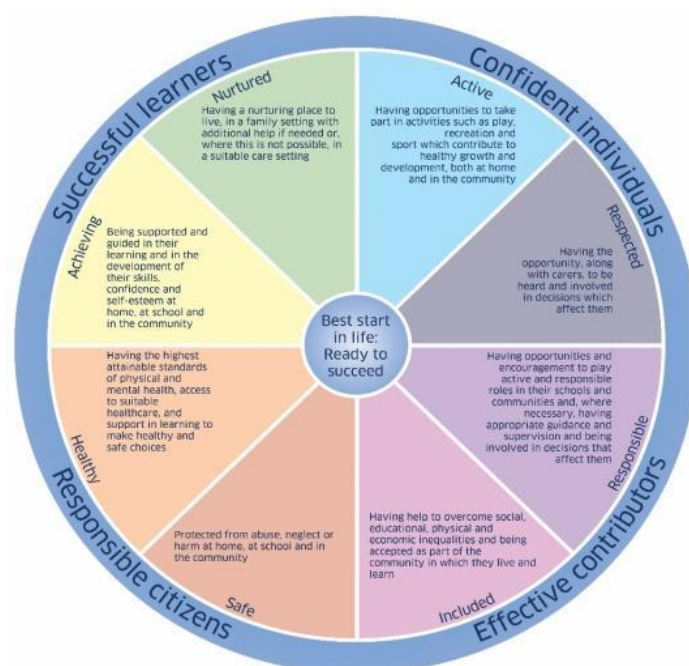
NB. If a young person or vulnerable adult indicates that they wish to share information with you that may indicate they are at risk you should never promise to keep secrets or keep what they have told you confidential. It is also important if a young person or vulnerable adult shares such information that you should only discuss it with them to the extent necessary to establish if there is a cause for concern. If you consider there is a legitimate cause for concern, you should refer the matter to the Police or local Social Work Office/duty team who have a legal duty to investigate. Importantly, if the concerns suggest the young person is at risk at home you should not share those concerns with their family. Social Workers and Police will provide advice in such matters. Support and advice can also be obtained by contacting your local Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer.

3.7 Promoting wellbeing and protecting young people and vulnerable adults

In addition to the Duty of Care described above, there is a responsibility to promote welfare and protect young people and vulnerable adults from harm/abuse.

The United Nations has set Sustainability Goals, No. 3 of which is to ensure healthy lives and promote well-being for all at all ages. In keeping with this, Scotland's has set its approach to promoting welfare, 'Getting it Right for Every Child' (GIRFEC) in primary legislation in the **Children and Young People (Scotland) Act 2014**, as such the concept of wellbeing, SHANARRI and the GIRFEC approach are enshrined in law.

The wellbeing wheel demonstrates the eight indicators that are believed to be essential for a child or young person's overall wellbeing. The eight indicators are often referred to using the acronym SHANARRI, which stands for Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Involved.



Whilst the indicators have been designed with children and young people in mind, they can also be helpful in considering if the needs of vulnerable adults are being met. It is essential that in sport we understand not only how participation in sport contributes to these wellbeing

indicators but also what we need to do if we are ever worried that something is impacting a young person's or vulnerable adult's wellbeing.

Concerns about wellbeing of a young person or vulnerable adult, in isolation, do not always meet the threshold for a referral to Police or Social Work but may still have an impact on their wellbeing. A range of experiences can have negative effects on young people and vulnerable adults, for example bullying, mental health concerns, bereavement, family separation or a young person or vulnerable adult being pushed too hard in sport by their parents, carers, or instructors.

There may also be scenarios where a volunteer or member of staff could have an impact on the wellbeing of a young person or vulnerable adult due to poor practice by a volunteer or member of staff. Examples may include shouting aggressively, punishing young people and vulnerable adults through extra drills/exercises, singling them out in front of peers for minor transgressions, or communicating with them through a personal social media account.

It is important to note that concerns about wellbeing may, with further exploration or over time, escalate to become a more significant concern and therefore it is important to respond appropriately and at the earliest opportunity.

It can be helpful when considering a concern about a young person or vulnerable adults in your Branch to refer to the wellbeing wheel to identify which of the indicators are being affected by the experience of that young person. If at any stage a concern about a young person or vulnerable adult requires escalation this could be discussed with your local ***Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer*** and/or referred to Social Work.

Source: www.gov.scot/Topics/People/Young-People/gettingitright/wellbeing

4 Introduction to Protecting Young People and Vulnerable Adults

The 2023 National Guidance for Child Protection in Scotland states “*Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children [and Young People or vulnerable adults] may be maltreated at home; within a family or peer network; in care placements; institutions or community settings; and*

in the online and digital environment. Those responsible may be previously unknown or familiar, or in positions of trust. They may be family members. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol and drug use.”

There are four commonly recognised categories used to describe the risk of abuse or harm to a young person which can equally be applied to abuse of vulnerable adults, however although physical and behavioural signs may be symptomatic of abuse, they may not always be an indicator and, conversely, young people or vulnerable adults experiencing abuse may not demonstrate any of these signs or show physical injuries. These definitions are not mutually exclusive, for example, a young person or vulnerable adult experiencing physical abuse is undoubtedly experiencing emotional abuse as well.

NB It should be noted that the threshold for determining abuse/risk is that the young person or vulnerable adult is at risk of significant harm. For example, this is the threshold used by the Children’s Hearing System and Courts to determine whether the state should intervene in family life.

4.1 Physical Injury

Physical Injury or abuse is defined as actual or attempted physical injury to a child or young person under the age of 16, where there is definite knowledge or reasonable suspicion that the injury was deliberately inflicted or knowingly not prevented. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a young person they are looking after. It can also include actual or attempted physical injury to a vulnerable adult.

It can be difficult with young people and vulnerable adults to distinguish between accidental injuries and bruises, which can be common, and non-accidental injuries. Consideration should be given to explanation as to how they obtained the injury, their demeanour when explaining the injury and whether this is consistent with the location and nature of the injury. For example, if a young person says they fell over but they have a bruise on their face which looks like the imprint of a ring it may not be accidental. The age of the young person or vulnerable adult must also be considered. It is possible that some injuries may have occurred for other reasons, e.g. skin disorders, rare bone diseases.

NB. It is important to recognise that it is not the job of ScotSAC members looking after young people or vulnerable adults to investigate or interview the young person or vulnerable adult. This is the role of trained professionals. We all, however, have a duty to exercise good judgement and to act on any concerns about abuse or risk of harm. The role of the person with concerns is simply to establish if there is a legitimate cause for concern. Advice can be obtained from Wellbeing and Protection Officers or the ScotSAC Lead Wellbeing and Protection Officer or directly from the local Social Work Department.

Signs which may raise concerns about physical abuse include:

- refusal to discuss injuries
- aggression towards others
- fear of parents or carers being approached for an explanation
- running away
- untreated injuries
- excessive physical punishment
- avoiding activities due to injuries or possibility of injuries being discovered
- unexplained injuries, particularly if recurrent
- wearing long or extra clothing to hide injuries.

Young people and vulnerable adults may also be at risk of physical abuse when taking part in sport. Examples of physical abuse in sport include bodily harm that may be caused by:

- over training or dangerous training
- encouraging a young person or vulnerable adult to partake beyond their capabilities
- making them partake when injured
- failure to do a risk assessment of physical limits or pre-existing medical conditions
- administering, condoning or failing to intervene in drug use.

4.2 Sexual Abuse

A young person or vulnerable adult may be subject to or at risk of sexual abuse when anybody, by design or neglect, exploits them, directly or indirectly in an activity intended to

lead to sexual arousal or other forms of gratification of that individual. Sexual abuse is fundamentally an abuse of power by another person within which the person subject to or at risk of abuse is not capable or giving consent to such activities either because of their age or capacity and is a betrayal of trust. Whilst perpetrators are usually adults it can also be another young person. Sexual abuse includes incest, rape, indecent assault and indecent photographing of young people. It can also include encouraging young people or vulnerable adults to view, witness or engage in pornography. In addition, it includes using sexual language towards a young person or vulnerable adult or encouraging them to behave in sexually inappropriate ways.

Some individuals may never be able to tell someone they have been sexually abused.

Changes in their behaviour may be a sign something has happened. In some cases, there may be no physical or behavioural signs to suggest that they have been sexually abused.

Signs which may raise concerns include:

- lack of trust in adults, over familiarity with adults or fear of an adult
- sleep disturbance (nightmares, bed-wetting, fear of sleeping alone)
- reluctance or refusal to participate in physical activity or to change clothes for games
- display of sexual knowledge beyond young person's or vulnerable adult's age or capacity
- sexual promiscuity, over-sexualised behaviour
- pregnancy
- unusual interest in the genitals of adults, children/young people or animals
- discomfort/difficulty in walking or sitting
- fear of bathrooms, showers, closed doors
- fear of medical examinations.

Examples of sexual abuse in sport:

- Sexual intercourse and/or sexual activity with a young person or vulnerable adult unable to give consent due to age or capacity
- Exposure to sexually explicit or inappropriate language or jokes.

- Showing a young person or vulnerable adult pornographic material or using them to produce indecent images.
- Inappropriate touching.

4.3 Emotional Abuse

Is the persistent failure to provide for a young person's or vulnerable adults basic emotional needs resulting in severe and persistent adverse effects on their behaviour and emotional development. It usually involves those caring for the individual failing to provide appropriate affection and loving care. More specifically, conveying to a young person or vulnerable adult that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. This often involves them being ridiculed, told they are wrong and being the subject of verbal aggression resulting in their confidence being undermined both within their family and community. In addition, it can involve isolating the young person or vulnerable adult from normal social experiences or the imposition of age or developmentally inappropriate expectations of them. Some level of emotional abuse is present in all types of ill treatment of a young person or vulnerable adult though it can also occur independently of other forms of abuse.

Signs which may raise concerns about emotional abuse include:

- low self-esteem
- significant decline in concentration
- running away
- indiscriminate friendliness and neediness
- extremes of passivity or aggression
- self-harm or mutilation.

Examples of emotional abuse in sport:

- Persistent failure to show any respect to a young person or vulnerable adult, e.g. continually ignoring them
- Failure to recognise improvements in performance and skill development
- Constantly humiliating them by telling them they are useless.
- Continually being aggressive towards them making them feel frightened or upset
- Acting in a way which is detrimental to their self-esteem.

Sport can be an important means by which individuals can be helped to become emotionally supported and cared for as well as improving their self-esteem by achieving success and praise.

4.4 Neglect

Neglect is the persistent failure to meet a young person's or vulnerable adult's basic physical and/or psychological needs in a way which is likely to result in the serious impairment of the young person's or vulnerable adult's health or development. Such needs include a failure to provide adequate food, shelter, warmth, clothing or cleanliness. Consistent failure to provide for the basic needs of a young person or vulnerable adult can result in severe exposure through negligence to circumstances which may endanger them. There can also be single instances of neglectful behaviour that cause significant harm. Neglect can be caused by the intentional failure to provide appropriate care and to meet a young person's or vulnerable adult's needs but can also be caused by other factors beyond the caregiver's control such as poverty or a lack of capacity or ability to provide appropriate care. Neglect can also arise in situations where there is no intent to cause harm but the caregiver is unable to provide proper care as a result of their own difficulties such as drug addiction. Either way, the needs of the young person or vulnerable adult have to take priority.

Neglect may also result in a child/young person being diagnosed as suffering from 'non-organic failure to thrive', where they have significantly failed to reach normal weight, growth and development milestones and where physical and genetic reasons have been medically eliminated. In its extreme form young people can be at serious risk of harm from the effects of malnutrition, lack of nurturing, and stimulation. This can lead to serious long-term effects such as greater susceptibility to serious illnesses and reduction in potential stature. With young children in particular, the consequences may be life-threatening within a relatively short period of time.

Signs which may raise concerns about neglect include:

- constant hunger and or tiredness
- poor personal hygiene and/or poor state of clothing
- frequent lateness or unexplained non-attendance
- untreated medical problems

- low self-esteem
- poor peer relationships
- stealing.

Examples of neglect in sport:

- Failing to undertake a proper risk assessment
- Exposing a young person or vulnerable adult to extreme weather conditions, e.g. heat and cold.
- Failing to seek medical attention for injuries.
- Exposing them to risk of injury by using unsafe equipment.
- Exposing them to a hazardous environment without a proper risk assessment of the activity.
- Failing to provide adequate nutrition and water.

4.5 Disabled Young People and Vulnerable Adults

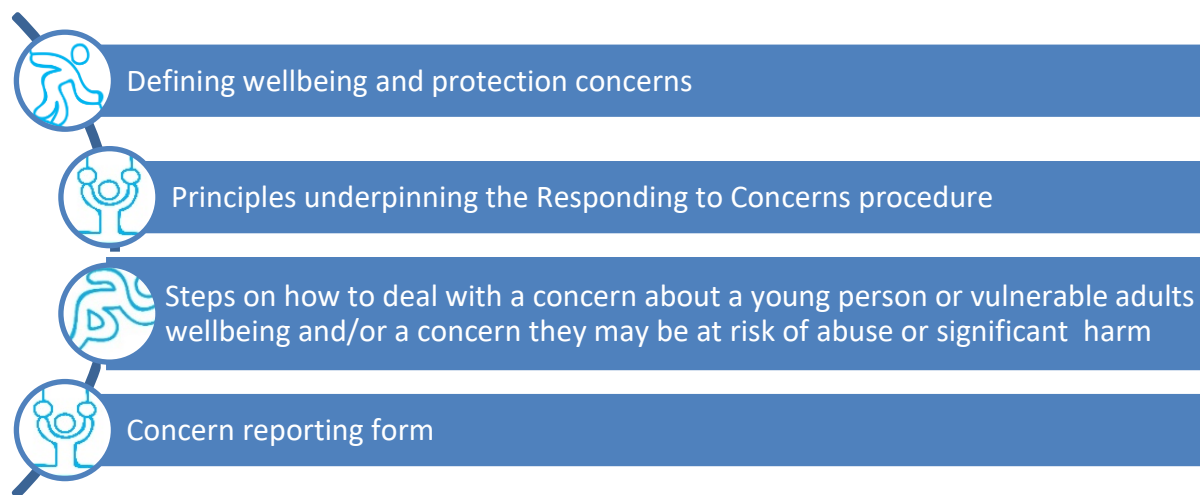
Disabled young people and vulnerable adults should have the same rights and opportunities as their non-disabled peers. Volunteers/staff should consult with them and their parents/carers in order to understand and meet their needs. They may however be at increased risk of being abused compared with their non-disabled peers, perhaps because they are less able to communicate abuse, this means that additional care and vigilance may be necessary:

- They are often dependent on several people for care and handling, some of which can be of an intimate nature
- They may be unable to understand the inappropriateness of the actions or communicate to others that something is wrong
- Signs of abuse can be misinterpreted as a symptom of the disability
- Like other young people and vulnerable adults, they may be fearful of the consequences of disclosing abuse
- Attitudes and assumptions that disabled young people or vulnerable adults are not abused

- They may be unable to prevent abuse or adequately protect themselves due to physical impairment
- Negative attitudes towards disabled young people and vulnerable adults.

5 Procedures for Responding to Concerns

5.1 Checklist for a Responding to Concerns procedure



It can be very difficult to know what to do if faced with a concern about a young person or vulnerable adult, especially if the concern involves someone you know. This procedure ensures that everyone in your club is clear on what action to take when there is concern about the wellbeing or risk of abuse/significant harm to a young person or vulnerable adult. It gives volunteers and members of staff clear, important steps to follow ensuring action is taken quickly and in the best interests of young people and vulnerable adults.

5.2 Defining wellbeing concerns

Wellbeing concerns are those that, in isolation, do not always suggest a young person or vulnerable adult is at risk of significant harm but still have an impact on the wellbeing of the young person or vulnerable adult. A range of experiences can have negative effects on them, for example bullying, mental health concerns, bereavement, family separation or young people and vulnerable adults being pushed too hard in sport.

There may also be scenarios where a volunteer or member of staff could have an impact on the wellbeing of a young person or vulnerable adult due to their poor practice. Examples may

include shouting aggressively, punishing young people and vulnerable adults through extra drills/exercises, singling them out in front of peers for minor things such as leaving kit behind or communicating with them through a personal social media account.

It is important to note that wellbeing concerns may, with further exploration or over time, escalate to become more significant concerns suggesting that the young person or vulnerable adult is at risk of significant harm and therefore it is important to respond appropriately and at the earliest opportunity.

5.3 Deciding if a young person or vulnerable adult is at risk of significant harm

As previously indicated, it is not the responsibility of ScotSAC members to investigate concerns about the welfare or abuse of young people or vulnerable adults. In this context, such a concern is where it is believed that a young person or vulnerable adult has been or is at immediate risk of significant harm. Such a concern meets the threshold for an immediate referral to the statutory agencies, which will allow an investigation by the appropriate professionals to take place.

5.4 Principles underpinning responding to wellbeing and protection concerns

If you do have concerns, you should do the following noting that the wellbeing of the young person or vulnerable adult is the paramount consideration:

- First and foremost, if a young person or vulnerable adult is injured, **irrespective of the cause**, you should provide or seek immediate medical attention. Parents and carers should have already provided permission for such treatment, if in doubt seek the advice of a trained medical practitioner who will also guide you through any steps that may need to be taken if the injury appears to be non-accidental. Remember that in certain circumstances young people have the right to consent to (or refuse) medical treatment if they have the capacity to do so according to the relevant medical practitioner.
- When discussing an injury or concern for welfare or if a young person or vulnerable adult discloses abuse to you, only ask questions to establish an outline of how the

injury or abuse happened or to better understand the cause for concern. Ask open questions, do not suggest explanations e.g. “did your mum/dad hit you” or make judgements.

- Do not agree to keep secrets or promise not to share information with others such as Social Work or Police. Young people and vulnerable adults have the right to express their views, but they are not necessarily capable of understanding what is in their best interests, that is the responsibility of those caring for them. However, if it appears that parents or caregivers are not responsible, contact should be made with them, and you should work in partnership to ensure that the concerns are addressed. If, once advised of the concerns, parents refuse or fail to take appropriate action, refer your concerns to either your local Social Work or Police.
- Parents/carers have the primary responsibility for safety and wellbeing and where possible the club should work in partnership with parents/carers when there are concerns about a young person or vulnerable adult however, if the concerns relate to harm they may have experienced at home or by a family member only contact their parents once you have discussed the matter with either a Social Worker or Police. Further advice is available from your ***Local Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer.***
- Once you are satisfied that there is a legitimate concern refer the matter to either your local Social Work Department or the Police
- Explain the steps you are taking to the young person or vulnerable adult and, when possible, provide reassurance.
- Complete the necessary paperwork

5.5 Ways a wellbeing or protection concern may arise

A concern about a young person or vulnerable adult may come to the attention of an adult in the sport through a number of different ways:

- a direct disclosure by them
- through observation, demonstrated by a change in their behaviour, appearance or nature
- information that is shared by another individual (adult or child) or organisation.

5.6 What to do if there is wellbeing concern about a young person or vulnerable adult

5.6.1 Respond

Common sense is advised in these situations, and the best interests of the young person or vulnerable adult will be the primary consideration as to what is the best way forward for each individual. Young people and vulnerable adults have the right to express their views about further action however they are not necessarily capable of understanding what is in their best interests, that is the responsibility of those caring for them. The steps to be taken should be discussed with the young person or vulnerable adult and their view sought whilst offering support to them.

Allegations of abuse or concerns about risk of significant harm will always be taken seriously. If a young person or vulnerable adult says or indicates they are being abused or information is obtained which gives concern that they are at risk of significant harm, the information will be responded to on the same day.

If a young person or vulnerable adult discloses abuse or they are at risk

- React calmly so as not to frighten them.
- Consider what support they may need to communicate effectively (e.g., do they have any additional support needs, is English their first language, etc.)
- Listen to them and take what they say seriously, do not show disbelief
- Reassure them and that they were right to tell someone
- Avoid asking too many questions, only ask enough questions to gain basic information to establish the possibility that abuse may have occurred or that they are at risk. Only use open-ended, non-leading questions, e.g. Who? What? Where? When?
- It's important to explain to them who you may need to share information with and why. Don't promise to keep information to yourself.

Avoid:

- Panicking
- Showing shock or distaste

- Probing for more information than is offered
- Speculating or making assumptions
- Approaching the individual against who the allegation has been made
- Making negative comments about the person against who the allegation has been made
- Making promises or agreeing to keep secrets or giving a guarantee of confidentiality.
- Introducing personal information from either your own experiences or those of other young people or vulnerable adults.

NB No member of the club shall investigate allegations of abuse or decide whether or not a young person or vulnerable adult has been abused or is at risk of abuse.

5.6.2 Record

A written record of the wellbeing concern will be made as soon as possible using the *Concern Recording Form*, completing as much of the form as possible. Where the form is completed electronically, it will be password protected and saved to a file that is only accessible by the ***the ScotSAC Lead Wellbeing and Protection Officer and the ScotSAC Chair*** who will review the form the same day

Reporting concerns should not be delayed by gathering information to complete all sections of the form. It is important to record the actual words used by the young person or vulnerable adult, even if this makes you feel uncomfortable.

5.6.3 Report

If, at any point, there is uncertainty about the appropriate course of action, advice should be sought from your local Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer. Once you are satisfied there is a legitimate cause for concern, all wellbeing concerns will be reported to ScotSAC Lead Wellbeing and Protection Officer or, if not available, the ScotSAC Chair) on the same day and the appropriate course of action agreed. This may include a referral being made to the Police or Social Work services. If neither is available or when an immediate response is required, the Police and/or Social Work services should be contacted directly. Any advice should be recorded.

Police and Social Work Services have a statutory responsibility to investigate concerns about the wellbeing of young people and vulnerable adults and often hold other concerning information about them. The information in the *Concern Recording Form* will help the Wellbeing and Protection Officer, the ScotSAC Lead Wellbeing and Protection Officer or Police and Social Workers to decide what action to take next.

NB If a disclosure by a young person or vulnerable adult suggests there are other children, young people or vulnerable adults who are at risk contact should be made directly with Police or Social Work.

5.7 Sharing concerns with parents/carers

Where there are concerns that the parents/carers may be responsible for, or have knowledge of, the abuse, sharing concerns with the parents/carers may place the young person or vulnerable adult at further risk. In such cases, advice will always firstly be sought from the Police or Social Work Services as to when and who should inform the parents/carers. Advice can also be sought from your local Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer however this should not delay any action to ensure the young person or vulnerable adult is kept safe.

5.8 Wellbeing and protection concerns about the conduct of a volunteer or member of staff

NB This section of the procedure should be read in conjunction with the club Disciplinary Procedure.

In all cases where there are concerns about the conduct of an adult towards a young person or vulnerable adult, the best interests and wellbeing of the young person or vulnerable adult will be the paramount consideration.

NB Until any assessment or investigation is completed the individual concerned should not normally partake in club activities or communicate with other club members other than those involved in investigating or assessing the issue.

In line with the club's disciplinary procedures, the adult involved may be suspended (***Precautionary Suspension***) whilst a disciplinary investigation is carried out. Suspension is

not a form of disciplinary action. The adult will be informed in writing of the reason for the suspension. A suspension interview will be organised, at which 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.

A volunteer/member of staff who is precautionarily suspended will be kept regularly updated about their suspension and will also have regular contact with their manager.

The volunteer/member of staff will be supported during this time by the relevant role in the club.

5.8.1 Initial reporting of concerns

All concerns about the wellbeing of a young person or vulnerable adult arising from the conduct of a volunteer/member of staff will be reported to the local Wellbeing and Protection Officer on the day the concern arises who will pass all concerns reported to the ScotSAC Lead Wellbeing and Protection Officer or, if unavailable, to the ScotSAC Chair when an immediate response is required.

No member of ScotSAC or Branch in receipt of information that causes concern about the conduct of an adult towards young people or vulnerable adults shall keep that information to themselves or attempt to deal with the matter on their own.

Where the concern is about the Wellbeing and Protection Officer, it will be reported to the ScotSAC Lead Wellbeing and Protection Officer or, if unavailable, to the ScotSAC Chair as above.

5.8.2 Recording

Concerns will be recorded as soon as possible using the Concern Recording Form. Reporting of concerns will not be delayed by gathering information to complete the form or to fully complete it.

Actions taken and reasons for decisions will be recorded, in the order in which they happen, on the Concern Recording Form. This will be signed and dated by the Wellbeing and Protection Officer or the person appointed to manage the response process.

NB Full and accurate recording of information keeping is important for all concerned and could form the basis for future legal action.

5.8.3 Conducting an initial assessment

Once the concerns have been reported, the Wellbeing and Protection Officer or the person appointed to manage the response process will conduct an initial assessment:

- Establish the basic facts in order to determine the appropriate course of action.
- If required, consult external agencies such as the Police and Social Work Services for advice at any time. This may be important because they may hold other important information which, when considered alongside the current concerns, builds a significant picture of concern.

The initial assessment will not form part of the disciplinary investigation. Any disciplinary action taken, following the initial assessment, must not jeopardise any ongoing criminal investigation. The Police will be asked for advice on appropriate action by the club. Every situation is unique so guidance cannot be prescriptive.

5.8.4 Where behaviour is potentially criminal

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 alleged perpetrator is approached and ***the ScotSAC Lead Wellbeing and Protection Officer and ScotSAC Chair notified.***

5.8.5 Where it is not clear whether the behaviour is criminal

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.

5.8.6 Speaking to the young person or vulnerable adult

An initial assessment of the basic facts may require the need to ask a young person or vulnerable adult 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 young people, vulnerable adults or other appropriate individuals. The guidance for talking to young people and vulnerable adults at risk of harm will be helpful in this situation.

Interviewing young people and vulnerable adults about possible abuse and criminal offences is the sole remit of specially trained Police Officers and Social Workers. Questioning by those conducting an initial assessment will always be avoided as far as possible. If it is necessary to speak to the young person or vulnerable adult in order to clarify the basic facts, consent will be obtained from a parent/carer who should normally be present.

5.8.7 Non-recent 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 and young people. The same procedures will be followed in the event of an allegation of non-recent abuse.

5.9 Outcome of initial assessment

Possible outcomes of the initial assessment:

- No further action (facts do not substantiate complaint)
- Concern relates to poor practice and situation is dealt with through a conversation and the provision of management guidance and/or training
- Concern relates to poor practice and/or misconduct (not of a criminal nature) and situation is dealt with under organisation Disciplinary Procedures
- Concern supports possible criminal behaviour resulting in:
 - Further investigation by the Police and Social Work Services.
 - Criminal investigation by the Police. The results of a criminal investigation may well influence the disciplinary investigation but not in all cases.
 - Disciplinary investigation by the organisation at conclusion of statutory agency involvement.
 - Civil proceedings by the young person's or vulnerable adult's/family.

Where the initial assessment supports concerns about poor practice and/or misconduct (not of a criminal nature) the Wellbeing and Protection Officer will deal with the situation in line with the club Disciplinary Procedures.

Any impact on a young person's or vulnerable adult's wellbeing caused by an adult's poor practice or misconduct will be managed under the club's disciplinary policy. Pending the

outcome of the initial assessment, precautionary suspension will be considered in all cases where there is a significant concern about the conduct of an adult towards a young person or vulnerable adult.

Referrals to the Police and/or Social Work Services will be made by telephone and confirmed in writing by the Wellbeing and Protection Officer within 24 hours. A copy of the *Concern Recording Form* will be provided to them on request. 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 will be recorded by the Wellbeing and Protection Officer.

Appropriate steps will be taken to ensure the safety of the young person or vulnerable adult who may be at risk, their parents/carers will be informed as soon as possible of any action taken following advice from the Police.

Advice will firstly be obtained from the Police about informing the adult involved in the concerns. If the advice is to inform them, they will be told that information has been received which may suggest an allegation of abuse or possible criminal offence. 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 adult.

5.10 Referrals to Disclosure Scotland

Where the circumstances meet the referral criteria set out in the Protection of Vulnerable Groups (Scotland) Act 2007, the club will fulfil its legal duty to make a referral to Disclosure Scotland.

5.10.1 Volunteers/Staff considered for listing

If the club is notified that a member of staff in regulated work with children is under consideration for listing by Disclosure Scotland, a precautionary suspension will be put in place pending the outcome.

5.11 Review of the Management of Wellbeing and Protection Concerns

Reviewing how wellbeing and protection concerns have been managed is an important part of good practice and risk management. It provides an opportunity to:

- Explore if policies and procedures were followed and were effective

- Establish whether appropriate action was taken
- Examine the role of individuals involved in responding to and managing the case to establish whether further support or training is required
- Review how well the Branch worked with other organisations involved in the case
- Identify if any changes are required or recommendations for the future
- Identify specific areas of risk, trends, or patterns
- Increase the confidence of those involved in the Branch by demonstrating an open and transparent approach.

Branches should conduct a review:

- At the conclusion of any case dealt with through the procedures for responding to concerns
- At the conclusion of legal proceedings where the Branch has been involved in the investigation
- At the conclusion of disciplinary proceedings, including an appeal
- As part of the regular review of all wellbeing and protection cases.

The Case Review Matrix and Review Planning Template can be used to assist in the case review process. (See Appendix 2)

6 Code of Conduct

ScotSAC has a Code of Conduct for members and employees of the Scottish Sub-Aqua Club which applies to all members and employees. Particular consideration has to be given to how this applies to young people and vulnerable adults.

6.1 Code of Conduct for Members

Scottish Sub-Aqua Club supports and requires all members to adopt the following standards of practice, including verbal and non-verbal actions when working/volunteering with young people and vulnerable adults.

All concerns about breach of this Code of Conduct will be taken seriously and responded to in line with Scottish Sub-Aqua Club's appropriate policy/procedure. This may include the Responding to Concerns Procedure, Complaints Procedure and/or Disciplinary Procedure.

6.1.1 Good practice

- Make diving and snorkelling enjoyable and promote fair play
- Treat all young people and vulnerable adults equally, with respect, dignity and fairness. Challenge where you see anyone participating in disrespectful or bullying behaviour
- Involve parents/carers wherever possible
- Build balanced relationships based on mutual trust
- Listening to young people's views and those of vulnerable adults and involving them in decision making processes
- Always work in an open environment, wherever possible. Avoid private or unobserved situations
- Put the wellbeing of each young person and vulnerable adult first before achieving performance goals
- Be an excellent role model including not smoking, drinking alcohol, taking drugs or swearing in the company of young people and vulnerable adults
- Recognise the developmental needs and capacity of young people and vulnerable adults
- Avoid excessive training, pushing young people or vulnerable adults against their will and putting undue pressure on them
- Follow Scottish Sub-Aqua Club's Digital Communication and Social Media guidance in relation to communicating with young people and vulnerable adults

6.1.2 Practice to avoid

In the context of your role within Scottish Sub-Aqua Club, the following should be avoided:

- Having 'favourites' – this could lead to misinterpretation, or resentment and jealousy by other young people or vulnerable adults
- Spending excessive amounts of time alone with young people or vulnerable adults away from others

- Entering other people's bedrooms on trips away from home, unless in an emergency or in the interest of health and safety
- Where possible, doing things of a personal nature for young people or vulnerable adults that they can do for themselves
- Adults should avoid changing or showering at the same time as young people and vulnerable adults. If limited changing facilities mean that adults must share, adults must take care to protect the modesty and privacy of themselves and the young people or vulnerable adults. Parents/carers should be made aware if this is likely to be the case.
- Adults should not be alone with a young person or vulnerable adult in the changing areas. Where supervision is required, for example, where there are concerns about bullying or disruptive behaviour ensure the suitability of adults in this role and that they have been through a safe recruitment process. Extra vigilance may also be required if there is public access to the venue.
- If young people or vulnerable adults are uncomfortable changing or showering in public, do not pressure them to do so.

6.1.3 Unacceptable practice

In the context of your role within Scottish Sub-Aqua Club, the following practices are unacceptable:

- Failing to take appropriate action when a concern is identified
- Allowing allegations made by a young person or vulnerable adult or about the wellbeing or protection of a young person or vulnerable adult to go unrecorded and unreported
- Forming intimate emotional, physical or sexual relationships with them
- Making sexually suggestive comments to a young person or vulnerable adult, allowing or engaging in touching a young person or vulnerable adult in a suggestive manner or engaging in sexually provocative games
- Being physically violent towards them or being verbally aggressive towards them
- Allowing young people or vulnerable adults to swear or use sexualised language unchallenged

- Behaving in a coercive or controlling manner towards a young person or vulnerable adult
- Allowing a young person or vulnerable adult to share a room alone with an Instructor or adult member or inviting them into your home

6.2 Code of Conduct for parents and carers

- Remember that young people and vulnerable adults participate for enjoyment as well as competition
- Remember that young people and vulnerable adults and may be affected by your behaviour as may other individuals who are participating
- Stay outside the pool and in the Spectator's Area (where provided) or Shore
- Never engage in or tolerate, offensive, insulting or abusive language or behaviour
- Always respect the Instructor's or Dive Officer's decisions
- Applaud effort and good practices as well as success
- Let the Instructors do their job and not confuse the young people and vulnerable adults by telling them what to do
- Encourage them to respect the Instructors and other Dive Officers.
- Never criticise a member for making a mistake. Remember that mistakes are an important part of learning and wellbeing
- Pass on any concerns that you have about the wellbeing of a young person or vulnerable adult to a Branch Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer

6.3 Code of Conduct for young people and vulnerable adults

Adults at the Scottish Sub-Aqua Club should help to make diving safe and fun, young people and all adults can help by respecting other Members/Divers and the people who are there to help them to learn by:

- Being ready and on time for training and diving
- Respecting the Instructors and other helpers

- Accepting what the Instructor or Dive Officer ask you to do to ensure the safety of diving
- Diving to the best of your ability
- Never swearing at or insulting anyone, including Members, Divers or spectators
- Where possible, letting the Instructors know if you are going to be late
- Following advice from doctors or physios to keep you safe and injury free
- Never bullying other Members/Divers either yourself or in a group.

Bullying can happen between young people and vulnerable adults or between adults and young people. It means things like:

- name calling
- making fun at someone's expense
- giving only negative feedback
- hitting
- shoving
- stealing
- damaging belongings
- spreading rumours
- making threats
- sending/posting nasty messages or leaving people out on purpose.

One of the areas where young people and vulnerable adults are particularly vulnerable at many sports facilities is the locker/changing/shower room. Limited changing facilities sometimes mean that people of all ages regularly need to change and shower during the same period. In particular, bullying can occur where young people and vulnerable adults are left unsupervised in changing areas.

If you are worried about something, don't keep it to yourself. Speak to an adult who you know and trust such as a parent, Instructor, teacher, the Wellbeing and Protection Officer at your Branch, a guidance teacher, doctor or school nurse.

If there isn't anyone you feel you can talk to, you can contact Childline in Scotland on 0800 1111 or at childline.org.uk. It's free, private and confidential.

7 Photography, Digital and Social Media

Communication technology and social media developments advance extremely quickly meaning ways in which we communicate, receive and absorb information are changing all the time. This provides a great opportunity for Branches to promote their activities and communicate easily with members but it can also put young people and vulnerable adults at risk.

Adults who seek to harm young people and vulnerable adults have been known to use technology and social media to “groom” them. Software enabling the manipulation of online images can also pose a risk of harm to young people and vulnerable adults, it is also widely acknowledged that they can be harmed by the behaviours and actions of their peers, for example online bullying and sexting.

7.1 Communication through messaging apps and/or texts or by telephone

The following guidelines should be followed in order to safeguard all parties when communicating via digital technology and social media or taking photographs:

- All communications from the Branch with young people and vulnerable adults should be open, transparent and appropriate
- Young people, vulnerable adults and their parents/carers should be informed about the communication approach by the Branch and should also be given information on how to keep themselves safe and who to report any concerns to
- Messages should only be sent to communicate details of meeting points, training, match details, competition results etc. The same message should be sent to every member of the group/team
- The use of apps must take account of the terms and conditions of using the app including age limitations
- It should always be clear that it is the Branch who is communicating information – one-to-one messaging arrangements between sports volunteers/staff should be strongly discouraged and safeguards should be in place and settings adjusted to prevent this happening.

- Messages should never contain any offensive, abusive or inappropriate language. They should not be open to misinterpretation.
- Written permission must be sought from parents/carers to communicate with children under 16 years.
- Parents and carers should be offered the option to be copied into any messages sent to a young person or vulnerable adult if appropriate
- Consent to communicate via digital technology/social media should be sought directly from young people, especially those aged 16 to 18 or vulnerable adults. Though consent from parents/carers is not required for these groups it is recommended that parents/carers are informed of the intention to communicate with them
- All concerns about the inappropriate use of digital technology and social media will be dealt with in line with the Procedure for Responding to Concerns. This may include the concerns being reported to Police.
- Where phone numbers/email addresses of young people and vulnerable adults are gathered these should be kept securely in a locked cabinet or password-protected electronic file or database.
- The number of people with access to young people and vulnerable adults details should be kept to a practical minimum. A record should be kept of their numbers/addresses by the Wellbeing & Protection Officer

7.2 Websites/Social Media Sites

Websites/Social Media sites provide an opportunity for a Branch to extend their community profile, advertise and communicate easily with their members. Thought should be given to consent, tone and how sites and pages will be monitored. In terms of publishing information and pictures the following good practice should be noted:

7.3 Permission

- For permission to publish information or pictures about a young person under 16 or a vulnerable adult, written parent/carer consent must be obtained (See media permission form in Appendix 3).

- Anyone publishing information or photographs should ensure the site used is not public and only accessible by other members or friends and family
- Special care must be taken in relation to avoid putting young people and vulnerable adults at extra risk, e.g. families and individuals fleeing domestic violence, or a young person or vulnerable adult with a disability. Where there is thought to be any risk, photographs or other information that might identify such individuals should not be published.
- Young and vulnerable divers who have a public profile as a result of their achievements are entitled to the same protection as all other members. In these cases, common sense is required when implementing these guidelines. All decisions should reflect the best interests of the young person or vulnerable adult.

7.4 Use of Images and Information

- Photographs and information used for publicity should avoid using information or photographs that identify young people or vulnerable adults. Where this is thought to be necessary (e.g. advertising to recruit young members or vulnerable adults). Express permission should be sought from young people, vulnerable adults and parents and carers including providing them with a full explanation of the purpose and use of such information.
- Information published on the websites or through social media must never include personal information that could identify a young person or vulnerable adult e.g. home address, email address, telephone number. All contact must be directed to the Branch. Credit for achievements by a young person or vulnerable adult should be restricted to first names, e.g. Tracey completed her Sport Diver Award.
- Young people and vulnerable adults must never be portrayed in a demeaning, tasteless or a provocative manner and should never be portrayed in a state of partial undress. When depicting an action shot within the context of Diving young people should be wearing Drysuits or other suitable clothing.

7.5 Group Chats/Forums

Where a site or app allows for two-way communication between the Branch and members or amongst a group of members, close monitoring is required. From time to time group chats/forums can be used to target individuals or to engage contributors in debates that can cause upset and embarrassment to young people and vulnerable adults.

Instructors, members of staff/volunteers should refrain from being drawn into debates concerning selection, performance or personalities – even where the subject of discussion is anonymous.

Any offending comments should be removed by the Branch and appropriate procedures should be used to address poor practice or Code of Conduct breaches.

Any concerns or enquiries should be reported to your local Wellbeing and Protection Officer or the ScotSAC Lead Wellbeing and Protection Officer or ScotSAC Chair.

No photography or filming should be allowed in changing areas.

8 Transporting Young People and Vulnerable Adults

Where parents/carers provide the transportation of young people and vulnerable adults to and from the activity, without involving Scottish Sub-Aqua Club Branch, it will be the responsibility of the parents/carers to satisfy themselves about the appropriateness and safety of the arrangements.

Where a Scottish Sub-Aqua Club Branch makes arrangements for the transportation of young people or vulnerable adults, volunteers/staff involved will undertake a risk assessment of the transportation required. This will include an assessment of the following areas:

- All vehicles and drivers are correctly insured.
- The driver has a valid and appropriate license.
- All reasonable safety measures are available, e.g. fitted, working seatbelts or booster seats.

- There is an appropriate ratio of adults per young person or vulnerable adult.
- Drivers take adequate breaks and are not included in the ratio of adults to young people vulnerable adults.
- If an adult is regularly transporting young people and/or vulnerable adults on behalf of the club this may be defined as a ‘regulated role’. As such, this person would be required to be a member of the PVG Scheme. To establish whether a role is regulated work contact [Volunteer Scotland Disclosure Services \(VSDS\)](#).

Sports volunteers/staff should be discouraged from transporting young people and vulnerable adults to and from activities/sites by car, however, when this situation cannot be avoided, the following guidelines should be followed to ensure the safeguarding of young people and vulnerable adults and provide transparency for all concerned:

- Agree proper arrangements for the collection and return of the young person or vulnerable adult with parents/carers. This should always include having contact details as well as back up arrangements should the parent or carer not be home when returning the young person or vulnerable adult, e.g. a family member or other suitable adult that they are able to be dropped off with.
- Where possible, have another adult accompany you on the journey.
- Call ahead to inform parents/carers that you are giving them a lift and inform them when you expect to arrive.
- Always tell another member of staff/volunteer that you are transporting a young person or vulnerable adult, giving details of the route and the anticipated length of the journey.
- Take all reasonable safety measures, e.g. young people in the back seat wearing seatbelts.

9 Training

Adults volunteering/working with young people and vulnerable adults should attend the relevant training.

Sportscotland, the national agency for sport in Scotland requires:

Any adult who regularly works with young people [or vulnerable adults] in sport may be the person that they choose to tell about something happening in their life that is impacting on their wellbeing. It is vital that adults know how to respond and know how to share information with those who can help. As well as giving adults a basic awareness of what to do if they're concerned about a young person [or vulnerable adult], appropriate training helps build confidence and knowledge in keeping them safe.

There are two national training courses that focus specifically on Wellbeing and Protection in a Sport setting. Attendance at these courses is a requirement as part of Instructor training. There are other introductory child wellbeing and protection courses available from Child Protection Committees, local authorities and private/third party providers. These courses also provide the relevant training for vulnerable adults.

9.1 Wellbeing and Protection in Sport for young people and vulnerable adults (WPS) Workshop

This training will provide you with the knowledge on wellbeing and protection for young people and vulnerable adults that will give you the confidence to deal with issues that may arise in your role working with them.

It is suitable for anyone 16 and over who are in regulated work, delivering or leading sporting activities. The course is divided into two modules:

Module 1

This is an eLearning module introducing you to the basic theory, knowledge and practice which underpins wellbeing and protection for young people and vulnerable adults in sport. On average it should take around 30 minutes to complete and it must be completed before attending Module 2.

By the end of Module 1, learners will be able to:

- Understand what is meant by ‘wellbeing and protection’
- Recognise the value of an approach that focuses on wellbeing and protection for young people and vulnerable adults
- Identify good practice in relation to wellbeing and protection and how this impacts the sports environment
- Recognise the legislative and policy framework around the wellbeing and protection of young people and vulnerable adults
- Identify and respond to possible wellbeing or protection concerns
- Identify the limits of your safeguarding role and know when to get support.

Module 2

This is a three-hour face-to-face training course led by one of SportScotland’s approved tutors. Learners must complete both modules to gain the WPS qualification and receive their certificate.

By the end of Module 2, learners will:

- Be introduced to the Spectrum of Practice and use it to consider, evaluate and respond to common coaching scenarios
- Receive an introduction to the factors that create a culture of poor practice
- Identify barriers to disclosure
- Cover the process for responding to concerns about the wellbeing of young people and vulnerable adults
- Put the responding to concerns process into practice to deal with complex cases.

9.2 Wellbeing and Protection Officer Workshop

This is a three-hour face-to-face workshop suitable for individuals responsible for leading their Branch or organisation in the wellbeing and protection of young people and vulnerable adults.

It is suitable for Wellbeing and Protection Officers or those in a similar role who are aged 18+ years. Learners must have completed both modules of the Wellbeing and Protecting young people and vulnerable adults in Sport (WPS) course.

The workshop will provide the opportunity for Wellbeing and Protection Officers and others in leadership roles to consider, in more detail, the type of wellbeing and protection concerns that may arise for young people and vulnerable adults within or outside the Branch environment and how to respond effectively.

The workshop will explore the different roles and responsibilities for wellbeing and protection within a Branch and in ScotSAC and what practices and procedures a Branch can implement to help safeguard young people and vulnerable adults.

By the end of the workshop those attending will be able to:

- Confidently assess the suitability of an individual to work with young people and vulnerable adults
- Understand legal responsibilities in working with young people and vulnerable adults including those relating to PVG checks or referrals to Disclosure Scotland and identifying who is responsible for this in their setting
- Understand the duties and responsibilities of the various roles within a Branch and in ScotSAC in relation to wellbeing and protection
- Respond effectively to wellbeing and protection concerns that may arise in or outside the Branch environment
- Recognise ways in which the culture of a sports organisation influences the wellbeing and protection of young people and vulnerable adults and identify methods for affecting cultural change in this important area.

NB It is important that knowledge is kept up to date and opportunities for this are made available. Subscribing to the Children 1st CWPS newsletter will inform subscribers of the latest policy, legislation and practice guidance. Attendance at other relevant training or information sessions is a good way to contribute and keep up to date. Adults working with young people and vulnerable adults should attend Wellbeing and Protection Officer training or equivalent every three years.

10 Appendix 1

10.1 RECEIVING AND REPORTING A CONCERN

10.1.1 Concern Recording Form

Complete Part A of this form if the concerns relate to the general wellbeing of a young person or vulnerable adult.

Complete parts A and B if the concerns suggest a young person or vulnerable adult is at risk of significant harm.

PART A: Where there are concerns about the general wellbeing of a young person or vulnerable adult

Where the concern does not involve the risk of significant harm, worries may be discussed with parents/carers. Any significant incidents that cause concern about the wellbeing of a young person or vulnerable adult should be recorded and reported to the Club Wellbeing and Protection Officer and parents/carers as soon as possible. Seek advice from the Wellbeing and Protection Officer, the ScotSAC Lead Wellbeing and Protection Officer or the Child Wellbeing and Protection in Sport service if you are not sure what to do if there are concerns about the general wellbeing of a young person or vulnerable adult.

1. Young Persons/Vulnerable Adults Details:

Name:	Date of Birth:
Address:	School:
Postcode:	
Tel No:	

Preferred Language:	Is an interpreter required? YES / NO
Any Additional Needs?	

2. Details of situation giving rise to concerns (including date, time, location, nature of concern, who, what, where, when, why):

--

3. Details of any witnesses/other people involved (including names, addresses and telephone contacts):

--

4. Details of any injuries (including all injuries sustained, location of injury and action taken):

--

--

5. Young persons or vulnerable adults' views on the situation (if expressed). Where possible, please use their own words:

--

PART B: Where there are concerns about the conduct of an adult

1. Details of person about who there is a concern:

Name:	Relationship to young person or vulnerable adult:
Address: Postcode:	Tel No:

2. Details of concerns (date, time, location, nature of concern, who, what, where, when, why, continue on a separate sheet if necessary):

--

3. Details of any action taken:

4. Details of other persons/agencies contacted (including date, time, name of person contacted and advice received):

10. Have the young persons or vulnerable adults parents/carers informed? YES/NO If yes, record details/ If no, please state why not:

Part C: Your contact information

11. Details of Person Recording Concerns:

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

11 Appendix 2

11.1 Case review matrix

PROCEDURES <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 procedures give adequate information about what to do?♦ If appropriate, was a referral made to Disclosure Scotland as required in law?	PEOPLE <p>Were the right people involved?</p> <p>Were the views of the young person or vulnerable adult and their/family or carer obtained?</p> <p>Were those involved aware of the procedures?</p> <p>Had the people involved been trained?</p> <p>Where appropriate, were external organisations involved, for example, the Police or governing body of sport?</p>
OUTCOMES <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?	RECORDING <p>Were records kept?</p> <p>Is the quality of the information recorded satisfactory?</p> <p>Can the forms be improved?</p>

11.2 Case review form

Name of reviewer:	
Case reference:	If this record is going to be shared with others, the case should be anonymous - use a unique reference number or identifier.
Outstanding	If relevant to this case, have the following been concluded:

investigations and proceedings:	1. Police and Social Work 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: • • •
Timescales for completion:	This should be the dates when the review will begin and end with the reported findings.
How will the review be conducted?	List here the methods to be used to conduct the review, for example: • 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, the young person or vulnerable adult involved have a learning disability.
How will the findings and recommendations be reported?	
Who will the outcomes of the review be shared with?	List internal and external parties with whom information will be shared.
Is a media strategy required?	

12 Appendix 3

REQUEST FOR PERMISSION TO USE CAMERA AND VIDEO EQUIPMENT or TO PUBLISH INFORMATION ON SOCIAL MEDIA

This form must be completed by individuals seeking permission to use camera or video equipment or to publish photographs or video on social media.

Section A To be completed by the Applicant

Name:	Designation:
Address or Email:	Tel:
Venue/event:	Date:
Subject/s and Purpose:	

I declare that the media produced will not be altered in any way without prior written permission of the person(s) concerned. I understand that I may only use the media for the purpose stated above. I have read and agree to abide by The Scottish Sub Aqua Club's (ScotSAC's) Code of Conduct and ScotSAC Policy and Practice Relating to Youth Members and Vulnerable Adults.

Signature: _____ **Date:** _____

Permission APPROVED / REFUSED (delete as appropriate)

Signed: _____ **Date:** _____

Print Name: _____ **Role/Designation:** _____

Reason for refusal: