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SCOTTISH YOUTH FOOTBALL ASSOCIATION



PLAYER PROTECTION POLICY & GUIDELINES

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FORWARD

The Scottish Youth Football Association (SYFA) is an organisation set up in 1999 to oversee grassroots recreation youth football. The objects of the Association are to legislate for, foster, develop and improve the game of Association Football amongst all classes of youth football clubs, leagues or associations of such clubs in Scotland.

The SYFA is fully committed to safeguarding the welfare of all players in its care. The SYFA recognises the responsibility to promote safe practice and to protect players from harm, abuse and exploitation.

SYFA Staff and all officials will work together to embrace difference and diversity and respect the rights of children and young people. The SYFA is fully committed to and recognises the importance of the volunteer sector without whom it would be impossible for football to function at grassroots level in Scotland.

This revised document outlines the SYFA commitment to protect all players. These guidelines are based on the following principles and are supported by our work and experiences over a number of years:

- *The welfare of players is the primary concern*
- *All players, 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*
- *Protection is the responsibility of all registered SYFA officials, member leagues & clubs*
- *Players have a right to express their views on all matters which affect them and should be encouraged to do so in appropriate ways e.g. at club meetings*
- *The SYFA shall work in partnership together with players and parents to promote the welfare, health and development of players.*

Why protecting players is important to the SYFA Executive Committee

There are many reasons why the SYFA needs to address, plan and implement the protection of children and young people. It:

- Will help to ensure the governing body and member clubs fulfill legal and moral obligations for the care and protection of players
- Sends a positive message to both players and parents about the value you place on players and their participation in your sport
- Sends a positive message to staff and officials that you will support and guide them when they work with players and you will put safeguards in place to minimise risk to all
- Sets the standards and expectations for everyone working in the sport and provides a benchmark against which practice can be measured and challenged
- Builds a legacy for the future of the sport
- Reduces the risk of successful legal action against the organisation by ensuring that all legal duties have been fulfilled and that all reasonable steps have been taken to safeguard and promote the health, welfare and development of players

The PVG Scheme started on 28th February 2011 and is designed to improve upon the current disclosure arrangements for people who work with vulnerable groups and makes a significant and lasting contribution to their safety. It enables employers to do a quick and simple check to verify that a person is a PVG Scheme member and not barred from working with vulnerable groups.

Under Part 5 of the Police Act 1997 (“the 1997 Act”), the Scottish Ministers may carry out criminal record checks. There are three levels of checks: the criminal conviction certificate (basic disclosure); the criminal record certificate (standard disclosure); and the enhanced criminal record certificate (enhanced disclosure). Most enhanced checks have been carried out for the purpose of assessing the suitability of a person for working with vulnerable groups. Around 700,000 people in Scotland work with vulnerable groups, either through their paid employment or as volunteers. Since April 2002, the Scottish Government and BT have worked in partnership with Disclosure Scotland to provide criminal record checks for Scotland. In the first eight years of operation, over 4.6 million applications have been made for basic, standard and enhanced disclosures. In the 2008/09 financial year, 360,000 enhanced disclosures were processed for the purposes of working with vulnerable groups.

Since January 2005, the Scottish Ministers have kept a list of individuals who were considered unsuitable to work with children - the Disqualified from Working with Children List (DWCL) - introduced by the Protection of Children (Scotland) Act 2003 (POCSA). It has been an offence for anyone included in the list to work in a child care position in Scotland. In the first five years of operation, 393 individuals were listed on DWCL.

The Protection of Children (Scotland) Act 2003 (PVG) came about as a response to recommendation 19 of the Bichard Inquiry Report published in the June 2004, following Sir Michael Bichard's inquiry into the murder of two schoolgirls in Soham in 2002. The Inquiry looked at police intelligence gathering and record keeping, the way such information was shared, and the way it was used for vetting individuals as part of child protection procedures and made 31 recommendations. Recommendation 19 stated that, “new arrangements should be introduced requiring those who wish to work with children, or vulnerable adults, to be registered.”

The PVG Scheme ends the use of disclosure checks under the 1997 Act for work with children and adults at risk. They are replaced by new types of disclosure records under the PVG Act. The PVG Scheme ensures that those who either have regular contact with vulnerable groups through the workplace, or who are otherwise in regulated work do not have a history of inappropriate behaviour. It excludes people who are known to be unsuitable, on the basis of past behaviour, from working with children and/or protected adults and detects those who become unsuitable while in the workplace. Disclosure Scotland keeps a list of individuals who are considered to be unsuitable to work with children (“the children’s list”). Under the PVG Act, Disclosure Scotland also keeps, for the first time in Scotland, a list of those who are barred from working with protected adults (“the adults’ list”).

The PVG Scheme is managed and delivered by Disclosure Scotland as an executive agency of the Scottish Government. Disclosure Scotland also continues to deliver the other types of disclosure (which are still available under the 1997 Act for checks which are not for the purposes of work with children or protected adults). The Protection Unit within Disclosure Scotland receives and considers referrals and takes decisions, on behalf of Scottish Ministers, about those people who may be unsuitable to work with children or protected adults. The Protection Unit gathers and assesses all relevant information to make listing decisions.

The Central Registered Body in Scotland (CRBS) will continue to give free support to organisations in respect of making applications for PVG Scheme membership, Scheme Records and/or Scheme Record Updates.

Improvements offered by the PVG Scheme

The PVG scheme offers the following improvements on the current system:

- Effective barring** Disclosure Scotland does not just collect vetting information, it also assesses it so that individuals who are considered unsuitable on the basis of vetting information are prevented from entering the workforce;
- The adults' list** A new list of individuals who are unsuitable to work with protected adults;
- Continuous updating** Continuing to collect vetting information about an individual after the initial disclosure check has been made so that new information indicating that they might be unsuitable can be acted upon;
- Streamlined disclosure processes** Recognising that some people may have several roles (e.g. a supply teacher in several different locations and a scout leader in their spare time) and that people move and change jobs over time; and
- access to disclosure for personal employers** They can check that the person they are seeking to employ is not unsuitable, e.g. a parent employing a sports coach for their child or someone buying a care service directly.

The SYFA has designed the policy statement listed at section 1 of this policy, which assists compliance with the various laws, both national and international and must be implemented by all SYFA member officials, clubs, leagues, associations and regions.

IMPLEMENTATION PLAN

The protection of players is the responsibility of everyone in the SYFA regardless of their status or role.

Through the effective implementation of the SYFA Player Protection Policy this will:

- Promote a consistent response to all player protection matters
- Reduce the risk of litigation against the association
- Help maximise player fun and safety
- Reassure officials by increasing their confidence to engage in activities with players

Policy and Awareness

The SYFA Executive Committee will appoint a SYFA National Protection Panel consisting of a chairperson and a maximum of 12 members.

The SYFA Executive Committee will take every opportunity to promote and maximise awareness of the SYFA Player Protection Policy and Guidelines.

On seeking membership of the SYFA all officials, clubs, leagues and associations must adopt the SYFA Player Protection Policy and Guidelines.

All officials, clubs, leagues and associations will take every opportunity to promote and maximise awareness of the SYFA Player Protection Policy and Guidelines.

On receipt of membership all clubs, leagues and associations will receive a copy of the SYFA Roles and Responsibilities booklet.

The SYFA will support all member clubs, leagues/associations or regions with the implementation of this policy.

The SYFA will assist member clubs, leagues, associations and regions to appoint Protection Officers.

Protection Officers (PO's)

The SYFA Executive Committee will appoint a Player Protection Collator and a minimum of one National Protection Officer.

The Protection Collator is David Little, National Secretary of the SYFA on 0141 620 4590.

The National Protection Officer is Hazel Killen on 0141 620 4590.

All six SYFA Regional Executive Committees will appoint a minimum of one Regional Protection Officer.

On seeking membership of the SYFA all leagues/associations must appoint a minimum of one Protection Officer. Where necessary, the SYFA will assist member leagues and associations to appoint Protection Officers. The PO's full contact details will be posted on the SYFA website under their region and then on the league/association page.

On seeking membership of the SYFA all clubs must appoint a Protection Officer. Where necessary, the SYFA will assist member clubs to appoint Protection Officers.

Training and Support

The SYFA Executive Committee will attempt to provide training for all club officials.

SYFA recommended training is as follows:

SYFA Playing it Safe

SYFA members can book this course through Aisling Hinton, SYFA Protection Officer on 0141 620 4590 or email playingitsafe@scottish-football.com

The SYFA will support all member clubs, leagues and associations with the implementation of protection training.

Other Courses:

For all club officials - Sports Coach UK in partnership with **sportscotland** offer a 3 hour workshop called Safeguarding and Protecting Children which explores good practice when coaching children in sport and is provided by **sportscotland**.

For all Protection Officers – As a follow on for Protection Officers, Children 1st offer a 3 hour workshop called ‘In Safe Hands’.

Monitoring and reviewing the policy and guidelines

The SYFA National Protection Panel will regularly monitor and review the SYFA Player Protection Policy and Guidelines. The Panel may also review the policy as circumstances, guidance and legislation dictate.

The SYFA Executive Committee will approve any required changes to the SYFA Player Protection Policy and Guidelines.

Player Protection will be an agenda item for every SYFA Executive Committee meeting where regular reports will be made on progress, challenges, difficulties, achievements, gaps and areas where changes are required.

Monitoring may include all or some of the following:

- A random sampling to check consent forms are available for each participating player
- Checking all guidelines were adhered to during a debrief following a trip away
- A periodic review of the information on league and club websites
- A review into the management of reported concerns

Over the longer term, records of cases will help to inform an assessment of areas of risk and whether the SYFA is effectively keeping players safe.

1. POLICY STATEMENT AND PRINCIPLES

POLICY STATEMENT

The Scottish Youth Football Association plus its standing committees, regions, member leagues/associations, member clubs and officials are fully committed to providing every player and official with a safe environment in which they may enjoy participating in grassroots football.

BACKGROUND AND THE RIGHTS OF THE CHILD

The United Nations Convention on the Rights of the Child (1989) (UNCRC) is the international framework within which children's rights and welfare are safeguarded. The rights which form the basis of these guidelines are:

- *The right of all children to enjoy all the rights contained in the convention irrespective of the child or their parent's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status (Article 2)*
- *The right of all children to be protected from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child" (Article 19)*
- *The right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts (Article 31)*
- *The right of the children affected by physical or learning disabilities to enjoy a full and decent life in conditions that ensure dignity promote self-reliance and facilitate the child's active life in the community (Article 23)*
- *The right of all children who are capable of forming a view to express those views in all matters affecting the child (Article 12)*

What does this mean for the SYFA?

The UNCRC and government guidance makes it clear that all children have a right to be safe when they participate in sport and that those who organise/deliver sport to children have a duty to make sure children are safe and protected from harm in and through sport.

Child protection in all sport is not just about protecting children from others who may seek to harm them through sport. A trusted coach or leader may be the person a child chooses to tell about something that is happening at home or outwith sport. In either case, we all have a responsibility to act on concerns.

Participation in sport also makes an important contribution to a child's development. A child's natural sense of fun and spontaneity can blossom in a positive environment created by sports organisations. Sport provides an excellent opportunity for them to maintain good health, learn new skills, become more confident, build resilience, self-esteem and maximise their own unique potential. This is particularly important for children who are affected by adversity and who may be particularly vulnerable.

POLICY PRINCIPLES

The SYFA is fully committed to safeguarding the welfare of all players in its care. It recognises the responsibility to promote safe practice and to protect players from harm, abuse and exploitation.

SYFA staff and all volunteers will work together to embrace difference and diversity and respect the rights of children and young people.

This policy outlines the SYFA commitment to protecting players and is based on the following player's rights:

- The right to a safe environment

- The right to a protection against harm or the risk of harm
- The right to a protection against physical abuse
- The right to a protection against verbal abuse
- The right to a protection against emotional abuse
- The right to a protection against sexual abuse
- The right to a protection against bullying
- The right to a protection against neglect
- The right to express opinions and to have those opinions considered in all matters that concern their well being
- The right that all actions concerning the child should be in his/her best interests
- The right to have all suspicions and allegations taken seriously and actioned as appropriate

The SYFA shall:

- Promote the health and welfare of children by providing opportunities for them to take part in grassroots football safely
- Respect and promote the rights, wishes and feelings of players
- Promote and implement appropriate guidelines to safeguard the well being of players and protect them from abuse
- Recruit, train, support and supervise its staff and officials to adopt best practice to safeguard and protect players from abuse and to reduce risk to themselves
- Require staff and officials to adopt and abide by this Player Protection Policy and these guidelines
- Respond to any allegations of misconduct or abuse of players in line with this Policy and these guidelines as well as implementing, where appropriate, the relevant disciplinary and appeals procedures
- Observe guidelines issued by local Child Protection Committees for the protection of children
- Regularly monitor and evaluate the implementation of this Policy and these guidelines

WHAT ARE WE PROTECTING PLAYERS AGAINST?

The following examples are ways in which children may be abused or harmed, either within or outwith sport.

Harm

In Scotland harm is defined under the PVG Act as follows:

- (1) For the purposes of the PVG Act, an individual (“A”) harms another (“B”) if:
 - (a) A's conduct causes B physical harm,
 - (b) A's conduct causes B psychological harm (for example: by putting B in a state of fear, alarm or distress),
 or

- (c) A engages in unlawful conduct which appropriates or adversely affects B's property, rights or interests (for example: theft, fraud, embezzlement or extortion), and references to harm are to be construed accordingly.
- (2) For the purposes of the PVG Act, an individual (“C”) places another (“D”) at risk of harm if:
- (a) C attempts to harm D,
- (b) C incites another to harm D,
- (c) C encourages D to self-harm,
- or
- (d) C's conduct otherwise causes, or is likely to cause, D to be harmed, and references to being placed at risk of harm are to be construed accordingly.

Child Abuse

In Scotland child abuse is defined as follows:

‘Children may be in need of protection where their basic needs are not being met, in a manner appropriate to their age and stage of development, and they will be at risk through avoidable acts of commission or omission on the part of their parent(s), sibling(s) or other relative(s), or a carer (i.e. the person while not a parent who has actual custody of the child).’

This definition includes placing children at risk through something a person has done to them or something a person is failing to do for them. For those working in the field of child care and protection the definition gets broken down further into categories of abuse, namely;

- (i) Emotional Abuse (ii) Physical Injury (iii) Physical Neglect
(iv) Sexual Abuse

These categories are not mutually exclusive, for example, a child experiencing physical abuse is undoubtedly experiencing emotional abuse as well. The following definitions of the different types of child abuse are taken from *Protecting Children - A Shared Responsibility, Guidance on Inter-agency co-operation* (Scottish Office, 1998).

Identifying Child Abuse

Although the physical and behavioural signs listed may be symptomatic of abuse, they may not always be an indicator and, conversely, children experiencing abuse may not demonstrate any of these signs.

Child abuse is often difficult to recognise. It is **not** the responsibility of anyone involved in the SYFA to decide whether or not a child has been abused. This is the role of trained professionals. We all however, have a duty to act on any concerns about abuse.

Children and Young People with a Learning or Physical Disability

Research tells us that children and young people who have learning or physical disabilities are more vulnerable to abuse. This is because:

- they are often dependent on a number of 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 children they are fearful of the consequences of disclosing abuse
- attitudes and assumptions that children with disabilities are not abused
- they may be unable to resist abuse due to physical impairment
- of negative attitudes towards children with disabilities
- possible failures to recognise the impact of abuse on children with disabilities

Particular care should be taken by all officials when working with children affected by disability.

(i) Emotional Abuse

“failure to provide for a child’s basic emotional needs such as to have a severe effect on the behaviour and development of the child”

This could include making a child feel worthless or unloved, inadequate or not valued; inappropriate expectations being imposed on children for their age or stage of development; the corruption or exploitation of a child, or causing them frequently to feel frightened or in danger; persistent exposure to domestic abuse; failing to provide a child with love, care and affection.

Examples of Emotional Abuse in Sport

- Persistent failure to show any respect to a child e.g. continually ignoring a child
- Constantly humiliating a child by telling them they are useless
- Continually being aggressive towards a child making them feel frightened
- Acting in a way which is detrimental to the child’s self-esteem

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 |

(ii) Physical Injury

“Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge or reasonable suspicion, that the injury was inflicted or knowingly not prevented”.

This could include deliberately hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating or otherwise harming a child. Physical injury may also occur where someone knowingly fails to take action to protect a child from physical harm.

Most children sustain accidental cuts and bruises throughout childhood. These are likely to occur in parts of the body like elbows, shins and knees. An important indicator of physical abuse is where the bruises or injuries are unexplained or the explanation does not fit the injury or the injury appears on parts of the body where accidental injuries are unlikely e.g. on the cheeks or thighs. The age of the child must also be considered. It is possible that some injuries may have occurred for other reasons e.g. skin disorders, rare bone diseases.

Physical injury may also be caused when a parent feigns the symptoms of or deliberately causes ill health to a child whom they are looking after. This is known as *Fabricated Fictitious Syndrome by Proxy*. A parent may do this because they need or enjoy the attention they receive through having a sick child.

Examples of Physical Abuse in Sport

Bodily harm that may be caused by:

- over training or dangerous training of athletes
- over playing an athlete
- failure to do a risk assessment of physical limits or pre-existing medical conditions
- administering, condoning or failure to intervene in drug use

Signs which ***may*** raise concerns about physical abuse include:

- refusal to discuss injuries
- improbable excuses given to explain injuries
- running away
- excessive physical punishment
- avoiding activities due to injuries or possibility of injuries being discovered
- aggression towards others
- fear of parents being approached for an explanation
- untreated injuries
- unexplained injuries, particularly if recurrent

(iii) Physical Neglect

“This occurs where a child’s essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child”.

As well as being the result of a deliberate act, neglect can also be caused through the omission or the failure to act or protect e.g. the failure to obtain medical attention for a child.

Examples of Physical Neglect in Sport

- exposing a child to extreme weather conditions e.g. heat and cold
- failing to seek medical attention for injuries
- exposing a child to risk of injury through the use of unsafe equipment
- exposing a child to a hazardous environment without a proper risk assessment of the activity
- failing to provide adequate nutrition and water

Signs which ***may*** raise concerns about physical neglect include:

- constant hunger
- constant tiredness
- untreated medical problems
- poor peer relationships
- poor personal hygiene and/or poor state of clothing
- frequent lateness or unexplained non-attendance (particularly at school)
- low self-esteem
- stealing

(iv) Sexual Abuse

“Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated or consented to the behaviour”.

This includes forcing or enticing a child to take part in sexual activities whether or not they are aware of or consent to what is happening. Sexual abuse may involve physical contact, and non-contact acts such as forcing children to look at or be involved in the production of pornographic material, to watch sexual activities or encouraging them to behave in sexually inappropriate ways. Some of the aforementioned activities can occur through the internet.

Boys and girls are sexually abused by males and females, including persons to whom they are and are not related and by other young people. This includes people from all walks of life.

Some children may never be able to tell someone they have been sexually abused. Changes in a child’s behaviour **may** be a sign something has happened. In some cases there may be no physical or behavioural signs to suggest that a child has been sexually abused.

Examples of Sexual Abuse in Sport

- exposure to sexually explicit inappropriate language or jokes
- showing a child pornographic material or using a child to produce such material
- inappropriate touching
- sexual intercourse and/or sexual activity with a child under 16

The following signs **may** raise concerns about sexual abuse:

- lack of trust in adults or over familiarity with adults, fear of a particular adult
- sleep disturbance (nightmares, bed-wetting, fear of sleeping alone)
- girls taking over the mothering role
- reluctance or refusal to participate in physical activity or to change clothes for games
- drug, alcohol or solvent abuse
- sexual promiscuity, over-sexualised behaviour, compulsive masturbation
- unusual interest in the genitals of adults, children or animals
- bruises, scratches, bite marks to the thighs or genital areas
- discomfort/difficulty in walking or sitting
- urinary tract problems, vaginal infections or genital damage
- social isolation – being withdrawn or introverted, poor peer relationship
- running away from home
- school problems e.g. falling standards, truancy
- low self-esteem
- display of sexual knowledge beyond the child’s age
- eating disorders
- anxiety, depression, self-harm/mutilation, suicide attempts
- pregnancy
- fear of medical examinations
- genital odour, venereal/sexually transmitted diseases

- stained underwear, soiling or wetting
- fear of bathrooms, showers, closed doors
- having irrational fears
- psychosomatic factors e.g. recurrent abdominal or headache pain
- itchiness, soreness, discharge, unexplained bleeding from the rectum, vagina or penis
- abnormal sexual drawings
- developmental regression/acting younger than their age
- “Grooming” including over the internet.

Bullying

Bullying may be seen as particularly hurtful behaviour, usually repeated over a period of time, where it is difficult for those being bullied to defend themselves. It can take many forms including children being bullied by adults, their peers and in some cases by members of their families. Bullying can be difficult to identify because it often happens away from others and those who are bullied often do not tell anyone.

Bullying is a significant issue for children and has been the main reason for calls to ChildLine for the last eight consecutive years.

Examples of Bullying in Sport

- Physical e.g. theft, hitting, kicking (in some cases, this might constitute an assault)
- Verbal (including teasing) e.g. racist or sectarian remarks, spreading rumours, threats or name-calling, ridicule or humiliation
- Emotional e.g. isolating a child from the activities or social acceptance of the peer group
- Harassment e.g. using abusive or insulting behaviour in a manner intended to cause alarm or distress

Signs which may raise concerns about bullying include:

- hesitation or reluctance to come to attend training or activity
- often last one picked for a team or group activity for no apparent reason, or being picked on when they think your back is turned
- reluctance to go to certain places or work with a certain individual
- clothing or personal possessions go missing or get damaged
- bruising or other injuries
- ‘losing’ pocket money repeatedly
- becoming nervous and withdrawn
- suddenly prone to lashing out at people, either physically or verbally, when normally quiet

For further information refer to Appendix B of this policy - Recommended Guidelines for Managing Bullying

Racism

Children from British minority ethnic communities (and their parents) may have experienced harassment, racial discrimination, and institutional racism. Although not formally recognised as a form of child abuse, racism can be emotionally harmful to children. Some racist acts also involve acts of physical violence towards individuals or groups.

All organisations working with children, including those where British minority ethnic communities are numerically small, should address institutional racism.

Harassment

An essential characteristic of harassment is that it is unwanted by the recipient. It is for individuals to determine what behaviour is acceptable to him or her and what they regard as offensive.

Children may experience harassment or negative discrimination because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs. This can have a detrimental effect on a child.

2. GUIDELINES FOR MAKING A REFERRAL TO DISCLOSURE SCOTLAND

This chapter deals with the making of referrals by the SYFA.

Courts, regulatory bodies and the NHS Tribunal can also make referrals.

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

The process of providing such information to Disclosure Scotland is called ‘making a referral’. The PVG Act places a duty on organisations and personnel suppliers to make a referral when certain criteria are met. Broadly speaking, the criteria are that:

- (a) An individual doing regulated work has done something to harm a child or protected adult
- and**
- (b) The impact is so serious that the organisation has (or would) permanently remove the individual from regulated work.

The first of these criteria is known as the referral ground.

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

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

Referral grounds

The PVG Scheme seeks to prevent vulnerable groups being harmed by those people who work with them. Sometimes an individual doing regulated work can become unsuitable to continue to do this work and this may be indicated by their conduct under the jurisdiction of the SYFA and/or outside this jurisdiction. This should trigger a referral.

A prerequisite for any body to make a referral is that at least one of the referral grounds set out above under cover of the PVG Act has been met. First of all, the individual must:

- Be doing regulated work;
- Have been doing regulated work; or
- Have been offered or supplied for regulated work.

Then the individual must have done something harmful or inappropriate in respect of a child or protected adult. But note that the harmful or inappropriate behaviour must correspond with the type of regulated work the individual does.

For example, a schoolteacher (doing regulated work with children) who harms a protected adult does not meet the referral grounds.

After a referral is made, Disclosure Scotland may place the individual under consideration for listing for either or both lists, irrespective of how the referral grounds are met.

Therefore, it is not for organisations to “recommend” consideration for listing on one or other list as part of the referral process.

The harmful or inappropriate behaviour does not have to have taken place in the workplace, or be connected with that person’s work in any way. For example, someone who has taken inappropriate pictures of children on a beach or has stolen from an elderly and frail neighbour would meet the grounds for referral if the individual was doing regulated work with children or regulated work with adults, respectively.

The referral grounds for those doing regulated work with children and referral grounds for those doing regulated work with adults mirror each other. The subject of the referral must have done one or more of the following:

Harmed a child or protected adult

Placed a child or protected adult at risk of harm

Engaged in inappropriate conduct involving pornography

Engaged in inappropriate conduct of a sexual nature involving a child or protected adult

Given inappropriate medical treatment to a child or protected adult

Where an organisation has concerns about an individual but cannot make a referral, they should consider involving the police, a regulatory body or inspectorate as appropriate. For example, a cinema might dismiss an usherette because of inappropriate behaviour involving children they come into contact with. The cinema cannot make a referral (as the individual was not doing regulated work with children) but should consider referring the matter to the police. In the case where the concerns were serious enough and sufficiently reliable (e.g. other employers had also reported concerns), the information may be disclosed as non-conviction information if the individual ever applied to join the PVG Scheme.

Meaning of ‘harm’

The meaning of the word harm is key to the first two grounds for referral. Harm includes:

Physical harm;

Psychological harm (for example: causing fear, alarm or distress); and

Unlawful conduct which appropriates or adversely affects another person’s property, rights or interests (for example: theft, fraud, embezzlement or extortion).

The PVG Act also provides a meaning for ‘risk of harm’ which includes:

Attempting to harm another;

Trying to get someone else to harm another;

Encouraging someone to harm themselves; or

Conduct otherwise causing, or likely to cause, another to be harmed.

When considering the terms ‘harm’ and ‘risk of harm’ it is important for individuals and employers to develop an understanding of what sort of actions might result in someone being harmed, or placed at risk of harm. Examples of harmful behaviour includes:

Emotional abuse, perhaps by controlling a child with extreme verbal threats

Neglecting a person’s needs, for example by inappropriate feeding or failing to provide appropriate sanitation

Inappropriate physical restraint

Failing to attend to whatever health and safety requirements may be in force

Supplying illegal or unauthorised drugs

SYFA duty to refer to Disclosure Scotland

If, as a result of any of the referral grounds being met, SYFA dismisses an official, the SYFA **MUST** make a referral.

If the individual concerned has resigned from SYFA for any other reason, SYFA must make a referral if it would or might have dismissed the individual on the referral ground.

The duty to make a referral in these circumstances applies whether or not the individual is a member of the PVG Scheme.

The same duty applies if the individual resigns from SYFA and SYFA subsequently becomes aware of information which it was unaware of when the individual resigned. If SYFA considers that, if it had been aware of that information at the time and the individual had not resigned, it would or might have dismissed the individual on the referral ground, then it must make a referral.

The referral process to Disclosure Scotland is entirely separate from any dispute with the individual as to whether the dismissal was fair or otherwise. Even if a dismissal is challenged by the individual, the referral must still be made to Disclosure Scotland.

The conjunction of **both** the referral ground being met **and** the action by SYFA to expel the individual from membership of SYFA ensures that trivial matters cannot be the subject of a referral. Harm covers such a broad range of incidents from flicking food at somebody to a serious violent assault. But the only harm which can lead to a referral is that which SYFA considers to be so serious that they have expelled (or would expel) the individual on that basis.

The intention is that a referral should be triggered by SYFA by expelling an individual from membership. It is possible that referral grounds are identified after the individual has been expelled. A temporary removal, such as a suspension should not lead to a referral.

SYFA must make referrals when the criteria are met after the introduction of the PVG Scheme. But it does not oblige them to make a referral when the criteria were met before the introduction of the PVG Scheme. However, it does give SYFA the power to make a referral about a historical incident if they wish to do so. For example, SYFA may be aware of situations that we dealt with historically, before it was possible to make referrals to the children’s or adults’ list, which, if such an incident happened now, would result in SYFA making a referral to Disclosure Scotland. If SYFA decides to make such a referral, SYFA would need to provide as much information as possible. There is no requirement that they inform the individual but it may be courteous to do so. The SYFA will not

commit an offence for failing to refer an individual who was subject to disciplinary action before the PVG Scheme started.

It is for SYFA to decide who within SYFA should be responsible for compiling a referral and being the point of contact with Disclosure Scotland throughout the process. As SYFA is a registered body, the contact person could be the collator but it does not have to be. It could be another senior official in the organisation.

Making a referral does not in any way take away the need to involve the police if criminal behaviour is suspected. That could happen well in advance of the referral to Disclosure Scotland being made.

Failure to refer

It is an offence not to make a referral within 3 months of the criteria for referral being met. Failure to refer can result in a fine and a prison sentence of up to five years. Individuals within SYFA may be prosecuted, alongside SYFA itself, if it can be demonstrated that the offence was committed with their consent, connivance or through their negligence.

Referral information and form

The information which must be submitted to make a referral is set out in the PVG Act as follows:

- Identity details relating to the individual;
- Details about the referral ground;
- Contact details for the referring organisation;
- Details of the position held by the individual;
- Details of any relationship between the child or protected adult involved;
- and
- Details of any action taken by SYFA

SYFA when making referrals are only required to supply the required information which they hold; they do not have to make further enquiries to find the information if they do not already hold it.

Disclosure Scotland provides a standard referral form, along with guidelines for its completion, to assist SYFA in ensuring we include all necessary information when making a referral. It is not mandatory to use this form although it will make the referral process easier for both SYFA and Disclosure Scotland if it is used.

The referral form includes space for all the prescribed information (which SYFA must provide if they hold it) and space for other information (which is entirely discretionary). Providing this latter information is likely to help with the consideration process and reduce the need to request additional information from SYFA.

As referrals contain sensitive personal information, referrals should not be sent to the generic Disclosure Scotland postal address. Instead, referrals should be sent as follows:

We recommend that you put the completed referral form and all the supporting documents in a sturdy envelope and mark that envelope

‘RESTRICTED – TO BE OPENED BY AUTHORISED STAFF IN DISCLOSURE SCOTLAND’

You should then put that envelope into another strong envelope and send it to Disclosure Scotland recorded delivery at the following address:

Disclosure Scotland PVG Referrals
PO Box 7412
Glasgow
G51 9DX

Protection from Actions for Damages

Section 41 of the PVG Act provides protection from actions for damages for any organisation providing referral information to Disclosure Scotland is made in good faith. This means, for example, that a coach who loses their membership after being listed cannot sue SYFA who made a referral or provided supporting information for the consideration for listing process. It does not matter whether or not the decision to list is upheld on appeal.

3. CONSIDERATION FOR LISTING & THE LISTS

Consideration for Listing

When Disclosure Scotland receives information which has a bearing on an individual's suitability to be a member of SYFA, Disclosure Scotland will undertake a two stage assessment process. The first stage is an initial assessment of the information to see whether it may be appropriate for the individual to be included in the children's list and/or the adults' list.

Sometimes the information will not meet the statutory tests for further consideration and will be dismissed at this stage.

If the initial tests are met the second stage is a full assessment, called consideration for listing, in order to establish if the individual is unsuitable to work with vulnerable groups. This may take some months to resolve as information may need to be gathered from a number of sources and the individual must have the chance to comment on the information gathered.

Whilst the individual is under consideration for listing, this information would appear on any disclosure record requested during that time. This section explains the triggers for consideration for listing, the process and the implications of this for individuals and employers.

The consideration process

The initial assessment following the triggering of any referral ground may result in either:

The individual being placed under consideration for listing on the children's list;
and/or

The individual being placed under consideration for listing on the adults' list;

or:

The case is dismissed and not progressed further.

If the case proceeds to consideration for one or both lists, a Disclosure Scotland caseworker will examine the information it contains, request additional information from any relevant organisations as necessary, request information from the individual who has been referred, and if necessary seek specialist advice. The purpose of this is to assist Disclosure Scotland in its assessment of an individual's unsuitability to work with children or protected adults (or both groups).

An important principle enshrined in the PVG Act is that the individual who is under consideration for listing has the right to know the details of the referral that has been made against them and to see all the information on which a decision will be based.

They also have the right to make a full written representation to Disclosure Scotland, giving any information they believe will be relevant, including explanation or rebuttal of anything contained in the referral. When an individual has submitted information which contradicts that provided by another source, this information will be passed onto that organisation so they may review it and provide further information or clarification.

The detailed determination procedure and time limits for making representations are set out in regulations:

When the individual is first notified they are being considered for listing they will have 28 days to submit any representations and other information they wish Disclosure Scotland to consider.

If Disclosure Scotland sends any additional information to the individual, it will inform the individual of the time limit for a response.

The regulations allow Disclosure Scotland to grant extensions of time.

The regulations also allow Disclosure Scotland to seek the views of experts on aspects of the case or to ask for the assessment by a group of suitably qualified individuals as to whether or not the individual is unsuitable to work with children or protected adults.

The final step in the consideration process is to provide the individual with a copy of all of the information on which Disclosure Scotland intends to rely on in making its decision whether to list.

Notifications

At the start and end of any consideration for listing (and this applies to each workforce separately), all interested parties will be notified of the decision in writing. The interested parties are:

The individual;

Any organisation for which Disclosure Scotland knows the individual is doing regulated work;

and

Any relevant regulatory body

For PVG Scheme members:

If SYFA has requested a disclosure record in respect of any application from an official for membership of the SYFA for which the consideration for listing relates, SYFA will be notified.

This is one reason why it is important for SYFA to apply for Scheme Record Updates and Scheme Records in respect of their members, to ensure that they are notified of any consideration for listing. The exception to this is where the individual has ceased being an SYFA member and Disclosure Scotland has been notified of this.

The Lists

The PVG Act requires two lists to be maintained:

One which contains the names of all those individuals who are unsuitable to do regulated work with children;

and

Another for those who are unsuitable to do regulated work with protected adults

This section explains how the lists are managed and how individuals may be added to, or removed, from them.

The lists are established by section 1 of the PVG Act and the way in which they are operated runs right through the Act. An understanding of what the lists are and how they are managed is key to a full understanding of the PVG Act and how it affects people doing regulated work.

The PVG Act establishes two lists, as opposed to a single list for all work with vulnerable groups, in recognition of the differences in what makes an individual unsuitable to work with children or protected adults. Experience from elsewhere in the UK, where two lists have been operational for some time, is that there are significant numbers of individuals who should not be barred from both types of regulated work.

Some types of case, such as those involving physical or sexual violence, indicate unsuitability to do either type of regulated work.

But other cases, for example involving thefts from care home residents, may indicate unsuitability to work with protected adults but may not mean the individual should be barred from regulated work with children.

A single list system would need to have a higher threshold for listing than a two list system where the criteria can be tailored for each list. This would inevitably mean less protection for vulnerable groups.

Meaning of “listed” and “barred”

Listing, in the context of the PVG Scheme, means the inclusion of an individual in the PVG children’s list or PVG adults’ list, maintained by Disclosure Scotland. Listing is the outcome of a consideration for listing process where it is determined that an individual is unsuitable to work with one or other vulnerable group or the result of automatic listing (see below). The Independent Safeguarding Authority maintains similar lists under the Safeguarding Vulnerable Groups Act 2006 (SVG) for the rest of the UK.

Barring is the consequence of being listed. Normally, an individual will be listed by either Disclosure Scotland or the Independent Safeguarding Authority but barred across the UK. For example, an individual included on the SVG children's list by the Independent Safeguarding Authority is barred from doing regulated work with children in Scotland.

What are the children’s and adults’ lists?

The lists simply provide a means of recording the details of those people who have been found unsuitable to work with children or protected adults.

One list records those are unsuitable to do regulated work with children (the children’s list).

The other records those who are unsuitable to do regulated work with protected adults (the adults’ list).

An individual can be added to, or removed from, either list independently.

Individuals included on one of these lists (or otherwise barred) must not do the corresponding type of regulated work and cannot participate in the PVG Scheme in respect of that type of regulated work.

Not only would any application to join the PVG Scheme by such a person be rejected, it would also be treated as evidence in respect of committing the offence of attempting to do regulated work whilst barred.

The listing process

An individual may be included on one or both lists as a result of a consideration for listing or automatic listing. (Automatic consideration for listing only ever results from court referrals. Once the consideration for listing has begun the process followed is no different than for any other consideration for listing case.)

Once all the information has been gathered and the individual has had the opportunity to make representations on it, Disclosure Scotland will determine whether it is satisfied by information relating to an individual’s conduct that the individual is unsuitable to work with children and/or protected adults.

Listing decisions are made ‘**on the balance of probabilities**’, which is the same standard of proof required in civil proceedings. It is important to note that the test relies on past conduct i.e. an individual can only be listed on the basis of things they have done (evidenced through convictions, police intelligence, other vetting information, workplace incidents etc).

No individual can be listed solely on the basis of anticipation of future conduct.

While an individual is under consideration for listing or listed, they are obliged to keep Disclosure Scotland updated about a change to their name, address or gender within one month of the change happening. Failure to do this is an offence.

Automatic listing

A conviction on indictment for certain crimes, such as rape and certain other offences involving non-consensual penetration, is considered so serious that it merits automatic listing. The offences that result in automatic listing are set out under section 14 of the PVG Act. Automatic listing applies only to convictions after the coming into force of the PVG Act and leads to inclusion on both lists.

An individual cannot make representations nor appeal the listing, when they are automatically listed.

Consequences of being listed

It is an offence for someone placed on the children's list to do regulated work, or attempt to do regulated work, with children.

It is an offence for someone placed on the adults' list to do regulated work, or attempt to do regulated work, with protected adults.

However an individual included on only one list is free to continue to do regulated work with the group covered by the other list.

Only those individuals who are placed on both the children's and the adults' lists are barred from regulated work with both groups.

All PVG Scheme certificates issued by Disclosure Scotland will confirm that the individual concerned is not barred from the kind of regulated work they are applying for. If the disclosure application relates to only one workforce, the disclosure record will not reveal whether the individual is barred from working in the other workforce.

So, an organisation may apply to see an individual's Scheme Record prior to offering them regulated work exclusively with children and will not find out if that individual is barred from working with protected adults. However, if the individual is barred from regulated work with adults, the information that led to the decision to place them on the adults' list may still be included on the Scheme Record as vetting information (e.g. a conviction).

SYFA will be entitled to use that information as part of their recruitment process even though it did not result in the individual being considered unsuitable for work with children. The reverse is also true. An individual's barred status on the children's' list will not be revealed to an organisation considering them for work exclusively with protected adults, but the information that led to the barring decision may still be revealed on the Scheme Record.

Penalties for individuals doing regulated work when barred

Any individual doing, or attempting to do, work from which they have been barred is committing an offence. It is a defense for the individual to show that they did not know, and could not reasonably have known, that they were barred, or that the work concerned was regulated work.

On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

Penalties for organisations offering regulated work to a barred individual

If SYFA employ barred individuals in regulated work with children or protected adults they are committing an offence. It is a defense for SYFA to show that they did not know that the individual was barred.

On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

The only way to establish that an individual is not barred is to confirm that they are a PVG Scheme member.

If an offence is suspected then SYFA would be prosecuted but a relevant individual in the organisation can also be prosecuted. The decision about how to handle the practicalities of being notified that a member of their staff is barred will be for SYFA to make.

Appealing against a listing decision

Individuals will receive guidance about the appeals procedure when they are listed. Anybody planning to appeal against a listing decision should consider taking independent legal advice.

There is no right of appeal against automatic listing.

However, an individual barred following automatic listing may apply for removal from the list as described in this policy section “**Applying to be removed from the list.**”

At all times during the appeal process, the individual concerned will remain listed and unable to do any regulated work from which they have been barred.

The time limit

Appeals must be lodged within three months of Disclosure Scotland making a listing decision. A sheriff may extend the deadline for appeals if there is a good reason for doing so.

Grounds for appeal

Appeals may be made to a sheriff against Disclosure Scotland’s decision to list the individual on the children’s list or the adults’ list. An appeal is against the decision to list on the merits of the case. The sheriff has to be satisfied by information relating to the individual’s conduct that the individual is unsuitable to work with children/protected adults in order for the individual to continue to remain on the list(s).

The appeal will be heard by a sheriff who may agree to allow the hearing to take place in private.

No finding of fact on which a conviction is based can be challenged under the appeals process set out in the PVG Act.

If a person is listed following a criminal conviction the correct route is to appeal first against that conviction. Only if that appeal is successful can the individual concerned apply to Disclosure Scotland for removal on the ground of a change of circumstances.

What the sheriff decides

A sheriff who hears an appeal from an individual who has been placed on one of the lists will review all the information on which Disclosure Scotland based their decision.

The sheriff may also hear personal representations from the listed individual. Having reviewed all the information the sheriff will either be satisfied that the individual is unsuitable to work with

children or protected adults and will confirm Disclosure Scotland's decision to list the individual and the individual's name will remain on the list, or where the sheriff is not so satisfied the sheriff will direct Disclosure Scotland to remove the individual from whichever list they are on.

Appeals where both lists are involved

If an individual is named on both lists an appeal may be made against one or both listing decisions. The sheriff may rule that the individual must either remain on one or the other or both lists or that Disclosure Scotland must remove the individual from one or the other or both lists.

Further appeal against a listing decision

Individuals who are unhappy with the outcome of an appeal to a sheriff may make a further appeal to the sheriff principal. The sheriff principal will review the case in the same way as the sheriff. Disclosure Scotland may also appeal to the sheriff principal if it is unhappy with a sheriff's decision. Individuals whose cases are further appealed in this way will remain listed throughout the process.

The decision of the sheriff principal is final, unless leave is granted to make a further appeal to the Inner House of the Court of Session on a point of law only. In such cases the Court of Session's decision is final.

Late representations

Where an individual could not engage with the consideration for listing process, for example because the individual concerned could not be contacted and was unavailable to make their own representations during the consideration process, Disclosure Scotland must consider late representations from that individual.

Applying to be removed from the list

An individual will be listed indefinitely. However, after 10 years, a listed individual may apply to Disclosure Scotland and ask to be removed from the list.

If an individual was placed on the list(s) when they were aged under 18 they may apply to be removed after 5 years.

Individuals may seek removal before the 5 or 10 year threshold is reached if they believe their circumstances have changed – for example a conviction that led to their listing has been quashed.

Disclosure Scotland does not review cases automatically after they pass the 5 or 10 year threshold. It is up to the listed individual to make an application. When Disclosure Scotland receives an application for removal it will launch a full consideration process that will result either in the individual being removed from the list, or else remaining on the list.

If Disclosure Scotland decides that the individual is not to be removed from the list the individual can appeal to the sheriff against that decision. A sheriff who hears an appeal against a refusal to remove from one or both lists will review all the information on which Disclosure Scotland based their decision. The sheriff may also hear personal representations from the listed individual. Having reviewed all the information the sheriff will either be satisfied that the individual is no longer unsuitable to work with children or protected adults and will direct Disclosure Scotland to remove the individual from the list, or where the sheriff is not so satisfied the sheriff will refuse the individual's application for removal and the individual will remain listed.

Further appeal against a decision to refuse to remove from the list

Individuals who are unhappy with the outcome of an appeal to a sheriff may make a further appeal to the sheriff principal. The sheriff principal will review the case in the same way as the sheriff.

Disclosure Scotland may also appeal to the sheriff principal, if it is unhappy with a sheriff's decision. Individuals whose cases are further appealed in this way will remain listed throughout the process.

The decision of the sheriff principal is final, unless leave is granted to make a further appeal to the Inner House of the Court of Session on a point of law only. In such cases the Court of Session's decision is final.

If the individual is removed from the list the fact that they have previously been listed will not be disclosed on their Scheme Record. However the information that led to them being listed could remain on their scheme record as vetting information such as a conviction and employers will continue to be able to use that information as part of their recruitment procedures. Information about a conviction that had been quashed would not be retained.

4. RESPONSIBILITIES

To ensure the safety of all players, all concerned must function as a unit with defined roles.

THE ROLE OF THE PLAYER'S PARENT/GUARDIAN IS AS FOLLOWS:

All parents/guardians must take all measures necessary to protect their children from harm or the risk of harm.

All parents/guardians must take all measures necessary to ensure that they are satisfied with the club and the club's officials that their child proposes to join.

All parents/guardians, where relevant, must sign their sons'/daughters' SYFA/SFA player registration form.

All parents/guardians must make arrangements for the transportation of children to and from the activity. It will be the responsibility of the parents to satisfy themselves about the appropriateness and safety of the arrangements.

All parents/guardians must make all necessary arrangements to have appropriately trained personnel in attendance should their child require specialist assistance e.g. injections

All parents/guardians must know who the protection officer is and their contact details.

Only parents/guardians who are registered officials of a club and meet the requirements of the PVG Scheme will qualify for a PVG Scheme check.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

THE ROLE OF THE CLUB OFFICIAL IS AS FOLLOWS:

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

All registered secretaries, protection officers, first aiders and officials who meet the requirements of the PVG Scheme must complete the relevant PVG Scheme Form, submit it to the relevant SYFA Additional Signatory who will on approval send it directly to the National Secretary.

All officials seeking membership of the SYFA MUST complete an SYFA Self-Declaration Form. A form is included within the Appendix at the end of this policy or can be downloaded from the SYFA website.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self- Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked PRIVATE AND CONFIDENTIAL.

The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self- Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **NO**, must be sent to the SYFA Club Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.

All officials who refuse to submit a fully completed SYFA Self-Declaration Form will be debarred from membership.

All officials who submit an SYFA Self-Declaration Form and deliberately provide false information will be debarred from membership.

All officials who submit an SYFA Self-Declaration Form and deliberately omit information may be debarred from membership.

An official in membership of the association who is charged with any criminal offence must immediately report this charge to the National Secretary in writing. Any official who does not report a charge will have their membership of the association immediately terminated.

All appointments, changes or resignation of club officials must be immediately notified to the National Secretary in writing.

All officials must be fully conversant with any club Protection Policies and the SYFA Protection Policies.

All officials must be fully conversant with their club's Constitution and Rules and the SYFA Constitution and Rules.

All officials must protect all players from all forms of abuse.

All officials have a duty to report any allegations or concerns about other adults/officials.

All officials must display high standards in respect of behaviour and appearance. They should project an image of health, cleanliness and efficiency in respect of the function for which they have responsibility.

All officials must observe the SYFA registration procedures in respect of age group and maturity of their players.

All officials must promote the FIFA initiative on fair play.

All officials should attempt to have coaching qualifications appropriate to the ability of players they are coaching subject to the Constitution of the SYFA.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

THE ROLE OF THE CLUB IS AS FOLLOWS:

To ensure that all officials acting for or on behalf of the club are registered with the SYFA.

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities

All clubs on seeking membership of the SYFA must complete the official online membership application ensuring they tick the declaration box to enable all club officials to be PVG Scheme checked. The names, addresses and dates of birth of all club officials shall be entered into the online club application by the club when seeking membership and upon annual renewal. All club officials will be subject to PVG Scheme checking procedures and must adhere to the terms of the Scottish Youth FA Player Protection Policy and Guidelines. Any official who does not agree to be PVG Scheme checked or is deemed unsuitable by the SYFA National Protection Panel will not be eligible for membership of the club or the SYFA.

All appointments, changes or resignation of club officials must be immediately notified to the National Secretary in writing.

A club official in membership of the association who is charged with any criminal offence must immediately report this charge to the National Secretary in writing. A club official who does not report a charge will have their membership of the association immediately terminated.

All clubs, including community clubs, MUST appoint a Protection Officer for protection issues. All club members, players and players' parents must be advised of the official responsible for Protection within the club plus his/her contact details to ensure the following:

- there is a single point of contact for anyone with concerns about a player's welfare and protection
- there is consistency of response to concerns and secure handling of information
- there is co-ordination of referrals to other agencies and access to information required by them in the course of fulfilling their duties
- there is consistent dissemination of information throughout the club
- there is an implementation, monitoring and review of guidelines and training

Where possible, it is preferable to have more than one person acting in this role. This ensures the workload is shared, avoids reliance on one person, provides for cover during sickness and holidays and generates a support system for those acting in the role.

All clubs must include or refer to the SYFA Player Protection Policy within their Constitution.

All clubs must ensure that they carry out relevant checks on ALL club officials before they are offered membership of the club e.g. identification - they are who they say they are.

All clubs must ensure ALL club officials complete the relevant PVG Scheme Form and submit them to the relevant SYFA Additional Signatory who will on approval send them directly to the National Secretary complete with any PVG Application fee.

All clubs must ensure that their registered officials attend league meetings for PVG Scheme checking plus complete SYFA Self-Declaration Forms for ALL officials. Forms will be supplied by the local SYFA Additional Signatory at the meeting.

All officials seeking membership of the SYFA MUST complete an SYFA Self-Declaration Form. A form is included within the Appendix at the end of this policy or can be downloaded from the SYFA website.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self- Declaration Form and/or a relevant PVG Scheme form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked PRIVATE AND CONFIDENTIAL. The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self- Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **NO**, must be sent to the SYFA Clubs Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.

All clubs must make sure all of its officials are fully conversant with their club's Protection Policies and the SYFA Player Protection Policy.

All clubs must make sure all of its officials are fully conversant with their club's Constitution and Rules and the SYFA Constitution and Rules.

All clubs must protect all players and officials from all forms of abuse.

All clubs must accept that all officials must report concerns in respect of any suspected abuse.

All clubs must be committed to eradicating bad practice.

All clubs must implement all proposals or amendments in respect of player protection policies.

In cases of reported abuse, maintain total confidentiality. Information must only be shared on a need to know basis i.e. with people who need to know to ensure the child's health, welfare and development.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

THE ROLE OF THE SYFA LEAGUE OR ASSOCIATION IS AS FOLLOWS:

To ensure that all officials acting for or on behalf of the league are registered with the SYFA

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

All leagues/associations on seeking membership of the SYFA must complete the online membership application ensuring they tick the declaration box to enable all club officials to be PVG Scheme checked. The names, addresses and dates of birth of all league/association officials shall be submitted by the league/association when seeking membership and upon annual renewal. All league/association officials will be subject to PVG Scheme checking procedures and must adhere to the terms of the Scottish Youth FA Player Protection Policy. Any official who does not agree to be PVG Scheme checked or is deemed unsuitable by the SYFA National Protection Panel will not be eligible for membership of the league/association or the SYFA.

All appointments, changes or resignation of league/association officials must be immediately notified to the National Secretary in writing.

A league/association official in membership of the association who is charged with any criminal offence must immediately report this charge to the National Secretary in writing. A league/association official who does not report a charge will have their membership of the association immediately terminated.

All leagues/associations must ensure ALL league/association officials complete the relevant PVG Scheme Form and submit to the relevant SYFA Additional Signatory who will on approval send the form directly to the National Secretary complete with any PVG Application fee.

All leagues/associations must hold PVG Scheme meetings.

All leagues must ensure that their registered officials attend league meetings for PVG Scheme checking plus complete SYFA Self-Declaration Forms for ALL officials. Forms will be supplied by the local SYFA Additional Signatory at the meeting.

All officials seeking membership of the SYFA MUST complete an SYFA Self-Declaration Form. A form is included within the Appendix at the end of this policy or can be downloaded from the SYFA website.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self- Declaration Form and/or a relevant PVG Scheme form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked PRIVATE AND CONFIDENTIAL.

The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self- Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **NO**, must be sent to the SYFA Clubs Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.

To review and approve all Club Membership Application Forms and advise the National Secretary in writing of any officials whom the League consider be PVG Scheme checked as a matter of urgency.

To report any alleged incidents of abuse to the National Secretary or in his absence the SYFA National Protection Officer at Hampden Park.

In the absence of the National Secretary or the SYFA National Protection Officer, to report any alleged incidents of abuse to the Police.

The League/Association MUST appoint a minimum of one Protection Officer for protection issues. All league officials and member clubs to be advised of the official responsible for Protection within the league plus his/her contact details to ensure the following:

- there is a single point of contact for anyone with concerns about a player's welfare and protection
- there is consistency of response to concerns and secure handling of information

- there is co-ordination of referrals to other agencies and access to information required by them in the course of fulfilling their duties
- there is consistent dissemination of information throughout the club
- there is an implementation, monitoring and review of guidelines and training.

Where possible, it is preferable to have more than one person acting in this role. This ensures the workload is shared, avoids reliance on one person, provides for cover during sickness and holidays and generates a support system for those acting in the role.

In cases of reported abuse, maintain total confidentiality. Information must only be shared on a need to know basis i.e. with people who need to know to ensure the child's health, welfare and development.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

THE QUALITIES REQUIRED AND ROLE OF THE CLUB, LEAGUE OR ASSOCIATION PROTECTION OFFICER IS AS FOLLOWS:

Qualities required of a Protection Officer:

- be appropriately trained and supported by the SYFA
 - have an understanding of the issues affecting children and the sensitive way in which they must be managed
 - be able to communicate the implications of protecting children to all members
 - be able to communicate with children
- Note:** PO's should not interview children if the child has disclosed allegations of abuse to a coach or an official that they trust
- be able to lead the drive for effective implementation of child protection guidelines throughout the sport
 - be supportive of the introduction of a Player Protection Policy and guidelines
 - have an understanding and appreciation of the need to respect confidentiality
 - be able to follow guidelines and recognise when to seek expert advice and not rely solely on their own judgment
 - be willing to challenge members who do not comply with the Player Protection Policy and guidelines

Duties required of a League/Association Protection Officer:

Ensure that all League/Association Officials or any person acting on behalf of a member league or association are named on the SYFA League/Association Online Membership Application. Refer to your League Secretary for details of the SYFA League Membership Application.

To report allegations or concerns to the National Secretary or in his absence the SYFA National Protection Officer at Hampden Park.

To ensure all officials, clubs, leagues/associations are kept informed of the standards of good practice expected of them and changes in legislation and guidance.

To receive information about child protection and pass it on to those who need to know in the clubs and leagues/associations.

To receive information about child protection training & education and pass it on to those who need to know in the clubs and leagues/associations.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

Duties required of a Community Club Protection Officer:

To ensure that all officials acting for or on behalf of the community club are registered with the SYFA

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

Ensure that all Club Officials or any person acting on behalf of member clubs are named on the SYFA Online Community Club Membership Application. Refer to your community club Secretary for SYFA Online Community Club Membership Application.

All appointments, changes or resignation of Community Club Officials must be immediately notified to the National Secretary in writing.

A Community Club Official in membership of the association who is charged with any criminal offence must immediately report this charge to the National Secretary in writing. An Official who does not report a charge will have their membership of the association immediately terminated.

All community clubs must ensure ALL club officials complete the relevant PVG Scheme Form and submit them to the relevant SYFA Additional Signatory who will on approval send them directly to the National Secretary complete with any PVG Application fee.

Ensure that all completed information that has to be retained is sent directly to the National Secretary to be stored in a completely safe and confidential manner. It is a criminal offence to disclose any information to any third party. The only exception is the reporting of abuse to either the National Secretary or the police.

Ensure that all complete a Disclosure Application Form and an SYFA Self declaration form.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self- Declaration Form and/or a relevant PVG Scheme form.

Club Protection Officers will receive and advise on reported incidents by their club, a club player or a club official.

To initiate action ensuring that all appropriate persons have been contacted to ensure the welfare of the clubs players.

To report any alleged incidents of abuse to the National Secretary or in his absence the SYFA National Protection Officer at Hampden Park.

To ensure that all Community Club Officials are kept informed of the standards of good practice expected of them and changes in legislation and guidance.

To receive information about child protection and pass it on to those who need to know in the Community Club.

To receive information about child protection training & education and pass it on to those who need to know in the Community Club.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

Duties required of a single team Club Protection Officer:

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

Ensure that all Club Officials or any person acting on behalf of the club are named on the SYFA Club Membership Application Form. Refer to your League Secretary for SYFA Club Membership Application Forms.

All appointments, changes or resignation of club officials must be immediately notified to the National Secretary in writing.

A Club Official in membership of the association who is charged with any criminal offence must immediately report this charge to the National Secretary in writing. An Official who does not report a charge will have their membership of the association immediately terminated.

Ensure that all completed information that has to be retained is sent directly to the National Secretary to be stored in a completely safe and confidential manner. It is a criminal offence to disclose any information to any third party. The only exception is the reporting of abuse to either the National Secretary or the police.

All clubs must ensure ALL club officials complete the relevant PVG Scheme Form and submit them to the relevant SYFA Additional Signatory who will on approval send them directly to the National Secretary complete with any PVG Application fee.

Club Protection Officers will receive and advise on reported incidents by their club, a club player or a club official.

To initiate action ensuring all appropriate persons have been contacted to ensure the welfare of the club's players.

To report any alleged incidents of abuse to the National Secretary or in his absence the SYFA National Protection Officer at Hampden Park.

To ensure all that players, officials and parents are kept informed of the standards of good practice expected of them and changes in legislation and guidance.

To receive information about child protection and pass it on to those who need to know in the club.

To ensure that there is a designated person responsible for child protection at all club activities.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

Duties required of an Additional Signatory

All of the duties carried out by a Protection Officer plus the following:

Check that all PVG Scheme Forms are completed properly, witness identification documentation and send all fully completed and approved PVG Scheme Forms to the SYFA National Secretary at Hampden Park.

They must make sure any officials highlighted as top priority by either their club, league or associations are prioritised for PVG Scheme checking.

All Additional Signatories must request the relevant PVG Scheme Forms on behalf of their members. Forms can be obtained from the National Secretary or the National Protection Officer.

THE ROLE OF THE SYFA NATIONAL PROTECTION PANEL IS AS FOLLOWS:

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

To ensure that the Executive Committee of the SYFA is fully informed regarding all player protection issues.

To ensure all officials, clubs, leagues, associations and regions are kept informed of the standards of good practice expected of them and changes in legislation and guidance.

To receive information about player protection and pass it on to those who need to know in the clubs, leagues, associations and regions.

To receive information about training for player protection and pass it on to those who need to know in the clubs, leagues, associations and regions.

To make sure ALL SYFA officials are PVG Scheme checked.

To make sure ALL SYFA officials are PVG Scheme re-checked after a period of four years.

To make sure any officials highlighted as top priority by their club, league or association are prioritised for PVG Scheme checking.

To make decisions on membership of the SYFA for officials and clubs

To maintain a register, in a totally safe and secure environment, of all expelled persons.

To inform all relevant parties of any decisions taken by the SYFA National Protection Panel in respect of membership. All decisions of the SYFA National Protection Panel shall be final and binding on all parties concerned.

In cases of reported abuse, maintain total confidentiality. Information must only be shared on a need to know basis i.e. with people who need to know to ensure the child's health, welfare and development.

To monitor the implementation of the SYFA Player Protection Policy and Guidelines

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

THE ROLE OF THE SYFA EXECUTIVE COMMITTEE IS AS FOLLOWS:

To reduce the risk of successful legal action against the SYFA by ensuring that all legal duties have been fulfilled and that all reasonable steps have been taken to safeguard and promote the health, welfare and development of players.

To make a Player Protection Policy available to all member clubs, club officials, leagues, associations and regional committees. Provide support and guidance as and when required.

To appoint a Protection Collator for protection issues. All member clubs, leagues, associations and regions to be advised of the Collator responsible for Protection within the SYFA plus his/her contact details:

The SYFA Protection Collator is David Little, National Secretary SYFA, Hampden Park, Glasgow, G42 9BF, 0141 620 4590

To appoint a National Protection Officer for protection issues. All member clubs, leagues, associations and regions to be advised of the official responsible for Protection within the SYFA plus his/her contact details to ensure the following:

- there is a single point of contact for anyone with concerns about a player's welfare and protection
- there is consistency of response to concerns and secure handling of information
- there is co-ordination of referrals to other agencies and access to information required by them in the course of fulfilling their duties
- there is consistent dissemination of information throughout the SYFA
- there is an implementation, monitoring and review of guidelines and training

Where possible, it is preferable to have more than one person acting in this role. This ensures the work load is shared, avoids reliance on one person, provides for cover during sickness and holidays and generates a support system for those acting in the role.

The SYFA National Protection Officer is Hazel Killen, SYFA, Hampden Park, Glasgow, G42 9BF, 0141 620 4590

To ensure all officials, clubs, leagues, associations and regions are kept informed of the standards of good practice expected of them and changes in legislation and guidance.

To receive information about child protection and pass it on to those who need to know in clubs, leagues, associations and regions.

To receive information about training for player protection and pass it on to those who need to know in clubs, leagues, associations and regions.

To keep records, in a totally safe and secure environment, of all officials about whom allegations are/have been made.

To maintain a list, in a totally safe and secure environment, of all expelled persons.

SYFA is under a duty to refer an individual who has undertaken regulated work for them to Disclosure Scotland in certain circumstances. Section 3 explains when SYFA should make referrals and the process for doing so.

Note: All persons involved in grassroots football have responsibilities to report any suspected or alleged breaches of the SYFA Protection Policies & Guidelines to the relevant Protection Officer. It is not the official's responsibility to decide whether or not a player has been abused.

5. CODE OF CONDUCT/SAFE IN CARE GUIDELINES

By the introduction of good practice throughout the SYFA it is possible to reduce the risk of child abuse taking place.

Why this is important

These guidelines have been introduced to provide practical guidance for all SYFA Officials working with players within the SYFA to keep all players safe and to promote a safe operating environment for all members. Breach of these guidelines may be dealt with under SYFA Disciplinary Procedures and/or the SYFA National Protection Panel.

SYFA has ***a duty of care*** towards all players involved in football activities within its jurisdiction. Players under the age of 16 years should not be placed in positions of responsibility in relation to other players. These guidelines apply to all players and young people under the age of 18 years. Common sense should be applied when considering the circumstances of older players and all players should have the opportunity to express their views on matters which affect them, should they wish to do so.

The following guidelines are based on generally recognised good practice and common sense. Ultimately, most practical situations will require a judgment to be made about what is practicable and reasonable in the circumstances.

A CODE OF CONDUCT FOR NORMAL ACTIVITIES

Good Practice

Make football fun, enjoyable and promote fair play.

Always treat all players and officials with respect and dignity irrespective of their age, race, religious belief, gender, sexual orientation, disability or social background.

Involve parents wherever possible. Always be open and honest with players and parents.

Make sure all activities are properly supervised e.g. a ratio of one official to six players with a minimum of two officials in attendance.

Make sure all players and parents timeously complete and return a consent form.

Build balanced relationships based on mutual trust that empower and include players in the decision-making process.

Always work in an open environment. Avoid private or unobserved situations. Always strive to have a minimum of two club officials in attendance during all club activities.

Always act in the best interests of all players and officials, putting their welfare 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 players and avoid excessive training and competition, pushing them against their will and putting undue pressure on them.

Take all reasonable steps, where possible, to protect all players and officials from harm or the risk of harm during all activities.

In emergency situations, take note of all risks before making decisions.

Always make sure that any allegations or concerns are recorded and acted upon.

Always report all incidents of abuse or concerns to the relevant protection officer and submit a written record of said incidents or concerns

Always have a trained first aider/physiotherapist with a fully stocked first aid kit on hand during all club activities.

Always wait until all players have left the changing room before officials shower and change.

Always be punctual for all football activities promoting good coaching practice and the ongoing development of a safe club where the needs and welfare of players is of paramount importance.

Always encourage full participation in all activities whilst at the same time acknowledge the limitations that may prevent this because of a player's special needs.

Practice To Be Avoided

Avoid spending too much unnecessary time alone with a player away from other players.

Avoid meeting with players away from organised club activities without a parent or other club official being involved.

Avoid making arrangements to meet a player in their home without the player's parent or guardian being present.

Avoid having 'favourites' – this could lead to resentment and jealousy by other players and could be misinterpreted by others.

Avoid doing things of a personal nature for a player that a player can do for themselves such as going to the toilet or changing clothes. If assisting a player in the toilet, the official must never enter the toilet cubical. Seek the consent of parents and players where physical assistance is absolutely necessary.

Avoid being present whilst players are showering and changing unless it is necessary in the interests of health and safety or the players are particularly young or vulnerable. In these circumstances it would be best practice to have at least two officials present and, if appropriate, to leave the door open. Officials must always wait until all players have left the changing room before showering and changing.

Avoid a player traveling alone with a club official irrespective of the length or duration of the journey. If possible make sure your pick up or drop off points are with at least two players. If a single player has to be transported the club should seek the consent of the player's parent or guardian.

If under exceptional circumstances a single player has to be transported, make sure the official involved advises another club official or reports the incident to the club's Protection Officer.

Allowing Players or Officials to swear unchallenged.

Avoid players being unsupervised during club activities.

Avoid officials taking any club activities on his/her own.

Avoid Officials placing themselves in vulnerable situations.

Practice Never To Be Sanctioned

Any member league, association or club having unregistered officials acting for or on behalf of them.

Harming a player or putting a player at risk of harm.

Sexually abusing a player.

Forming intimate emotional, physical or sexual relationships with children.

Allowing officials or players to use sexualised language unchallenged.

Making sexually suggestive comments to a child, even in fun.

Allowing or engaging in touching a child in a sexually suggestive manner. Any such incidents must be reported to another club official and the player involved informed that this behaviour is unacceptable.

Engaging in sexually provocative games, including horseplay.

Allow officials to shower or change with players. Always wait until all players have left the changing room.

Physically assaulting a player or official.

Engaging in rough or physical contact except as permitted within the rules of the game or competition.

Inviting or allowing children to stay with you at your home.

Supplying alcohol or banned substances to players.

Supplying banned substances to officials.

Allow players or officials to be under the influence of alcohol or any banned substances during football activities.

Extortion.

Bullying e.g. reducing a child to tears as a form of control.

Harassment and intimidation e.g. racial harassment. Allowing players or officials to refer to another club member's religion, gender, disability or sexuality in a derogatory manner.

Allow allegations made by a player to go unchallenged, unreported or not acted upon. If there is an attempt to cover up you may be implicated by your silence.

B CODE OF CONDUCT FOR CLUB OUTINGS

Good Practice

Implement all points listed at 3A

Make sure all outings are planned with health and safety of uppermost importance

Inform all parents timeously in writing of the times of departure, pick up points, time of return, drop off points and emergency telephone contact numbers.

Make sure all outings are properly supervised e.g. a ratio of one official to six players with a minimum of three officials in attendance.

Make sure all outings are properly supervised e.g. if the group consists of male and female players they must be accompanied by both male and female officials.

C CODE OF CONDUCT FOR TRIPS WITH OVERNIGHT STAYS

Good Practice

Implement all points listed at 3A and 3B plus refer to 3D Safe in Care Guidelines.

Make sure all overnight stays are planned with health and safety of uppermost importance.

Inform all parents timeously in writing of the date and time of departure, pick up points, date and time of return with drop off points and emergency contact details.

Make sure all overnight stays are properly supervised e.g. ratio officials to players with a minimum of three officials in attendance.

Make all players aware of the availability of telephones to contact home.

Practice To Be Avoided

Players visiting an adult's room.

Allowing officials to enter a player's room.

Practice Never To Be Sanctioned

An official sharing a room with a child unless he is the parent or guardian of the child.

Allowing officials to supervise or have any responsibility for players while under the influence of alcohol or any banned substances.

Allowing officials to check players' rooms unaccompanied. A minimum of 2 officials is required.

Emergency Circumstances

Players visiting an adult's room unless under emergency circumstances. In such circumstances the room door should be left open if it is appropriate to do so.

Allowing officials to enter a player's room unless in the interests of health and safety or in an emergency. In such circumstances the room door should be left open if it is appropriate to do so.

Entering player'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.

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

In some circumstances older players 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.

D SAFE IN CARE GUIDELINES

Adult to Player Ratios

As a guide, the following ratios are recommended for all SYFA activities:

Age 3 up to age 8	1:6
Age 8 and over	1:8

All activities should be planned to involve **a minimum of at least two** registered officials.

All trips and overnight stays should be planned to involve **a minimum of at least three** registered officials.

If the team is mixed gender it is essential that there is one male and one female official. As a general guide, the following factors will also be taken in to consideration in deciding how many officials are required to safely supervise players:

- The number of players involved in the activity
- The age, maturity and experience of the players
- Whether any of the officials or players has a learning or physical disability or special requirements
- Whether any of the players have challenging behaviour
- The particular hazards associated with the activity
- The particular hazards associated with the environment
- The level of qualification and experience of the officials
- The programme of activities

There may be other considerations that need to be taken into consideration by the officials involved.

Physical Contact

All forms of physical contact should respect and be sensitive to the needs and wishes of the player and should take place in a culture of dignity and respect for all players. Players should be encouraged to express their views on physical contact.

In the first instance, coaching techniques should be delivered by demonstration (either by the coach or a player who can display the technique being taught).

Educational instruction should be clearly explained with a description of how it is proposed to handle or have contact with the player before doing so. This should be accompanied by checking if the player is comfortable. Manual support should be provided openly and must always be proportionate to the circumstances.

If it is necessary to help a player with personal tasks e.g. toileting or changing, the player and parents should be encouraged to express a preference regarding the support and should be encouraged to speak out about methods of support with which they are uncomfortable. Officials should work with parents and players to develop practiced routines for personal care so that parents and players know what to expect.

Do not take on the responsibility for tasks for which you are not appropriately trained e.g. manual assistance for a player with a physical disability.

First Aid and the Treatment of Injuries

All officials must ensure:

- Where practicable all parents of players under 18 have completed an SYFA Parental Consent Form before their son/daughter participates in football
- There is an accessible and well-resourced first aid kit at the venue
- They are aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required
- Only those with a current, recognised First Aid qualification treat injuries. In more serious cases assistance should be obtained from a medically qualified professional as soon as possible
- An SYFA Protection Incident Record Form is completed if a player sustains a significant injury along with the details of any treatment given. Common sense should be applied when determining which injuries are significant
- Where possible, access to medical advice and/or assistance is available. Do not take on the responsibility for tasks for which you are not appropriately trained e.g. giving a player an injection
- A player's parents are informed of any injury and action taken as soon as possible
- The circumstances in which any accidents occur are reviewed to avoid future repetitions

Guidelines for Managing Challenging Behaviour

Officials who deliver activities to young people may, from time to time, require to deal with a player's challenging behaviour.

These guidelines aim to promote good practice and to encourage a proactive response to supporting players to manage their own behaviour. The Guidelines suggest some strategies and sanctions which can be used and also identify unacceptable sanctions or interventions that must **never** be used by officials.

These guidelines are based on the following principles:

- The welfare of the player is the paramount consideration
- A risk assessment should be completed for all activities that takes in to consideration the needs of all players involved in the activity
- Players must never be subject to any form of treatment that is harmful, abusive, humiliating or degrading and should always be able to maintain their respect and dignity
- No official should attempt to respond to challenging behaviour by using techniques for which they have not been trained

Planning Activities

Good coaching practice requires planning sessions around the group as a whole but also involves taking into consideration the needs of each individual player within that group. As part of a risk assessment, officials should consider whether any members of the group have presented in the past or are likely to present any difficulties in relation to either, the tasks involved, the other participants or the environment.

Where officials identify any potential risks, strategies to manage those risks should be agreed in advance of the session, event or activity. The risk assessment should also identify the appropriate number of adults required to safely manage and support the session including being able to adequately respond to any challenging behaviour and to safeguard other members of the group and the officials involved.

All those delivering activities to players should receive training on these guidelines and should be supported to address issues of challenging behaviour through regular supervision.

Agreeing Acceptable and Unacceptable Behaviours

Players, officials and parents should be involved in developing an agreed statement of what constitutes acceptable and unacceptable behaviour and the range of sanctions that may be applied in response to unacceptable behaviour. This can be done at the start of the season, in advance of a trip away from home or as part of a welcome session at a residential camp.

Issues of behaviour and control should regularly be discussed with officials, parents and players in the context of rights and responsibilities. When players are specifically asked, as a group, to draw up a 'List of Acceptable and Unacceptable Behaviours and Sanctions for Unacceptable Behaviour' that will govern their participation in the team, they tend to arrive at a very sensible and working set of 'rules'. If and when such a list is compiled, every member of the group can be asked to sign it, as can new members as they join.

Managing Challenging Behaviour

In dealing with players who display risk-taking or challenging behaviours, officials might consider the following options:

- Time out- from the activity, team or individual work
- Reparation - the act or process of making amends
- Restitution - the act of giving something back
- Behavioural reinforcement - rewards for good behaviour, consequences for negative behaviour
- De-escalation of the situation - talking through with the player
- Increased supervision by officials
- Use of individual 'contracts' or agreements for their future or continued participation
- Sanctions or consequences e.g. missing a number of matches or missing a trip

Officials and players shall **never** be permitted to use any of the following as a means of managing a player's behaviour:

- Physical punishment or the threat of such
- The withdrawal of communication with the player
- Being deprived of food, water or access to changing facilities or toilets

Verbal intimidation, ridicule or humiliation

Officials should review the needs of any player for whom sanctions are frequently necessary. This review should involve the player and his/her parents to ensure an informed decision is made about the player's future or continued participation in the team. Whilst it would always be against the wishes of everyone involved in football, ultimately, if a player continues to present a high level of risk or danger to him or herself, or others, he or she may have to be debarred from football within the club.

Physical Interventions

The use of physical interventions should always be avoided unless it is absolutely necessary in order to prevent a player injuring themselves, injuring others or causing serious damage to property.

All forms of physical intervention shall form part of a broader approach to the management of challenging behaviour.

Physical contact to prevent something happening should always be the result of conscious decision-making and not a reaction. Before physically intervening, the official(s) should ask themselves, 'Is this the only option in order to manage the situation and ensure safety?'

The following must always be considered:

- Contact should be avoided with buttocks, genitals and breasts. Officials should never behave in a way that could be interpreted as sexual
- Any form of physical intervention should achieve an outcome that is in the best interests of the player whose behaviour is of immediate concern
- Officials should consider the circumstances, the risks associated with employing physical intervention compared with the risks of not employing physical intervention
- The scale and nature of physical intervention must always be proportionate to the behaviour of the player and the nature of harm/damage they might cause
- All forms of physical intervention should employ only a reasonable amount of force - the minimum force needed to avert injury to a person or serious damage to property – applied for the shortest period of time
- Officials should never employ physical interventions that are deemed to present an unreasonable risk to a player or official
- Officials shall never use physical intervention as a form of punishment

Any physical intervention used should be recorded as soon as possible after the incident by the official(s) involved using an SYFA Protection Incident Record Form and passed to the relevant Protection Officer as soon as possible.

A timely debrief for officials, the player and his/her parents should always take place following an incident where physical intervention has been used. This should include ensuring that the physical and emotional well-being of those involved has been addressed and ongoing support offered where necessary. Officials, players and parents should be given an opportunity to talk about what happened in a calm and safe environment.

There should also be a discussion with the player and his/her parents about the player's needs and continued safe participation within the team.

Transporting Players

Where it is necessary to transport players, the following good practice is required:

- Where parents make arrangements for the transportation of players to and from the activity, *outwith* the club it will be the responsibility of the parents to satisfy themselves about the appropriateness and safety of the arrangements
- Where the club makes arrangements for the transportation of players the club officials involved will undertake a risk assessment of the transportation required. This will include an assessment of the following areas:
 - Ensuring that all vehicles are correctly insured for the purpose
 - Ensuring the driver has a valid and appropriate license for the vehicle being used
 - All reasonable safety measures are available i.e. fitted, working seatbelts
 - An appropriate ratio of officials per player
 - Ensuring drivers have adequate rest periods
- When transporting players, wherever possible they should be in the back seat of the car for health and safety reasons

- Where practicable and planned, written parental consent will be requested if an official has to transport players without a second official being in attendance. To safeguard the official the following good practice is required:

Agree a collection policy with parents that include a clear and shared understanding of arrangements for collection at the end of a session.

Always tell another club official that you are transporting a player, give details of the route and the anticipated length of the journey.

Take all reasonable safety measures e.g. players in the back seat, seatbelts worn.

Where possible, have another adult accompany you on the journey.

Call ahead to inform the player's parents that you are giving them a lift and inform them when you expect to arrive.

E INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

The aim of these guidelines is not to prevent bona fide persons from recording footage for performance development reasons or the recording of achievements. They aim to ensure that players are protected from the misuse of opportunities to take or manipulate film and video footage in a way that harms players or places them at risk of harm.

Some sports take place in areas where organisers have little or no control over the environment such as an open river or areas to which the public have general rights of access. In these circumstances, organisers should take all reasonable steps to promote the safe use of photographing and filming and to respond to any concerns raised.

Photographs, Film and Video

SYFA will take all reasonable steps to promote the safe use of photographing and filming at all events and activities with which it is associated.

SYFA reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated. Refusal to cease may result in the match being abandoned and the offending person reported to the relevant authority.

Anyone wishing to use photographic/film/video equipment during any Scottish Youth FA activity must firstly obtain the approval from the following:

For a single match, the secretaries of the competing clubs.

For tournaments, the secretaries of the competing clubs plus they must also seek approval from the Organising Secretary.

For Scottish Cup fixtures, the secretaries of the competing clubs plus they must also seek approval from the National Secretary.

Registration of intention to photograph will be required on the day. This enables tracking of the equipment and operator should concerns arise in the future.

Photography in changing rooms and associated areas is not allowed.

To be used in conjunction with the SYFA Code of Good Conduct for the Use of Photographs & Images

Internet

Permission

- Written consent must be obtained from the player's parent, using an SYFA Parental Consent Form, before publishing any information about a player. If the material is changed from the time of consent, the parents must be informed and consent provided for the changes
- Special care must be taken in relation to vulnerable children e.g. child fleeing domestic violence or a child with a disability, and consideration given to whether publication would place the child at risk
- Players who have a public profile as a result of their achievements are entitled to the same protection as all other players. In these cases, common sense is required when implementing these guidelines. All decisions should reflect the best interests of the player

Use of Images and Information

- Information published on the websites must never include personal information that could identify a player e.g. home address, e-mail address, telephone number of a player. All contact must be directed to the player's club. Credit for achievements by a player should be restricted to first name's e.g. Jack was Player of the Year 2006
- Players must never be portrayed in a demeaning, tasteless or a provocative manner. Players must never be portrayed in a state of partial undress. Attire such as tracksuits or t-shirts may be more appropriate
- Information about specific events or meetings e.g. coaching sessions must not be distributed to any individuals other than to those directly concerned

Concerns

Any concerns or enquiries about publications or the internet should be reported to club, league or associations Protection Officer or the National Secretary.

Mobile Phones

Short Message Service (SMS) messaging is a quick and easy way to communicate with others and is a popular and often preferred means of communication with players. All officials must be aware that intimidating, bullying or even abusive messages can be discreetly sent by text. Information sent in this way, even where well-meaning, could be misinterpreted.

Further, the risks presented by developments in modern technology are becoming increasingly recognised. Adults who seek to harm children have been known to use text messaging and internet chat rooms to "groom" children. This area is now specifically addressed by the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005.

Texting

Officials must consider whether it is necessary and appropriate to hold the mobile phone numbers of players. The general principle is that all communications with players should be open, transparent and appropriate to the nature of the relationship.

In the first instance contact should always be made at the phone number the parent has provided on the player's behalf. Good practice would include agreeing with players and parents what kind of information will be communicated directly to players by text message. This information should only be "need to know" information such as the last minute cancellation of a training session.

The following good practice is also required:

- The mobile phone numbers of players will be carefully stored (in accordance with data protection principles) and access will only be provided to those who need access for a legitimate reason
- Officials must never engage in personal or sensitive communications with players via text message
- All concerns about the inappropriate use of text messaging will be dealt with by the SYFA National Protection Panel

Cameras/videos

There have already been a number of cases where children have been placed at risk as a result of the ability to discreetly record and transmit images through mobile phones. The use of mobile phones in this way can be very difficult to monitor.

The SYFA Code of Good Conduct for the Use of Photographs & Images in relation to the use of mobile phones as cameras/videos. Particular care is required in areas where personal privacy is important e.g. changing rooms, bathrooms and sleeping quarters. No photographs or video footage should ever be permitted in such areas of personal privacy.

All concerns about the inappropriate use of mobile phones, to record photographs or video footage, will be dealt with by the SYFA National Protection Panel.

This may include the concerns being reported to the police.

6. APPLICATION/SELECTION PROCEDURES

Principles

Any official who does not agree to complete an SYFA Self-Declaration Form will not be eligible for membership of the club or the SYFA.

When seeking membership of the SYFA any official who does not agree to complete the relevant PVG Scheme Form will not be eligible to be considered for membership of a club or the SYFA.

Any official who is deemed unsuitable by the SYFA National Protection Panel will not be eligible for membership of the club or the SYFA.

It is an offence for someone placed on the children's list to do regulated work, or attempt to do regulated work, with children.

It is an offence for someone placed on the adults' list to do regulated work, or attempt to do regulated work, with protected adults.

However an individual included on only one list is free to continue to do regulated work with the group covered by the other list.

Only those individuals who are placed on both the children's and the adults' lists are barred from regulated work with both groups.

Any individual doing, or attempting to do, work from which they have been barred is committing an offence. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

If SYFA employ barred individuals in regulated work with children or protected adults they are committing an offence. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

The fact that someone is on the List, either fully listed or provisionally listed, will be released as part of a relevant PVG Scheme check.

The List helps to strengthen the safeguards already in place to protect children and protected adults.

All decisions of the SYFA National Protection Panel shall be final and binding on all parties concerned.

APPLICATION PROCEDURES

The application process for any league/association seeking membership of the SYFA shall be as follows:

The league/association seeking membership must in the first instance hold an annual general meeting to elect the league/association committee and approve the league/association Constitution.

The league/association should seek membership of the SYFA by:

Completing an online SYFA league or association membership application form on the SYFA Registrations website ensuring that all officials acting on behalf of the league/association are listed.

Print off the online membership form and collect all required signatures before sending to the National Secretary at Hampden Park for approval complete with all relevant membership and insurance fees.

Submitting a copy of the league/association constitution

The application process for any club seeking membership of an SYFA member league or association shall be as follows:

The club seeking membership must in the first instance hold an annual general meeting to elect a club committee and approve the club's Constitution.

The club should seek membership of an SYFA member league or association by:

Completing and returning a league or association membership application form

Submitting a copy of the club constitution

Payment of league or association membership fees

The application process for any club seeking membership of the SYFA shall be as follows:

The club will complete an online SYFA club membership application form on the SYFA Registrations website ensuring that all officials acting on behalf of the club are listed.

Print off the online membership form and collect all required signatures before submitting to the league or association secretary for their approval, accompanied by:

SYFA membership and insurance fee

Scottish Cup entry fee (if seeking entry to the competition)

A4 stamped addressed envelope with relevant postage addressed to:

The National Secretary, SYFA, Hampden Park, Glasgow G42 9BF

The application process for any official seeking membership of the SYFA shall be as follows:

The applicant should make verbal application to a member club, league or association.

He/she should outline the following:

His/her coaching experience,

His/her experience in relation to working with players

Other clubs, leagues or associations he/she has been involved with

The reasons he/she wishes to join the club, league or association

If satisfied with the applicant, the club, league or association should ask the applicant to complete a membership application form giving the names and contact details of two separate individuals who are prepared to supply references plus details of any previous clubs, leagues or associations.

SELECTION PROCEDURES

The selection process for any league/association seeking membership of the SYFA shall be as follows:

The SYFA must receive the following from the league/association:

A fully completed online SYFA league or association membership application form from the SYFA Registrations website ensuring that all officials acting on behalf of the league/association are listed accompanied by:

A copy of the league/association Constitution

The SYFA on refusing the league/associations membership will instruct the National Secretary to write and advise the league/association secretary. All fees and paperwork should also be returned.

The SYFA on awarding the league/association membership will instruct the National Secretary to email and advise the league/association secretary. The National Secretary will electronically approve the league/association's membership adding their details to the SYFA league database with all league/association officials' details being added to the SYFA registered official's database.

The National Secretary will then email the league/association with the leagues/associations insurance documents and a league/association parental consent form.

ALL league/association officials must fully comply with the selection process for any official seeking membership of the SYFA.

The selection process for any club seeking membership of an SYFA member league or association shall be as follows:

For new member clubs

On receipt of a fully completed membership application form plus the club's constitution, the league or association should hold a committee meeting and interview the club to determine if the club is suitable to become a member of the league or association.

The league or association should hold a committee meeting to further discuss the suitability of the application for membership.

The league or association may seek advice on suitability from any previous league or association of which the club has been a member.

For existing member clubs

On receipt of a fully completed membership application form plus the club's constitution, the league or association should approve the club's entry into membership provided they have not been excluded on the grounds of bad discipline by the disciplinary committee.

The league or association on refusing the club membership must write and advise the club secretary. All fees and paperwork should also be returned.

The league or association on awarding the club membership must advise the club secretary and instruct them to complete an online SYFA club membership application form which is available on the SYFA Registrations website.

The league or association on accepting the club into membership must then sign the clubs SYFA membership form and forward to the National Secretary using the envelope provided by the club ensuring all documentation and fees are included.

The club MUST ensure that they include a current valid first aid or sports injury certificate.

If documentation is not correct, or if there are omissions, all documentation will be returned to the Club. All leagues/associations **MUST** not sign application forms that have not been fully completed.

The selection process for any club seeking membership of the SYFA shall be as follows:

The SYFA must receive the following from the club:

A fully completed SYFA Club Membership Application Form approved by the league/association accompanied by:

SYFA membership and insurance fees

Scottish Cup entry fee (if seeking entry to the competition)

A current valid first aid or sports injury certificate

The National Secretary will electronically approve the club's membership adding their details to the SYFA club database with all club officials' details being added to the SYFA registered officials' database.

The National Secretary will then email the club with their Insurance documents, a club parental consent form, the Roles & Responsibilities booklet and if applicable the SYFA Scottish Cup booklet.

ALL club officials must fully comply with the selection process for any official seeking membership of the SYFA.

The selection process for any official seeking membership of an SYFA Member club shall be as follows:

On receipt of a fully completed membership application form, the club should hold a committee meeting and interview the person to determine if he/she is suitable to become an official of the club.

The club should hold a committee meeting to further discuss the suitability of the application for membership.

The club must seek advice on suitability from any previous clubs of which the applicant has been a member.

The club should write to each of the referees and examine their replies.

If the club is satisfied with the applicant, the applicant seeking membership of the SYFA **MUST** complete an SYFA Self-Declaration Form. A form is included within the Appendix at the end of this policy or can be downloaded from the Scottish Youth FA website.

If the club is not satisfied with the applicant they should write to the applicant advising him/her of this and return any paperwork that the applicant submitted.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self-Declaration Form and/or a PVG Scheme Record Update form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked **PRIVATE AND CONFIDENTIAL**. The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self-Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **NO**, must be sent to the SYFA Club Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.

The applicant can then be offered provisional membership of the club. On acceptance into provisional membership the club must ensure that the official does not have unrestricted access to players.

Full membership of the SYFA will only be awarded after final SYFA National Protection Panel clearance is obtained. The SYFA National Protection Panel's decision shall be final and binding. There is no right of appeal for any decisions taken by the SYFA National Protection Panel.

On receipt of notification from the National Secretary, detailing that the official has been refused membership of the SYFA, the Club Secretary will inform the applicant that his/her application for membership of the club has been rejected.

On receipt of notification from the National Secretary, detailing that the official has been awarded membership of the SYFA, the Club Secretary can then offer the official full membership of the club.

If accepted into membership of the club the official should serve a probation period as decided by the club. During this probationary period the club should monitor and appraise the new member's suitability for continued membership of the club.

The selection process for any official seeking membership of the SYFA shall be as follows:

Before gaining SYFA membership the official **MUST** complete an SYFA Self-Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked **PRIVATE AND CONFIDENTIAL**.

The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self-Declaration Form.

The relevant Additional Signatory will send fully completed PVG Scheme Forms directly to the SYFA National Secretary at Hampden Park.

The National Secretary will submit all PVG Scheme Forms to CRBS for checking.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self-Declaration Form and/or a PVG Scheme Record Update. A Self-Declaration Form is included within the Appendix at the end of this policy or can be downloaded from the Scottish Youth FA website.

The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self-Declaration Form.

When requested to complete an SYFA Self-Declaration Form, all officials who do not submit a fully completed SYFA Self-Declaration Form will be placed under a Precautionary Suspension.

All officials who submit an SYFA Self-Declaration Form and provide false information and/or omit information will be debarred from membership.

All PVG Scheme Certificates will be returned to the National Secretary and submitted to the SYFA National Protection Panel if required for a final decision on suitability for membership.

The club, league or association secretary will be advised of the SYFA National Protection Panel's decision regarding officials being accepted or rejected for membership. Full membership of the SYFA will only be awarded after final SYFA Protection Panel clearance is obtained.

The SYFA National Protection Panel's decision shall be final and binding. There is no right of appeal for any decisions taken by the SYFA National Protection Panel.

The selection process for all SYFA Additional Signatories shall be as follows:

They must be in membership of the SYFA and a member club, league/association or region.

The official wishing to become an SYFA Additional Signatory should make application to either their Regional Secretary or the SYFA National Protection officer.

The official wishing to become an SYFA Additional Signatory will be subject to SYFA PVG Scheme Checking procedures and must adhere to the terms of the Scottish Youth FA Player Protection Policy.

The official wishing to become an SYFA Additional Signatory will have to attend a meeting with the National Secretary and/or a delegated official for identification purposes and interview.

All PVG Scheme Certificates will be returned to the National Secretary and submitted to the SYFA National Protection Panel if required for a final decision on suitability for membership and the position of SYFA Additional Signatory.

The club, league or association will be advised of the SYFA National Protection Panel's decision regarding officials being accepted or rejected for the position of SYFA Additional Signatory

Any official who Disclosure Scotland/SYFA consider unsuitable for the position of SYFA Additional Signatory will be instructed to re-apply for membership of the SYFA.

7. RESPONDING TO CONCERNS

Why it is important to respond to concerns

It takes considerable courage for a child or adult to disclose abuse. Disclosures need to be handled very carefully and sensitively to avoid causing further distress to the player.

All concerns must be responded to in a way that ensures that a player receives appropriate help and support and to ensure that appropriate action is taken against those who pose a risk to players and to protect not only the player involved but all other players.

Robust guidelines for responding to concerns will:

- Help to avoid those receiving information from engaging in judgments
- Reassure those who report concerns that an appropriate course of action will ensue
- Support those charged with managing concerns by providing them with a step-by-step process to follow
- Safeguard the rights of those against whom complaints or allegations have been made

It is not the job of anyone in the SYFA to decide whether or not a player has been abused. It is however, everyone's responsibility to report concerns

Incidents of abuse may become known in a number of ways:

A player alleges that abuse has taken place or that they feel unsafe

A third party or anonymous allegation is received

A player's appearance, behaviour, play or statements cause suspicion of abuse and/or neglect

A player reports an incident(s) of alleged abuse, which occurred some time ago

A report is made regarding the serious misconduct of an official towards a player

You may have witnessed an incident or have suspicion about an incident

CONFIDENTIALITY

Information provided to organisations should remain confidential unless permission has been given to share the information by the individual concerned or the safety of that person or another person may be at risk.

If there is a reasonable concern that a player may be at risk of significant harm, this will **always** override a professional or organisational requirement to keep information confidential. It is good practice to inform parents and players about the kind of situations which may lead to them having to share information with other agencies.

DEFAMATION

Concerned adults are sometimes reluctant to report concerns about abuse for fear that the person suspected will sue them for defamation if the allegation turns out to be unfounded.

To be defamatory a statement must first of all be untrue. Even if subsequently shown to be untrue, the statement will be protected by 'qualified privilege' if it is made to the appropriate authority "in response to a duty, whether legal, moral or social or in the protection of an interest." (Norrie K, Defamation and Related Actions in Scots Law, 1995).

Unjustified repetition of the allegations to other persons will not be protected by privilege.

The qualification on privilege refers to statements made by malice. If a statement, even to the appropriate authority, can be shown to be motivated by malice, then an action of defamation could be successful.

PROCEDURES FOR RESPONDING TO CONCERNS

These procedures apply to all SYFA officials, clubs, leagues/associations and/or regions.

Concerns about the General Welfare of a Child (NOT involving concerns about child abuse)

The SYFA is committed to working in partnership with parents whenever there are concerns about a player. Parents have the primary responsibility for the safety and well being of their children.

In most situations, not involving the possibility of the abuse of a player, concerns should be discussed with parents. For example, if a player seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement. Common sense is advised in these situations.

Any significant, untoward or unusual incidents, which cause concern about the welfare of a player, should be recorded on the SYFA Protection Incident Record Form and reported to SYFA National Protection Officer as soon as possible. Parents should also be informed of the circumstances as soon as possible.

Advice should be sought from the SYFA National Protection Officer if there is any uncertainty about the appropriate course of action where there are concerns about the general welfare of a player.

Any breaches of these guidelines may result in the matter being referred to the relevant Disciplinary Committee.

What to Do if a Player Tells You about Abuse

No member of SYFA shall investigate allegations of abuse or decide whether or not a player has been abused.

Allegations of abuse must always be taken seriously. False allegations are very rare. If a player says or indicates they are being abused or information is obtained which gives concern that a player is being abused, the information must be responded to on the same day in line with the following procedure.

Respond

React calmly so as not to frighten the player

Listen to the player and take what they say seriously. Do not show disbelief

Reassure the player they are not to blame and were right to tell someone

Be aware of interpreting what a player says, especially if they have learning or physical disabilities which affect their ability to communicate or English is not their first language

Do not assume that the experience was bad or painful - it may have been neutral or even pleasurable

Avoid projecting your own reactions onto the player

Avoid asking any questions. If necessary only ask enough questions to gain basic information to establish the *possibility* that abuse may have occurred. Only use open-ended, non-leading questions

Do not introduce personal information from either your own experiences or those of other players

Avoid

Panicking

Showing shock or distaste

Probing for more information than is offered

Speculating or making assumptions

Making negative comments about the person against whom the allegation has been made

Approaching the individual against whom the allegation has been made

Making promises or agreeing to keep secrets and giving a guarantee of confidentiality

Where there is uncertainty about what to do with the information, the SYFA National Secretary or the SYFA National Protection Officer must firstly be consulted for advice on the appropriate course of action.

If the SYFA National Secretary or the SYFA National Protection Officer is unavailable or an immediate response is required the police and social work services must be consulted for advice. They have a statutory responsibility for the protection of children and they may already hold other concerning information about the child. Record any advice given.

If you are concerned about the immediate safety of the player:

Take whatever action is required to ensure the player's immediate safety.

Pass the information immediately to the police and seek their advice.

Record

Make a written record of the information as soon as possible using the SYFA Protection Incident Record Form, completing as much of the form as possible. The following information will help the police and social workers decide what action to take next:

Player's name, age and date of birth

Player's home address and telephone number

Any times, dates or other relevant information

Whether the person making the report is expressing their own concern or the concerns of another person

The player's account, if it can be given, of what has happened and how any injuries occurred using the player's own words

The nature of the concern (include all of the information obtained during the initial account e.g. time, date, location)

A description of any visible (when normally dressed) injuries or bruising, behavioural signs, indirect signs (do not physically examine the player)

Details of any witnesses

Whether the player's parents have been informed.

Details of anyone else who has been consulted and the information obtained from them

If it is not the player making the report, whether the player has been spoken to, if so what was said using the player's own words.

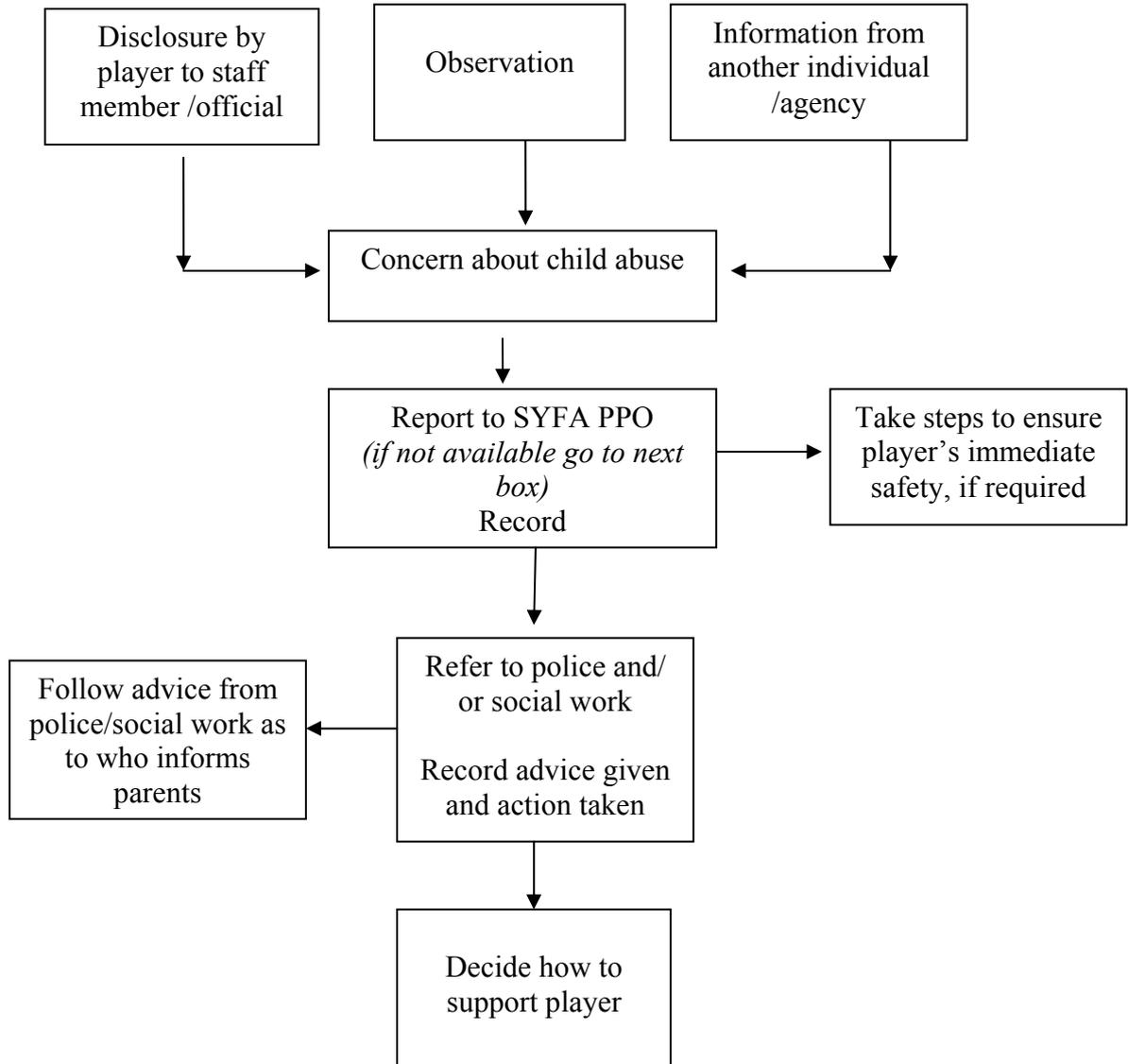
The player's views on the situation

If completing the form electronically, do not save copies to the hard drive or floppy disk. Print a copy, sign and date and then delete immediately. Pass the record that day to the SYFA National Secretary or the SYFA National Protection Officer. If unavailable or an immediate response is required the police and social work services should be contacted.

Sharing Concerns with Parents

Where there are concerns that the parent(s) may be responsible for or have knowledge of the abuse, sharing concerns with the parent(s) may place the player at further risk. **In such cases advice must always firstly be sought from the police or social work services as to when and who informs the parents.**

RESPONDING TO CONCERNS ABOUT CHILD ABUSE



PROCEDURE FOR RESPONDING TO CONCERNS ABOUT THE CONDUCT OF ANY SYFA OFFICIAL OR MEMBER OF STAFF

Concerns about the Conduct of a Member of Staff

The procedures outlined in this section also apply to the management of concerns about the conduct of any SYFA official(s).

For SYFA staff this section of the guidelines should be read in conjunction with the SYFA Grievance Procedures. 'What to do if a Child tells you about Abuse', applies whether the information is about a member of staff or someone not connected in any way with the SYFA. The following section details the procedure to be followed where the concern is about a member of staff.

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

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

Employees will be made aware of the nature of concern or complaint.

Where the concern is about possible child abuse, advice will firstly be taken from the police as to what can be said to the employee.

An employee will be given an opportunity to put forward their case.

SYFA will act in good faith, ensure the matter is dealt with impartially and as quickly as possible in the circumstances.

In all cases where there are concerns about the conduct of a member of staff towards players, the welfare of the player will be the paramount consideration.

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

Initial Reporting of Concerns

Any concerns for the welfare of a player arising from the conduct of a member of staff must be reported to the National Secretary on the day the concern arises or as soon as practically possible.

Where the concern is about the National Secretary it must be reported to the President or in his/her absence to a Vice President.

Recording

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

All subsequent actions taken and reasons for decisions shall be recorded at the same time on the SYFA Protection Incident Record Form, signed and dated by the National Secretary or the person appointed to manage the response to the concerns. Where SYFA Grievance Procedures are invoked, a written record will be made of all actions and reasons for decision. Guidance on the storage, sharing and retention of such records is contained in the relevant procedure.

Establishing the Basic Facts

Once the concerns have been reported, the National Secretary will:

Establish the basic facts

Conduct an initial assessment of the facts in order to determine the appropriate course of action.

Consult external agencies such as the police and social work services for advice at any time. This is important because they may hold other important information which, when considered alongside the current concerns builds a significant picture of concern.

Conducting the Initial Assessment

The National Secretary will conduct the initial assessment.

The purpose of the initial assessment is to clarify the nature and context of the concerns. It should determine whether there is reasonable cause to suspect or believe that a player has been abused/harmed or is at risk of abuse or harm. Every situation is unique so guidance cannot be prescriptive.

- Where the established facts support a concern about possible abuse, the initial assessment will not form part of the disciplinary investigation
- Subject to the nature and seriousness of the situation, if it is not clear at this stage whether a criminal offence may have been committed the member of staff **may** be approached as part of the information gathering process.

Where the nature and seriousness of the information suggests that a criminal offence *may* have been committed, or that to assess the facts may jeopardise evidence, **advice will be sought from the SYFA Lawyer and/or the police before the member of staff is approached**

- An initial assessment of the basic facts may require the need to ask a player 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 players, or other appropriate individuals
- Interviewing children about possible abuse and criminal offences is the sole remit of specially trained police officers and social workers. Questioning of players by those conducting an initial assessment should always be avoided as far as possible. If it is necessary to speak to the player in order to clarify the basic facts, best practice suggests that consent from the parent be obtained.

Possible outcomes of initial assessment:

- (i) No further action (facts do not substantiate complaint).
- (ii) Situation is dealt with under guidelines to manage poor practice; and/or,
- (iii) Disciplinary investigation by the SYFA General Purposes Committee
- (iv) National protection panel investigation
- (v) Criminal investigation by the police.
The results of a criminal investigation may well influence the disciplinary investigation, but not in all cases.
- (vi) Civil proceedings by the player/family who alleged abuse.

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

The National Secretary will deal with the situation in line with the SYFA Grievance Procedures and/or Disciplinary Procedures.

Pending the outcome of any investigation conducted under the Grievance Procedures or Disciplinary Procedures, precautionary suspension will be considered in all cases where there is significant concern about the conduct of a member of staff towards players. The welfare of players will be the paramount concern in such circumstances.

Where the circumstances meet the referral criteria set out in the Protection of Children (Scotland) Act 2003, SYFA has a duty to make a referral to Scottish Ministers.

Initial assessment supports concerns about possible child abuse

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

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

The National Secretary will confirm referrals to the police/social work services in writing within 24 hours. A copy of the SYFA Protection Incident Record Form should be provided to the police/social work services on request.

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

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

The SYFA will take all reasonable steps to support a member of staff against whom an allegation of abuse has been made.

Precautionary Suspension

A precautionary suspension is not a form of disciplinary action. The staff member involved may be suspended whilst an investigation is carried out.

The National Secretary in accordance with the SYFA Player Protection Policy & Guidelines will apply the precautionary suspension. At the suspension interview the member of staff will be informed of the reason for suspension (within the confines of sharing information) and given the opportunity to make a statement should they wish to do so.

Notification of the suspension and the reasons will be conveyed in writing to the staff member in accordance with SYFA Player Protection Policy & Guidelines.

Disciplinary Investigation

Following advice from the police, cases that also involve a criminal investigation will not preclude disciplinary action being taken provided sufficient information is available to enable the National Secretary to make a decision and that to do so does not jeopardise the criminal investigation.

If SYFA taking action is likely to jeopardise the criminal investigation no action will be taken until the Police have concluded their actions.

False or Malicious Allegations

In the very exceptional circumstances that an investigation establishes an allegation is false, unfounded or malicious:

The staff member involved will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. They may wish to seek legal advice.

All records pertaining to the circumstances and investigation will be destroyed.

The National Secretary will take all reasonable steps to support the individual in this situation.

In these circumstances the SYFA National Protection Panel will review the player's or official's participation within the SYFA.

Data collected for the investigation will be destroyed in accordance with the requirements of the Data Protection Act 1998.

Historical Allegations of Abuse

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

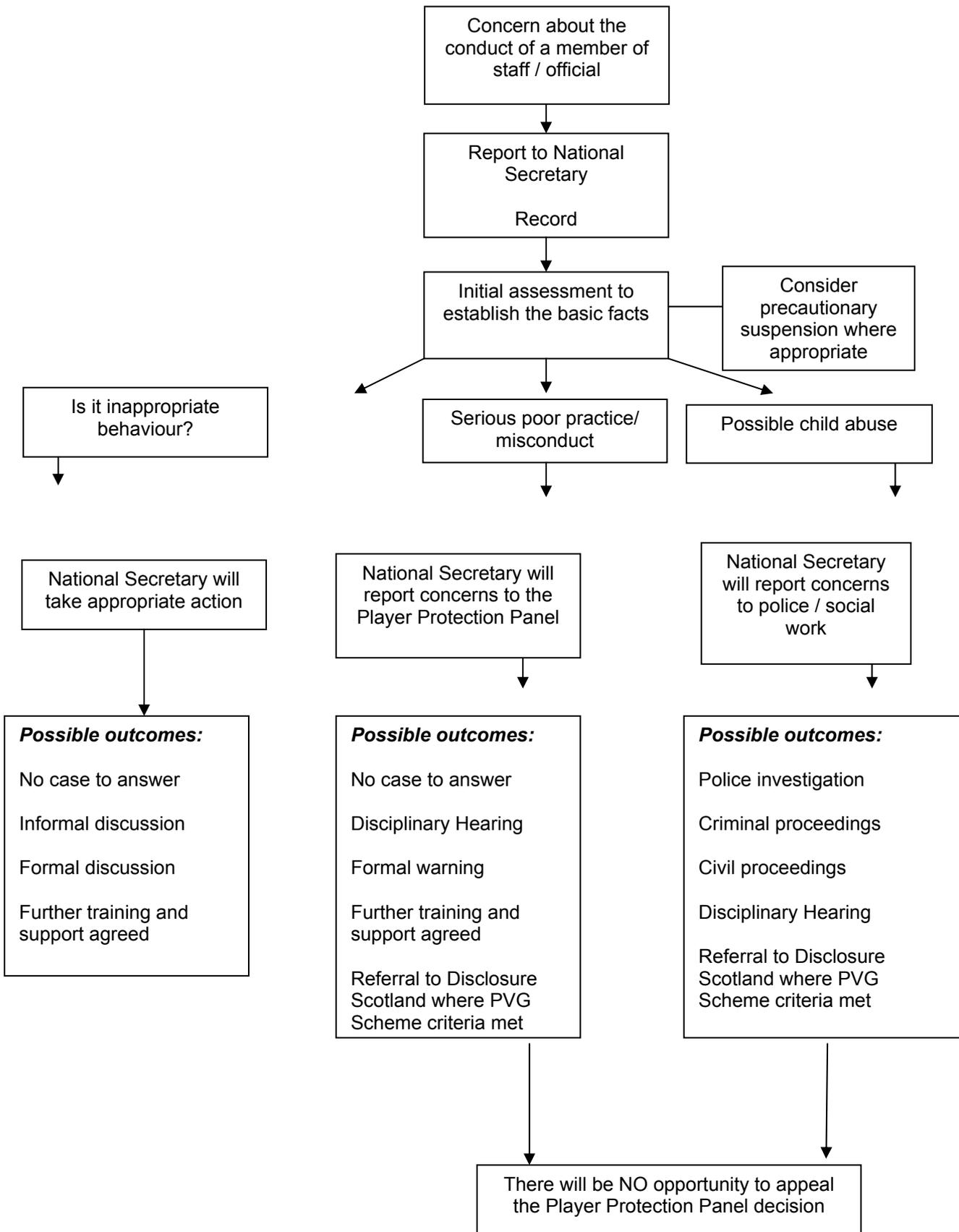
Media

All media enquiries relating to the conduct of a member of staff or official will be referred to the National Secretary of the SYFA.

Concerns about the Conduct of SYFA Officials

The guidelines outlined in section 7 apply to the management of concerns about the conduct of SYFA Officials.

RESPONDING TO CONCERNS ABOUT THE CONDUCT OF A MEMBER OF STAFF OR OFFICIAL



8. GLOSSARY

GLOSSARY OF TERMS:

The guidance introduces a number of key words and phrases, which are summarised in this glossary. Terms marked with an asterisk have a statutory definition, mainly in the PVG Act. Other terms have their normal dictionary meaning.

Adversity	Difficulty or misfortune (<i>Source: Oxford Dictionary</i>).
Agencies	Organisations in the statutory or voluntary sector where staff, paid or unpaid, work with or have access to children and/or families. This includes, but is not exclusive to, social work, health, education and the police.
Adults' list*	The list maintained by Disclosure Scotland of individuals who are unsuitable to work with protected adults.
Automatic consideration for listing	A person who is convicted of any of the so-called "relevant offences" set out in schedule 1 of the PVG Act ⁷¹ will automatically be placed under consideration for listing in the children's list. There is no equivalent automatic consideration for listing in the adults' list.
Automatic listing	A person who is convicted of any of the serious offences set out in the Order made under section 14 of the PVG Act ⁷² will be automatically included in both the children's and adults' lists, without the right to make representation or to appeal the listing.
Barring/barred*	Barring is the consequence of being listed. Normally, an individual will be listed by either Disclosure Scotland or the Independent Safeguarding Authority and they will then be barred across the UK. For example, an individual included on the SVG children's list by the Independent Safeguarding Authority is barred from doing regulated work with children in Scotland.
Care (for a child or protected adult)	A position is likely to be regarded as caring if it involves responsibility for the: health of, guidance of, protection of, provision for, or welfare of one or more children or protected adults.
Central Registered Body in Scotland (CRBS)	The Central Registered Body in Scotland (CRBS) is a registered body that countersigns disclosures on behalf of voluntary sector organisations that require them, but are not registered bodies themselves. The majority of applications processed by CRBS are for free checks for volunteers working for qualifying voluntary organisations.
Child* (children)	'Child' means an individual under the age of 18.
Child Abuse	See page 8 for the definition generally recognised in Scotland.

Children's List*	The list maintained by Disclosure Scotland of individuals who are unsuitable to work with children.
Child Protection Committee	The key local bodies for developing and implementing child protection strategies across and between agencies.
Child Protection Officer	A paid or voluntary position whose remit generally involves co-ordinating the implementation of Child Protection Policy and guidelines within the organisation.
Civil orders	<p>Civil orders are orders made by a court under civil, rather than criminal, proceedings and are usually designed to prevent some future harm to others. The civil orders included on the Scheme Record are:</p> <p>a sexual offences prevention order (or interim order) under the Sexual Offences Act 2003 ("the 2003 Act");</p> <p>a foreign travel order under the 2003 Act;</p> <p>a risk of sexual harm order (or interim order) under the 2003 Act;</p> <p>a notification order (or interim order) under the 2003 Act; and</p> <p>a risk of sexual harm order (or interim order) under the Protection of Children and Prevention of Sexual Offences (Scotland) 2005.</p>
Club	Any football team in membership of the SYFA and includes all players and officials.
Concern	A suspicion or belief that a child might be in need of help or protection. For the purpose of these guidelines can also include a suspicion or belief that the conduct of an adult or another child is actually or potentially harmful towards another child.
Consent	Permission or agreement.
Contact	Contact usually means physical proximity and does not normally include remote communications such as telephone or e-mail. (However, in some limited circumstances it might also include remote communications such as telephone or email.) Contact does not necessarily require being in the same room but does require a line of sight with the possibility of physical access or communication. For example, a window cleaner cleaning the windows on the outside of a care home would be regarded as being in contact with residents on the other side of those windows.
Continuous updating	Once an individual becomes a member of the PVG Scheme, Disclosure Scotland will add any new vetting information to their scheme record as and when it arises, rather than simply collating information whenever a disclosure needs to be issued. Where that information suggests that the scheme member may have become unsuitable to work with children or protected adults, there will be a consideration of the case and if appropriate, the individual will be listed on one or both lists.

Consideration for listing	The process of determining whether an individual is unsuitable to work with children or protected adults, triggered by an organisational referral, court referral, vetting information or the individual being named in a relevant inquiry report.
Counter signatory	An individual within a registered body nominated by the registered person (a.k.a. lead signatory) to countersign standard, enhanced or PVG scheme disclosure requests on behalf of their organisation. The suitability of individuals to fulfill this function is assessed at initial registration and regularly reviewed.
CRB	The Criminal Records Bureau, an executive agency of the Home Office which provides a standard and enhanced disclosure service for England and Wales.
Disclosure	In this context, the act of a child (or adult) making information about abusive or harmful experiences known to others. In many cases the child will have been keeping the information secret.
Disclosure Certificate	Issued by Disclosure Scotland in response to an application for a basic, standard or enhanced disclosure under the Police Act 1997. A certificate is issued to the individual who requested it and a copy will also be sent to the person who countersigned the application if a standard or enhanced application was made.
Disclosure record*	Disclosure record means any Scheme Record, Scheme Record Update or Scheme Membership Statement issued under the PVG Scheme.
Disability	A person has a disability if he or she has a physical or mental impairment, which has a substantial and long term adverse effect on his or her ability to carry out normal day to day activities. <i>(Source: Disability Rights Commission Scottish Code of Practice).</i>
Disclosure Scotland	An executive agency of the Scottish Government. Disclosure Scotland has delegated authority to exercise the functions conferred upon the Scottish Ministers by Part 5 of the Police Act 1997 and the PVG Act. Disclosure Scotland provides a basic disclosure service across the UK, standard and enhanced disclosures to Scottish employers and operates the PVG Scheme and maintains the lists of those who are unsuitable to work with children and protected adults under the PVG Act. See www.disclosurescotland.org.uk
Disqualified from Working with Children List (DWCL)	The Disqualified from Working with Children List established by POCSA.

Duty of Care	Section 5 of the Children (Scotland) Act 1995 states that an adult (16 years or over) who has care or control of a child under the age of 16 has the responsibility to “do what is reasonable in all circumstances to safeguard the child’s health, development and welfare.”
Employment agency*	An organisation that provides services with the aim of helping individuals to find employment, or helping employers find individuals to employ.
Employment business*	An organisation that employs individuals and then supplies them to work for another organisation. This would, for example, include ‘temps’ supplied by a ‘temping agency’.
Exempted Position	Exempted positions are detailed in the Exclusions and Exceptions (Scotland) Order 2003. Individuals appointed to an exempted position can legally be asked to disclose both spent and unspent conviction information. Child care positions are exempted positions.
FIFA	Federation of International Football Associations.
Fully Listed (relates to DWCL)	In terms of the Protection of Children (Scotland) Act 2003, a person will be ‘fully listed’ when Scottish Ministers place their name on the Disqualified from Working with Children List and it is considered that they are unsuitable to work with children. Those who have been fully listed by Scottish Ministers will commit a criminal offence if they apply to or work with children.
Grooming	The term given to the process of forming a relationship with a child and significant people in the child’s life with the ultimate aim of exploiting the relationships by sexually abusing the child.
GTCS	The General Teaching Council for Scotland
Harassment	The act of causing worry or torment to another person.
Harm*	Harm is defined at section 93 of the PVG Act and includes: physical harm; psychological harm (for example: causing fear, alarm or distress); and unlawful conduct which appropriates or adversely affects an individual's property, rights or interests (for example: theft, fraud, embezzlement or extortion). The PVG Act also refines risk of harm.
HMIE	Her Majesty’s Inspectorate of Education.
Incidental activity	Some, but not all, activities with children or protected adults are excluded from being regulated work if the activity is occurring incidentally to working with individuals who are not children or protected adults.

Independent Safeguarding Authority (ISA)	The Independent Safeguarding Authority is a non-departmental public body established to take decisions on suitability and manage the barred lists for England, Wales and Northern Ireland. It operates in partnership with the Criminal Records Bureau (CRB) which manages the list of people who are subject to monitoring under the VBS (equivalent to PVG Scheme members) and issues disclosures.
Institutional racism	<i>“The collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion.” MacPherson Inquiry Report on Stephen Lawrence.</i>
Inter- agency	Where more than one agency is working together.
League/Association	A group of teams at the same age level(s) constitutionally formed into an administrative body for the purpose of issuing of fixtures and dealing with disciplinary matters affecting or relating to the group of teams. Leagues can administer groups of teams at various age levels.
Lead signatory	This term is used to describe the Registered Person (the Registered Person is a person whose name is included in the register held by Scottish Ministers under section 120 of the 1997 Act). It is an ordinary language expression which does not have a meaning in the 1997 or PVG Acts.
Listing/listed*	Listing is the inclusion of an individual on a list or lists under the PVG Scheme or the VBS. Disclosure Scotland will maintain the PVG children’s list and PVG adults’ list. The Independent Safeguarding Authority maintains similar lists as part of the VBS.
Misconduct	Unacceptable or improper behaviour (<i>Source: Oxford Dictionary</i>).
Neglect	Failing to provide for, or to secure for a child the basic needs of food, warmth, clothing, emotional security, physical safety and well being. Also includes exposing a child to risk where it could have been avoided.
Non-conviction information	Information which the chief officer of a relevant police force thinks might be relevant to the regulated work carried out by a scheme member. The information may relate to civil orders, fixed penalty fines, pending cases or police intelligence. This will appear on a Scheme Record when it is supplied by the chief officer of a relevant police force. Non-conviction information can also appear on those enhanced disclosures that will still be issued under the 1997 Act.
Normal duties	The concept of normal duties is extremely important in limiting the scope of regulated work. For an activity or work in an establishment to be regulated work, the carrying out of the activity or the work in the establishment must be part of the

individual's normal duties. Normal duties can be considered as something the individual might be expected to do as part of their post on an ongoing basis, for example appearing in a job description. Normal duties exclude one-off occurrences and unforeseeable events. No particular frequency for undertaking the work or duration of work are specified in the PVG Act as these will depend on the context.

Official	Any person who whether registered for a member club or not, acts on behalf of a member club by being in the dressing room, enters the field of play on behalf of a member club, acts as an assistant referee on behalf of a member club, is in a member club's technical area, or assists in the running of said club. A club official may only be a member of 1 club.
Opportunity (for contact)	Opportunity for contact means that there is a reasonable expectation, but not necessarily certainty, of contact with children/protected adults.
Organisation*	An organisation means – a body corporate or unincorporated; an individual, who in the course of a business, employs or otherwise gives work to other persons; the governing body, trustees or other person or body of persons responsible for the management of a school, a body listed in schedule 2 to the Further and Higher Education (Scotland) Act 2005 or a hostel mainly used by pupils attending such a school or body.
Parents	Those who have parental rights and responsibilities in relation to the child. For the purpose of these guidelines it also covers carers, guardians, co-habitees and others who have the primary responsibility for the care of the child.
Particular needs	For a service to be a welfare service (for the purposes of making an individual receiving the service a protected adult), the service must be provided to individuals with particular needs. Particular needs are those over and above the general needs that any individual might have. For example, the need for regular meals is a general need (everyone needs this) but the need for assistance in preparing meals is a particular need (only some people with, e.g. a disability, need that assistance).
Partnership	In this context where more than one person, agency, professional or community are working together towards shared and agreed aims and share responsibility for decisions and actions.
Player	A player participating in Association Football under the jurisdiction of the Scottish Youth Football Association.
Protection Officer (PPO)	A paid or voluntary position whose remit generally involves co-ordinating the implementation of the SYFA Player Protection Policy and guidelines within the organisation. All clubs, leagues

or associations in membership must have a PPO.

POCSA	The Protection of Children (Scotland) Act 2003.
Police Act 1997	The legislation under which Disclosure Scotland issues basic, standard and enhanced disclosures, and which makes provision for the registration of organisations, lead signatories and counter signatories.
Police intelligence	Information held about an individual by police for operational policing purposes. Intelligence, or a summary of it, might form part of the non-conviction information submitted to Disclosure Scotland for inclusion in an individual's Scheme Record.
Policy	A course or principle of action adopted or proposed by an organisation.
Poor Practice	<p>In this context can be described, as but is not confined to:</p> <ul style="list-style-type: none">• Behaviour or practices which are contrary to the behaviours or practices set out in the Code of Conduct• Behaviour which is not in keeping with professional standards or leadership as defined by the sport• Practices which, if not challenged, result in risks to the safety, development and welfare of children or a group of children• Behaviour which fails to meet the required standard of performance or conduct where the shortfall is of a minor nature
Precautionary Suspension SYFA	A suspension placed on an official who has been the subject of an allegation of child abuse. This suspension is designed to protect the child and the official concerned and will not be part of the disciplinary procedures. Advice may be sought from the police before placing an official under a Precautionary Suspension.
Prevention	To stop something from happening/arising.
Professionals	In this context, staff who work directly or indirectly with children and/or families. Can include, but is not exclusive to, police officers, doctors, nursery staff, teachers, social workers, therapists, dentists, youth leaders, leisure and recreational workers, housing staff and staff who work in criminal justice, mental health or drug/alcohol services and the voluntary sector.
Protected adult	A person (aged 16 or over) protected by the PVG Act because they are receiving certain services as set out at section 94 of the PVG Act and regulations.
PVG	Reference to the Protection of Vulnerable Groups (Scotland) Act 2007 or Protecting Vulnerable Groups Scheme, depending on context.

PVG Act	The Protection of Vulnerable Groups (Scotland) Act 2007.
PVG Scheme*	Any individual who is not barred may apply to become a member of the PVG Scheme. The PVG Scheme is administered by Disclosure Scotland and allows organisational employers and personal employers to satisfy themselves that an individual to whom they are offering regulated work is not barred from doing that type of regulated work. The PVG Scheme provides three different disclosure records for this purpose, which replaces the use of standard and enhanced disclosures for work with vulnerable groups. PVG Scheme members are continuously monitored for new vetting information and any information which comes to light which may indicate that they are unsuitable to do regulated work will lead to a consideration for listing.
Qualifying voluntary organisation	Volunteers doing regulated work for qualifying voluntary organisations are eligible for PVG Scheme membership and disclosure records at no charge. A qualifying voluntary organisation is defined in regulations. It is an organisation which is not a further education institution, a school, a public or local authority, or which is not under the management of a public or local authority; and is not conducted primarily for profit, and any profit generated is used to further the objectives of the organisation and not distributed to its members.
Racism	Conduct, words or practices which disadvantage or advantage people because of their colour, culture or ethnic origin. It can be subtle or overt, intentional or unwitting and occur at different levels: individual, cultural or institutional (<i>Source: Scottish Executive</i>).
Refer*/referral	The process of providing information to Disclosure Scotland when an individual's behaviour has given cause for concern and certain conditions set out in the PVG Act have been met. Some organisations are under a duty to make referrals and others have a power to do so.
Registration	The process whereby an organisation becomes a registered body and so able to countersign disclosure applications in its own right. (Not to be confused with registration under the VBS for England, Wales and Northern Ireland which is used to describe the process of applying to become a VBS Scheme member).
Regulated work*	Regulated work means regulated work with children or regulated work with adults. Regulated work with children is defined at schedule 2 to the PVG Act (Annex A) and regulated work with adults as defined at schedule 3 (Annex B).
Regulatory body	Regulatory bodies maintain standards for the profession(s) they regulate. There are 11 regulatory bodies referred to in the PVG Act. These are: the General Chiropractic Council, the General Dental Council, the General Medical Council, the General Optical Council, the General Osteopathic Council, the General Teaching

Council for Scotland, the Health Professions Council, the Nursing and Midwifery Council, the Pharmaceutical Society of Great Britain, the Scottish Commission for the Regulation of Care and the Scottish Social Services Council. The NHS Tribunal also has the power to make referrals to Disclosure Scotland on the same basis as the regulatory bodies.

Relevant inquiry report*	A relevant inquiry is an inquiry held by the Scottish Ministers, the Scottish Parliament or an inquiry held under the Inquiries Act 2005. Where a relevant inquiry results in criticism of the actions of any individual who is undertaking regulated work, that information may be referred to Disclosure Scotland by the organisation making the report and, if appropriate, the individual may be considered for listing on one or both Lists.
Resilience	Ability to cope with adverse circumstances.
Responsible Person	A person who is responsible for a child, used in the context of unsupervised contact with children. This term is defined at paragraph 1A of schedule 2.
Rights	Entitlements enshrined in treaties, legislation or regulation.
Risk	Exposure to harm or hazards.
Risk Assessment	The process of identifying hazards and who might be affected by them and determining what action needs to be taken to reduce and manage the hazard.
Self Declaration Form	<p>All officials seeking membership of the SYFA MUST complete an SYFA Self-Declaration Form. A form is included within the Appendix at the end of this policy or can be downloaded from the SYFA website.</p> <p>The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self-Declaration Form</p> <p>All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is YES, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked PRIVATE AND CONFIDENTIAL.</p> <p>The SYFA National Protection Panel will be the ONLY committee to view and/or use this SYFA Self- Declaration Form.</p> <p>All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is NO, must be sent to the SYFA Club Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.</p> <p>The SYFA National Protection Panel will be the ONLY committee to view and/or use this SYFA Self - Declaration Form.</p> <p>All officials who do not submit a fully completed SYFA Self-Declaration Form will be debarred from membership. All officials who submit a SYFA Self - Declaration Form and provide false</p>

information and/or deliberately omit information may be debarred from membership.

Scheme Record*	<p>The Scheme Record is a disclosure record which contains a scheme membership statement and any vetting information that is held about a scheme member. In response to a disclosure request, the content of the scheme record can be disclosed</p> <p>The Protection of Vulnerable Groups (Scotland) Act 2007 (Power to Refer) (Information Relevant to Listing Decisions) Order 2010 (SSI 2010/178). The Scheme Membership Statement is called the statement of scheme membership or disclosure of scheme membership, depending on context, in the PVG Act and defined at sections 46 and 54, respectively.</p> <p>The Scheme Record is called the scheme record disclosure in the PVG Act and defined at section 54 to scheme members and registered persons employing them in regulated work or acting for anybody employing the individual.</p>
Scheme Record Update*	<p>The Scheme Record Update is a disclosure record that contains a more limited summary of the information held in an individual's scheme record. The scheme record update provides the scheme membership statement, the date that the last full scheme record was issued, whether it contained any vetting information, and whether any vetting information has been added to or removed from the scheme record since that date.</p>
SFA	<p>Scottish Football Association.</p>
SGB	<p>Scottish Governing Body of sport.</p>
Safeguarded	<p>Measures taken to protect or prevent something (<i>Source: Oxford Dictionary</i>).</p>
Sectarianism	<p>A form of religious bigotry which manifests itself in the form of prejudice, discrimination or harassment of an individual or a group of people on the grounds of their religious beliefs (<i>Source: Scottish Executive</i>).</p>
Statutory Responsibilities	<p>A responsibility enshrined in treaty legislation and/or regulation.</p>
Sub Judice	<p>Under judicial consideration and therefore prohibited from public discussion elsewhere.</p>
SVG Act	<p>The Safeguarding Vulnerable Groups Act 2006. The SVG Act applies in England and Wales with certain provisions in that Act extending to Northern Ireland, principally for the Independent Safeguarding Authority to make the listing decisions for Northern Ireland. The SVG Act establishes the VBS, the equivalent to the PVG Scheme for England, Wales and Northern Ireland.</p> <p>The Scheme Record Update is called the short scheme record disclosure in the PVG Act and defined at section 53.</p>

SYFA	Scottish Youth Football Association.
Umbrella body	An umbrella body is a registered body that countersigns disclosure applications for organisations which are not themselves registered bodies.
UNCRC	United Nations Convention on the Rights of the Child (1989). The UK is a signatory to this international document which states the rights of all children under the age of 18. see www.unicef.org/crc/
Unsuitable	An individual who is found to be unsuitable to do regulated work with children and/or adults following consideration for listing will be listed on the corresponding list(s). The corollary is that a barred individual is deemed to be unsuitable to do regulated work. A barred individual must not do regulated work and cannot join the PVG Scheme.
Unsupervised contact with children	Unsupervised contact with children is defined at paragraph 1A of schedule 2 of the PVG Act.
Unsupervised contact with protected adults	Unsupervised contact with protected adults only has any meaning in the context of work in establishments (care homes and residential establishments or accommodation). Unsupervised contact with protected adults is defined at paragraph 1 of schedule 3 to the PVG Act.
VDS	Volunteer Development Scotland.
Vetting information*	<p>Vetting information is information held about an individual on their PVG scheme record and comprises:</p> <ul style="list-style-type: none"> convictions held on central records in the UK; whether the individual is included in the sex offenders register; relevant non-conviction information provided by police forces; and prescribed civil orders. <p>Vetting information is disclosed only on a Scheme Record but its existence and additions or deletions are flagged on the Scheme Record Update.</p> <p>The existence of vetting information may trigger a consideration for listing when an individual applies to join the PVG Scheme. New vetting information received about a scheme member as part of ongoing monitoring can also trigger a consideration for listing.</p>
Volunteers	Someone offering services in an unpaid capacity for an organisation. For more information on volunteering see www.vds.org.uk
Vulnerable	Exposed to being attacked or harmed (<i>Source: Oxford Dictionary</i>).
Vulnerable adult	Vulnerable adult is the SVG Act equivalent to protected adult in respect of the VBS for England, Wales and Northern Ireland.

There are significant differences between the definition of vulnerable adult in the SVG Act and the definition of protected adult for the PVG Scheme.

VBS VBS is the Vetting and Barring Scheme established by the Safeguarding Vulnerable Groups Act 2006 and Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 for England, Wales and Northern Ireland. See section 1.10 of the guidance for more information about cross border matters.

Welfare The health, happiness and fortunes of a person or group. Action or procedure designed to promote the basic physical and material well-being of people in need.

Work* Work is defined at section 95 of the PVG Act and has a very wide meaning; it means work of any kind. It includes paid or unpaid work and other types of work. See section 2.2 of the guidance for more information about work.

CHILD PROTECTION- LEGISLATION

This is intended as a brief guide to the legislation relevant to the care and protection of children in Scotland. The SYFA will obtain advice from a solicitor in relation to specific legal issues.

INTERNATIONAL CONVENTIONS

United Nations Convention on the Rights of the Child (1989) UNCRC

An international agreement which prescribes the rights of all children and young people under the age of 18. The rights in the Convention are generally cover three areas: participation (e.g. a child's right to have a say in decisions which affect them), provision (e.g. provision of services to promote health and education) and protection (e.g. the right to be protected from all forms of abuse, harm and exploitation at all time).

The UK is a signatory to UNCRC and must report to a UN Committee on steps taken to promote and respect these rights. Whilst not legally binding, the Convention is highly influential on decisions made by courts and public authorities about the lives of children.

European Convention on Human Rights (1950)

This convention is legally binding on the UK because its provisions were introduced into the law of Scotland by the Human Rights Act 1998 and the Scotland Act 1998. The rights prescribed apply to children and adults. The main articles of relevance are:

Article 8: right to respect for private and family life, home and correspondence

Article 3: the right not to be tortured or experience inhuman or degrading treatment.

Courts and public authorities must act in a manner which is consistent with these rights and can only interfere (in some cases) where there is a legitimate reason to do so. The protection of children is one such reason. For a copy of the Convention see http://www.hrcr.org/docs/Eur_Convention/euroconv.html

UK and SCOTTISH LEGISLATION

Rehabilitation of Offenders Act 1974

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 Act spent convictions, generally, do not have to be disclosed to potential employers unless in a childcare position.

Exclusions and Exceptions (Scotland) Order 2003

There are 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. work with children. This Order lists the positions and professions where there is an exception to the general rule on non-disclosure of convictions.

Data Protection Act 1998

Applies to any information, however obtained and used, which relates to living persons. Covers how such information is to be gathered, stored, processed and protected. All organisations that hold or process personal data must comply.

Police Act 1997

Introduced three levels of disclosure information which are released in the form of Disclosure Certificates from Disclosure Scotland. Also introduced access to criminal records for those who engage or appoint volunteers in positions which bring them in to contact with vulnerable groups.

Age of Legal Capacity (Scotland) Act 1991

Children under 16 do not generally have legal capacity. This act sets out the circumstances in which children are regarded as having legal capacity including the ability to consent to medical treatment.

Commissioner for Children and Young People (Scotland) Act 2003

Scotland's Commissioner for Children and Young People is Kathleen Marshall. It is her job to promote and safeguard the rights of children living in Scotland as set out in UNCRC.

Criminal Procedure (Scotland) Act 1995

Schedule 1 to this Act contains a list of offences against children e.g. abandonment or wilful neglect. Someone who has committed an offence which is listed in this Schedule is often referred to by professionals as a "Schedule 1 offender."

Children (Scotland) Act 1995

The main piece of legislation covering child welfare and protection. Covers the rights and responsibilities of parents, the role of the local authority, the Children's Hearing System and introduced a number of measures for taking action to protect children in an emergency. This Act clearly states that the best interests of the child must always be considered and children should be given an opportunity to have a say on matters which affect them, should they wish to do so.

Criminal Justice (Scotland) Act 2003

Amended the law in Scotland in relation to the physical punishment of children by parents. This Act makes it illegal for parents to hit a child on the head, hit a child with an implement and to shake a child.

Sexual Offences (Amendments) Act 2000

Introduced a new offence of abuse of trust applicable to "positions of trust" which involve looking after children and young people who are in full time education, detained under a court order, looked after in a hospital/children's home or other establishment providing social care or in foster care.

Protection of Children (Scotland) Act 2003

Provides for the creation of the Disqualified from Working with Children List. It will be an offence for an organisation to knowingly appoint a worker (paid and unpaid) who is fully listed in to child care positions (as defined in Schedule 2 of the Act).

The Act also creates a duty on organisations to refer an individual to the list where the individual has harmed a child or placed a child at risk of harm and has been dismissed or moved away from access to children as a consequence, or who would have been dismissed, but who has resigned, retired or was made redundant before the dismissal was completed or left at the end of a temporary contract.

Also creates a duty to remove an individual who is fully listed from a child care position.

Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

Addresses the predatory behaviour of those who “groom” children with the aim of abusing them by introducing a new offence of “grooming”. Enables the police to take preventative action before the child meets the perpetrator. Provides the police and courts with additional powers to apply for and grant, a Risk of Sexual Harm Order on those who are considered to pose a risk to children.

Protection of Vulnerable Groups (Scotland) Act 2007 (“the PVG Act”)

The PVG Act replaces the Disqualified from Working with Children List (“the DWCL”) established under POCSA with the PVG children’s list and makes provision for those individuals already included in DWCL to be migrated onto the PVG children’s list automatically. It also establishes for the first time in Scotland, a list of those who are unsuitable to do regulated work with adults. Individuals convicted on indictment of certain sexual or violent offences are included in those lists automatically. The Act explains how the PVG lists work and the consequences of being listed. It also explains how an individual can appeal against a listing decision or apply to be removed from the lists.

Appendix A

SCHEDULE 1 Relevant offences (extract from The Protection of Vulnerable Groups (Scotland) Act 2007

The offences against children detailed in Schedule 1 are:

An offence falls within this paragraph if it is:

- (a) An offence under section 12 (cruelty to children under 16) of the Children and Young Persons (Scotland) Act 1937 (c. 37),
- (b) An offence under section 15 (causing or allowing children under 16 to be used for begging or procuring alms) of that Act,
- (c) An offence under section 22 (exposing a child under 7 to risk of burning) of that Act,
- (d) An offence under section 33 (causing or allowing children under 17 to participate in performances which endanger life or limb) of that Act,
- (e) An offence under section 52 (taking, distributing, showing, or publishing etc. any indecent photograph or pseudo-photograph of a child) of the Civic Government (Scotland) Act 1982 (c. 45),
- (f) An offence under section 52A (possessing any indecent photograph or pseudo-photograph of a child) of that Act,
- (g) An offence under section 2 (intercourse with a step-child) of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39),
- (h) An offence under section 3 (intercourse of person in position of trust with child under 16) of that Act,
- (i) An offence under section 5 (intercourse with girl under 16) of that Act,
- (j) An offence under section 6 (indecent behaviour towards girl between 12 and 16) of that Act,
- (k) An offence under section 8 (abduction and unlawful detention of unmarried girl under 18) of that Act,
- (l) An offence under section 9 (permitting girl under 16 to use premises for intercourse) of that Act,
- (m) An offence under section 10 (causing or encouraging the seduction of, the prostitution of, unlawful intercourse with or the commission of an indecent assault on a girl under 16) of that Act,
- (n) An offence under section 12 (allowing child who is 4 or over but under 16 to be in a brothel) of that Act,
- (o) An offence under section 13(5)(c) (homosexual acts with a boy under 16) of that Act,
- (p) An offence under section 3 (sexual activity of person in position of trust with child) of the Sexual Offences (Amendment) Act 2000 (c. 44),
- (q) An offence under section 1 (meeting a child following certain preliminary contact) of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9),

- (r) An offence under section 7 (breach of risk of sexual harm order or interim risk of sexual harm order) of that Act,
- (s) An offence under section 9 (paying for sexual services of a child) of that Act,
- (t) An offence under section 10 (causing or inciting provision by child of sexual services or child pornography) of that Act,
- (u) An offence under section 11 (controlling a child providing sexual services or involved in pornography) of that Act,
- (v) An offence under section 12 (arranging or facilitating provision by child of sexual services or child pornography) of that Act.

An individual falls within this paragraph if the individual:

- (a) Commits an offence under section 4(3) (offering or supplying controlled drugs) of the Misuse of Drugs Act 1971 (c. 38) in relation to a child,
- (b) Commits an offence under section 1 (incest) of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39) by having sexual intercourse with a child,
- (c) Commits an offence under section 7 (procuring unlawful intercourse etc.) of that Act in relation to a child,
- (d) Commits an offence under section 11 (trading in prostitution and brothel-keeping) of that Act in relation to a child,
- (e) Commits an offence under section 13(6) (procuring commission of homosexual act between males) of that Act by procuring, or attempting to procure, a child to commit a homosexual act,
- (f) Commits any other offence which caused, or was intended to cause, bodily injury to a child,
- (g) Commits any other offence by engaging in lewd, indecent or libidinous practice or behaviour towards a child.

LEGAL DEFINITIONS OF SEXUAL OFFENCES

SEXUAL ASSAULT

Rape

Common law offence of carnal knowledge of female (sexual intercourse) by a male obtained by overcoming her will. The requirement of 'sexual intercourse' or 'carnal knowledge' is satisfied by any degree of penetration of the woman's vagina by the man's penis. This need not be accompanied by emission of semen. Sexual intercourse with a girl under the age of 12, regardless of whether consent has seemingly been given constitutes rape at common law, as girls under 12 lack legal capacity to consent.

Assault with Intent to Rape or Ravish

This is an aggravated form of common law assault and is distinguished from attempted rape on the basis that the assault is not sufficiently proximate to a completed rape to amount to an attempt.

Indecent Assault

This is a common law assault accompanied by circumstances of indecency. Due to the restricted definition of rape as genital penetration, many sexual assaults which do not involve sexual

intercourse or an intention to have forcible sexual intercourse, will be charged as indecent assault or as a form of shameless indecency. Thus the offence encompasses a wide spectrum of conduct ranging from relatively minor offences which may involve annoyance or embarrassment, to serious offences of sexual aggression.

LEWD AND LIBIDINOUS PRACTICES

Lewd and Libidinous Behaviour towards Children

Common law offence of engaging in lewd, indecent and libidinous practices towards girls or boys under the age of puberty (12 years), regardless of whether or not they consent as they lack the legal capacity to consent. Such practices may include indecent handling of the child; however, there is no need for any physical contact between the parties and the offence may be constituted by engaging in indecent conduct in the presence of a child.

It is a statutory offence under the Criminal Consolidation (Scotland) Act 1995 to engage in lewd, indecent or libidinous practice or behaviour towards a girl over 12 and under 16, regardless of whether consent has been given.

Shameless Indecency

This common law offence covers a broad range of conduct and is recorded in the category of lewd and libidinous practices. The offence may relate to lewd practices with a child and indecent exposure; however it also extends to the sale or display of obscene articles.

Shameless indecency cases may involve sexual relations, an affront to public decency (i.e. indecent exposure), and conduct not only involving an affront to public decency but which is intended, or likely, to deprave and corrupt public morals (i.e. promoting or presenting an indecent display or performance, or selling (or offering or exposing for sale) indecent and obscene material).

Indecent Exposure

This is not a distinct offence in Scots law. It may be recorded as a form of lewd practice, or breach of the peace, or shameless indecency. It is accepted that, in certain circumstances, exposing those parts of the body that are usually concealed is a criminal offence. An act of indecent exposure is in itself criminal in two sets of circumstances; where the exposure is a form of sexual gesture or invitation; and where the exposure is made in a public place but without any sexual overtones, for example, 'streaking'.

OTHER CRIMES OF INDECENCY

Incest

Statutory offence under section 1 to 3 of the Criminal Law (Consolidation) (Scotland) Act 1995. Involves sexual intercourse between people related to each other within forbidden degrees of relationship. Sexual intercourse has the same meaning as in rape. The three groups of forbidden relationships include:

- direct ascendants and descendants - i.e. parent and child, grandparent and grandchild
- persons related in the first degree - i.e. brothers and sisters
- persons so related to one party is descended in the first and once in the second degree from the common ancestor i.e. aunts, uncles, nephews and nieces

Intercourse between step-relations is no longer incestuous. However, it is an offence for a step-parent or former step-parent to have intercourse with a step-child who is either:

- under the age of 21
- or over the age of 21 and has, at any time before becoming 18, lived in the same household and been treated as a child or the step-parent's family

It is also an offence for a person over the age of 16 to have sexual intercourse with a child under the age who is a member of the same household as the accused in relation to whom the accused is in a position of trust or authority.

Sodomy

Common law offence of *unnatural carnal connection between male persons* (anal intercourse). Both parties are guilty of the offence if consensual. Sodomy in private between consenting males of legal age (18) was legalised by the Criminal Justice (Scotland) Act 1980.

Unlawful Sexual Intercourse with a Girl Under 16/Under 13

These two statutory offences are contained in Section 5 of the Criminal Consolidation (Scotland) Act 1995.

Abducting or Unlawful Detention of a Girl Under 18 with Intent

Statutory offence of taking, or causing to be taken, any unmarried girl under the age of 18 years out of the possession, and against the will, of her father or mother, or lawful guardian, with intent that she should have unlawful sexual intercourse with men or a particular man.

Person with Custody or Care of a Girl or Other Parental Responsibility causing her Seduction

Statutory offence of a person having parental responsibility in relation to a girl under 16 years causing or encouraging her:

- seduction or prostitution; or
- having unlawful sexual intercourse with her; or
- indecently assaulting her

Procreation of Homosexual Acts

Statutory offence of committing or procuring or attempting to procure the commission of a homosexual act:

- otherwise than in private; or
- without the consent of both parties to the act; or
- with a man under the age of 18 years.

OFFENCES AGAINST PUBLIC ORDER AND WELFARE

Offences against public order and welfare are not classified as 'Crimes of indecency' in The Scottish Office Home Department classification but may include sexual elements. These are classified within the group 'Miscellaneous Offences' and include the following:

Taking of, or Possession of, Indecent Images of Children

The Civic Government (Scotland) Act 1982, (Ss 52, 52A) makes it an offence to permit to be taken or possess any indecent photograph or a person under the age of 16.

Handling Obscene Material

Section 170 of the Customs and Excise Management Act 1979, in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876, makes it an offence to acquire, possess, carry, remove, deposit, harbour, keep, conceal, or in any way deal with obscene or indecent goods. An indecent or obscene article is defined as of a nature calculated to deprave or corrupt persons open to depraving or corrupting influence. Obscenity in Scots criminal law has so far been confined to sexual obscenity.

Obscene Telephone Calls

The Telecommunications Act 1984 section 43 (1) (a) makes it an offence to send by means of a public telecommunications system a message or other matter that is either grossly offensive, or of indecent, obscene or menacing character.

OTHER

Abduction of a Woman or a Girl with Intent to Rape

This common law offence is recorded, together with other abductions, as a Crime of Violence rather than a Crime of Indecency. It may be committed in respect of a child or an adult; however in the case of a girl over 12 it must be shown to have been non-consensual. This offence can be committed by fraud or force.

THE SEX OFFENDERS ACT 1997

The Sex Offenders Act 1997 requires certain categories of Sex Offenders to notify the Police, in the Force area they reside, of their name and address and any change of name or address (address includes permanent address or any address they may stay for more than 14 days in any year). This notification to the Police can be made by calling personally at a Police Station or in writing.

If a person fails, without reasonable excuse, to comply with a requirement to notify the Police within 14 days he commits an offence contrary to **the Sex Offenders Act 1997 Section 3 (1)(a)**. A *reasonable excuse* could be being in custody, in hospital or out of the country.

If a person notifies to the Police in compliance of a registration requirement, any information he knows to be false, he commits an offence contrary to **the Sex Offenders Act 1997 Section 3 (1)(b)**.

There is no power of arrest for these offences.

In **Part II of the Act, Section 8**, by amending the Criminal Law (Consolidation) (Scotland) Act 1995, will also give United Kingdom jurisdiction to deal with those who commit certain sexual acts against children abroad.

Section 8 inserts a new Section 16B in the Criminal Law (Consolidation) (Scotland) Act 1995.

The effect of this is to provide that a person who does an act which is an offence under the law in force in a country or territory outside the United Kingdom (however that act is described in that law) and which is also a listed sexual offence as defined in subsections (7) and (8) of Section 16B shall constitute that sexual offence under the law of Scotland. These provisions only apply to persons who are on the date of commencement, or have subsequently become, British citizens or resident in the United Kingdom.

In any prosecution under the Act, it will be deemed that the “dual criminality” test (that is to say, the fact that the act is an offence both in the United Kingdom and in the Country where it occurs) is satisfied unless the accused services on the prosecutor to prove that it is satisfied. The Court has discretion to permit the defence to require the prosecutor to prove that the condition is satisfied without the prior service of a notice. In proceedings on indictment, it will be for the judge to decide whether the dual criminality test is satisfied.

SEXUAL OFFENCES (AMENDMENT) ACT 2000

Section 1 of the Act provides that a homosexual act in private shall not be an offence provided that the parties consent and have reached the age of sixteen. The effect of the amendment is to substitute the age of 16 for 18.

Section 2 of the Act also provides that if a person under the age of sixteen commits, or is party to the commission of, a homosexual act with someone above that age then the party under the age of sixteen does not commit an offence.

APPENDIX B: GUIDELINES FOR MANAGING BULLYING

Bullying may be seen as particularly hurtful behaviour usually repeated over a period of time, where it is difficult for those bullied to defend themselves. Bullying can take many forms including:

Physical e.g. hitting, kicking, theft

Verbal (including teasing) e.g. making racist remarks, spreading rumours, threats or name-calling

Emotional e.g. isolating a player from the activities or social acceptance of the peer group

Harassment e.g. using abusive or insulting behaviour in a manner intended to cause alarm or distress

Players may be bullied by adults, their peers and in some cases by their families

Action to Help the Victim(s) and Prevent Bullying:

Take all signs of bullying very seriously.

Encourage all players to speak and share their concerns. Help the victim(s) to speak out and tell the person in charge or someone in authority. Create an open environment.

Take all allegations seriously and take action to ensure the victim(s) is safe. Speak with the victim and the bully(ies) separately.

Reassure the victim(s) that you can be trusted and will help them, although you cannot promise to tell no-one else.

Keep records of what is said i.e. what happened, by whom and when.

Report any concerns to the person in charge at the organisation where the bullying is occurring.

Action towards the Bully(ies):

Talk with the bully(ies), explain the situation and try to get the bully(ies) to understand the consequences of their behaviour.

Seek an apology from the bully to the victim(s).

Inform the bully's parents/guardians.

If appropriate, insist on the return of 'borrowed' items and that the bully(ies) compensates the victim.

Impose sanctions as necessary.

Encourage and support the bully(ies) to change behaviour

Keep a written record of action taken.

APPENDIX C

GUIDELINES FOR OVERNIGHT STAYS

1. Protection Officer for the Trip

The Protection Officer should ensure all practical arrangements have been addressed and act as the main contact for dealing with any concerns about the safety and welfare of children whilst away from home.

A detailed itinerary will be prepared and copies provided to the designated contact for the club, all players and their parents.

2. Risk Assessment

Potential area of risk should be identified at the planning stage through a risk assessment, which is legally required, and which should be recorded in writing. Safeguards should be put in place to manage the risks, where appropriate. Risk assessment should be an on-going process throughout the trip as groups can often find themselves in unexpected situations despite the best laid plans!

3. Travel Arrangements

See Guidelines on Transporting Children. Organisers must ensure there is adequate and relevant insurance cover (including travel and medical insurance). If the trip involves travel abroad, organisers shall ensure they are aware of local guidelines for dealing with concerns about the welfare of children and are familiar with the details of the emergency services in the location of the visit. Players must be informed of local custom regulations.

4. Adult to Child Ratios

All trips away must be planned to involve **a minimum of at least three officials**. The guidelines on adult to child ratios will inform an assessment of the numbers of officials required to safely supervise the group.

Those involved should be recruited and selected in accordance with the procedure for recruiting SYFA Officials.

Officials should be familiar with and agree to abide by the SYFA Player Protection Policy & Guidelines.

5. Accommodation

Organisers should find out as much as possible about the accommodation and the surroundings at the planning stage. Where possible, an initial visit to the venue/accommodation should take place to help those organising the trip identify all practical issues and allow time to address them in advance, in consultation with players and parents where appropriate.

The following is a (non-exhaustive) list of some of the practical things which should be considered in advance about the arrangements for accommodation:

- Location: central and remote locations both present different challenges
- Sleeping arrangements. These will enable suitable sharing in terms of age and gender and appropriately located official's bedrooms for both supervision and ease of access in case of emergency. Parents and players should be consulted in advance about arrangements for sharing where possible and appropriate
- Appropriate safeguards where others have access to the sleeping quarters
- Special access or adaptive aids required by officials or players
- Environmental factors

- Personal safety issues

Exchange Visits/Hosting

Before departure, organisers should ensure there is a shared understanding of the standards expected during home stays between them, host organisation/families, parents and children themselves. These standards should include arrangements for the supervision of players during the visit.

Host families should be appropriately PVG Scheme Checked where possible or equivalent police checks undertaken and references thoroughly checked. Organisers, parents and players should all be provided with a copy of emergency contact numbers.

Player should be aware of who they should talk to if problems arise during the visit. Daily contact should be made with all players to ensure they are safe and well.

Residential at a Facility/Centre

Organisers should ensure the facility is appropriately licensed and has adequate and relevant insurance cover in place. The facility should have a policy on the protection of children and Health and Safety. Adequate security arrangements should be in place and facility staff should have been PVG Scheme checked where appropriate. Facility staff involved in the training or instruction of children must be appropriately qualified and trained.

Organisers should ensure there is adequate supervision of the group for the duration of the stay, particularly when the facility is being shared with other groups.

6. Involving Parents

Where possible, a meeting should be held with parents before departure to share information about the trip, answer their questions and make joint decisions about arrangements where appropriate. A Code of Conduct shall be agreed with players and parents in advance of the trip along with sanctions for unacceptable behaviour.

Parents must complete an SYFA Parental Consent Form. In the event of an emergency at home during the trip, parents should be encouraged to make contact with the officials in the first instance so that arrangements can be put in to place to support the player on hearing any distressing news.

7. During the Trip

Organisers must ensure arrangements are in place for the supervision and risk assessment of activities during free time. Players shall not be allowed to wander alone in unfamiliar places.

Officials should have clear roles and responsibilities for the duration of the trip. They must not be over familiar with or fraternise with children during the trip and remember that they are in a position of trust at all times. The use of alcohol and/or drugs or engaging in sexual relationships (between two young people) should not be condoned during the trip, even if the legislation relating to any of these behaviours is more lenient than in Scotland.

Officials should maintain an overview of the well being of all players during the trip. This can help to identify issues at an early stage and resolve them as quickly as possible. Players can participate in this process by, for example, taking turns to complete a daily diary about the trip. This can be an overt or discreet way for them to communicate things (both positive and negative) that they want you to know.

8. After the Trip

Where appropriate, a debrief will take place with all those involved in the trip, including players. This will provide an opportunity to reflect on what went well, not so well and what could have been done differently. Feedback will be used to inform future trips.

7. USEFUL CONTACTS

David Little, National Secretary SYFA

OR

Hazel Killen, SYFA National Protection Officer

OR

Aisling Hinton, SYFA Protection Officer

Scottish Youth Football Association

Hampden Park

Glasgow

G42 9BF

Tel: 0141 620 4590

Fax: 0141 620 4591

e-mail:

syfa@scottish-football.com

Confidential e-mail:

nationalsecretary@scottish-football.com

Playing it Safe

playingitsafe@scottish-football.com

Child Protection in Sport Service

Children 1st

61 Sussex Street

Glasgow

G41 1DY

0141 418 5674

Child Protection in Sport Unit

www.thecpsu.org.uk

Children 1st

83 Whitehouse Loan

Edinburgh

EH9 1AT

0131 446 2300

www.children1st.org.uk

Childline Scotland

0800 1111 (free)

www.childlinescotland.org.uk

Parentline Scotland

0800 028 2233

Kidscape

08451 205204

National Drug Helpline

0800 77 66 00

Scottish Executive

www.scotland.gov.uk/childprotection

The Samaritans

08457 909090

or

Ask the operator to connect dial 100

Volunteer Development Scotland

01786 479 593

www.vds.org.uk

Scottish Youth Football Association (SYFA) Self-Declaration Form

Private and confidential

It is the policy of the SYFA that ALL applicants to posts that involve contact with players and young people are required to complete a SYFA Self-Declaration Form. Before completing this form, please read the guidance notes, which are included with this form.

Part A: Previous convictions.

To be completed by ALL volunteers seeking membership of the Scottish Youth FA

Have you any conviction(s): **YES/NO** If NO, go to **Part B**, If YES, please give details.

Date(s) of conviction(s):

Court(s) where your conviction(s) were heard:

Type of offence(s):

Sentence(s) received

PLEASE GIVE FULL DESCRIPTION OF OFFENCE. If more than one offence please continue on a separate sheet of paper and attach to this Form.

Cont. over

Please give details of how you completed the sentence(s) imposed, (for example did you pay your fine(s) as required; what conditions were attached to your probation/community service/supervised attendance order(s), did you comply with the requirements of your custodial sentence(s).

Have any other organisations supported you to work through any of the above issues/difficulties?

What have you learned from your experience?

**Part B – Details of any disciplinary action relating to behaviour to children and young people.
To be completed by ALL volunteers seeking membership of the Scottish Youth FA**

Have you been disciplined because of inappropriate behaviour towards a child or young person which may have harmed them or put them at risk of harm? **YES/NO**

If NO, go to **Part C**. If YES, please give details.

Cont. over

Part C: Police Investigations – this should include relevant police non-conviction information.

To be completed by ALL volunteers seeking membership of the Scottish Youth FA

Have you been investigated by the police: **YES/NO**

If NO, go to **Part D**, If YES, please give details.

Date of investigation(s):

Police Division(s) involved:

Details of investigation(s)

Please give details of the reasons and circumstances that led to your investigation(s):

Disposal(s) if known:

Are you, or have you ever been, known to any Social Work Department/Social Services Department as an actual or potential risk to children?

YES/NO

If yes, please provide details

Cont. over

Part D: Protection of Vulnerable Groups (Scotland) Act 2007. Self-Declaration.

Before answering the question below, please read the following notes:

It is an offence for someone placed on the children's list to do regulated work, or attempt to do regulated work, with children.

It is an offence for someone placed on the adults' list to do regulated work, or attempt to do regulated work, with protected adults.

Penalties for individuals doing regulated work when barred

Any individual doing, or attempting to do, work from which they have been barred is committing an offence. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

Penalties for organisations offering regulated work to a barred individual

Organisations that employ barred individuals in regulated work with children or protected adults are committing an offence. It is also an offence for a personnel supplier to offer or supply a barred individual to an organisation. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

To help us ensure we are complying with the Protection of Vulnerable Groups (Scotland) Act 2007, please complete the following declaration.

I _____ [full name in block capitals]

Of [address] _____

confirm that I am not listed under the *Protection of Vulnerable Groups (Scotland) Act 2007*

OR

I am the subject of a referral to Disclosure Scotland under the Protection of Vulnerable Groups (Scotland) Act 2007

I understand that deliberately giving false information can result in prosecution.

Signed _____ **Date** _____

Part E: Declaration

To be completed by ALL volunteers seeking membership of the Scottish Youth FA

I hereby declare and represent that, except for as disclosed above, I have not at any time, whether in the United Kingdom or abroad, been found guilty and sentenced by a court for a criminal offence.

I give my consent to The Scottish Youth FA carrying out a PVG Scheme check and to requesting references for the purposes of verifying the replies given in this declaration, including enquiries of any relevant authority.

I agree to inform The Scottish Youth FA if I am convicted of an offence after I take up any post within the organisation. I understand that failure to do so may lead to the immediate suspension of my work within the Scottish Youth FA and/or the termination of my services.

If I am appointed to a post, I agree to abide by the organisation's Constitution, Code of Conduct and Player Protection Policy and Guidelines.

I agree to abide by the conditions above and certify that the information contained in this form is true and correct to the best of my knowledge. I realise that false information or willful omissions will lead to the immediate suspension of my work within the Scottish Youth FA or the termination of my services.

Signed: _____ **Date:** _____

All officials seeking membership of the SYFA MUST complete an SYFA Self-Declaration Form. A form can be downloaded from the SYFA website.

The SYFA National Protection Panel may instruct officials, at any time, to submit or resubmit a fully completed SYFA Self-Declaration Form

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **YES**, must be sent to the SYFA National Protection Officer at Scottish Youth FA, Hampden Park, Glasgow, G42 9BF within an envelope clearly marked **PRIVATE AND CONFIDENTIAL**. The SYFA National Protection Panel will be the **ONLY** committee to view and/or use this SYFA Self- Declaration Form.

All SYFA Self-Declaration Forms, where the answer to Part A, (have you any convictions), is **NO**, must be sent to the SYFA Clubs Protection Officer and safely stored by the club. These forms should be available for viewing as part of the SYFA Monitoring Programme.

Please note that any information you give in this form will be managed in the strictest confidence and on a need to know basis. Your completed Self-Declaration Form will only be seen by the National Secretary, SYFA National Protection Officer and/or the SYFA National Protection Panel.

Please read these notes before completing the Self-Declaration Form.

The information you give in this Self-Declaration Form will support the information we also obtain from your references and your PVG Scheme certificate. All of these sources of information will help us to make an informed decision about your application for membership.

Who must complete the Self-Declaration Form?

It is the policy of the Scottish Youth FA that **ALL** applicants for membership **MUST** complete a Self-Declaration Form.

The position that you are applying for is also exempt from the *Rehabilitation of Offenders Act 1974* by the *Exclusions and Exceptions (Scotland) Order 2003*. You are therefore advised to declare all convictions including 'spent' convictions.

Which sections of the form must I complete?

As the Scottish Youth FA require a PVG Scheme check you **MUST** complete Parts A, B, C, D and E of this form.

You must also provide identification so that the personal details you provide can be verified. You will be asked to provide identification when completing a PVG Scheme Form.

Who gets to read the Self-Declaration Form?

The Self-Declaration Form should be sent to us in a sealed envelope. Your completed Self-Declaration Form will only be seen by the National Secretary, SYFA National Protection Officer and/or the SYFA National Protection Panel.

What happens to the Self-Declaration Form after a decision has been made on my application?

The Self-Declaration Form and the PVG Scheme Certificate will be retained by the Scottish Youth FA until a decision has been made on your application for membership. This information will not be kept any longer than required before being destroyed. We will not return information unless you request the information to be returned and provide a stamped self address return envelope.

What happens if I do not wish to complete a Self-Declaration Form?

In accordance with our Player Protection Policy **ALL** officials who do not submit a fully completed SYFA Self-Declaration Form will be debarred from membership. All officials who submit a SYFA Self-Declaration Form and provide false information and/or omit information will be debarred from membership.

Will any criminal conviction debar me from membership?

Offences listed under Schedule 1 of the Player Protection Policy will definitely debar any person from membership.

Other offences will not debar people from seeking membership but will need to be referred to the SYFA National Protection Panel for their decision.

**THE SCOTTISH YOUTH FOOTBALL ASSOCIATION
PROTECTION INCIDENT RECORD FORM**

This form must be completed as soon as possible after receiving information that may suggest that a player is at risk or there are concerns regarding possible abuse of a player.

1. Details of person making report

Name	
Position	
Contact telephone No.	
Address	
Postcode	

2. Details of player

Name	
Club Name and Age Group	
Date of birth (if known)	
Address	
Postcode	
Name of parent/guardian or carers	
Address of parent/guardian or carers (if different)	

3. Details of person about whom there is concern

Name	
Position	
Date of Birth	
Address	
Postcode	

4. If you are reporting this alleged incident on behalf of someone else, please provide details of that person

Name	
Position	
Contact telephone No.	
Address	
Postcode	
Date person reported alleged incident	
Any other information that was supplied from this person about the alleged incident (Continue on separate sheet if required)	

5. Details of the alleged incident

Date of alleged incident	
Time	
Place	
Nature of the alleged incident	
Name and address of any further witness	
Continue on a separate piece of paper if required	

Any observations (Continue on separate sheet if required)	
Was the player asked what happened YES NO	
If YES, record all questions asked and the player's response using his/her own words. (Continue on separate sheet if required)	

6. Details of contact with parents/guardians/carers.
Note advice must be sought from the police.

Have the parents/guardians/carers been advised YES NO
If YES, by whom

7. Details of action taken

Detail what action, if any, has been taken, by you, following receipt of this information. (Continue on separate sheet if required)	

8. Details of external agencies contacted

Police

Police station contacted	
Police officer and badge No.	
Contact telephone No.	
Advice received	

9. Other information

Record any other information you have about this matter. (Continue on separate sheet if required)	

Signature

Print Name

Date