PART 4 – PROCEDURES

CONTENTS

Appointment and Selection - Page 2

Responding to Concerns - Page 6

Case Review - Page 19

APPOINTMENT AND SELECTION PROCEDURE

The Club will take all reasonable steps to ensure that its staff and volunteers who are working with children and/or young people in football, have been recruited appropriately and that the individuals work in a way that reflect the Wellbeing and Protection Values – Inclusive, Approachable, Empowering and Accountable.

As part of this process, we aim to select the best possible candidate for the role. For those working in a role which is regulated work with children and young people, the Club will fulfil its legal duty under the Protection of Vulnerable Groups (Scotland) Act 2007 to ensure that individuals who are barred from regulated work with children are not engaged (either paid or unpaid) in regulated work with children and young people within the club.

The following procedure will be completed for all staff and volunteers who will be working in a role which requires them to be in contact with children and young people.

1. Pre-application Information

Individuals who are applying for a position with the Club will be provided with pre-application information for the positions available and will include:

- A role description outlining the roles and responsibilities of the position
- A person specification, stating qualifications or experience of working with children required
- An application form

2. Application Form

Applicants will be requested to complete an application form. The purpose of the application form is to obtain relevant details for the position and referee contact details.

3. Review Applications and Interviews / Recruitment Conversations

The Club will review application forms and consider which applicants to take forward. Successful applicants will be invited to a recruitment conversation, which may take the form of an interview. Interviews or recruitment conversations will then be carried out.

4. Offer of Position

Once a decision has been made to offer appointment, the applicant will be notified either in writing or verbally. The applicant will be given details of the position, any special requirements and any obligations e.g. agreement to the Child Wellbeing and Protection Policy, a probationary period and responsibilities of the role.

The applicant will be sent a Basic Disclosure form to complete and return, unless the role involves regulated work with the Club in which case they will require to be a member of the PVG Scheme.

Regulated work with Children

If the role involves regulated work with children and/or young people a PVG Scheme Membership form and self-declaration form will be sent out for the successful applicant to complete and return for processing.

It is recommended that the offer is formally accepted and agreed to in writing e.g. by the individual signing and dating their agreement on the offer letter and returning it to the Club. The applicant's appointment will only be confirmed when:

- Two references have been received, checked and accepted;
- Self-declaration form has been returned and approved; and
- PVG Scheme Record/Scheme Record Update has been received and accepted.

5. References

References will be sought for all staff and volunteers who, by virtue of their role, will be working with children and/or young people within the Club.

Two references will always be requested and thoroughly checked. Where possible, at least one of these references will be from an employer or a voluntary organisation where the position required working with children and/or young people. References from relatives will not be accepted. If the applicant has no experience of working with children or young people, specific training requirements may be agreed before their appointment commences.

6. Membership of the PVG Scheme

The Club must be registered with Disclosure Scotland or Volunteer Scotland Disclosure Services. All staff and/or volunteers carrying out regulated work with children and young people within the club must be a member of the PVG Scheme for regulated work with children.

Suitability for position

Should the Club receive any information via the self-declaration form and/or PVG scheme record that needs risk assessed, this will be carried out by the Club's Safeguarding Panel.

The Safeguarding Panel will consist of at least three members from the Club, including the Child **Wellbeing and Protection Officer's**, **Community Trusts CEO** and **Project Manager.** This risk assessment considers any criminal conviction(s) or other information that would be considered relevant to the role. The decision of the Safeguarding Panel is by majority. The outcome of the decision with the Safeguarding Panel then contributes to the final decision of the applicant's appointment as mentioned at point 4 above.

Overseas Applicants

Applicants from overseas being appointed to regulated work with children and/or young people within the club are required to join the PVG Scheme. If the applicant is applying for a position of employment they must prove their 'right to work' in the UK and be asked to provide a police check from their relevant country where possible. For further information see https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants.

Where this is not possible, or in addition to the police check, the following information, where relevant to the position, will be requested:

- A statement from the governing body in the country of origin of the applicant and/or the country from which they are transferring in regard to their participation and suitability for the position.
- A statement from the international federation of the sport in regard to their participation and suitability for the position.

7. Induction and Training

Staff and volunteers will receive an induction. This process should include clarification of the expectations, roles and responsibilities of the position and identify any training needs.

Newly appointed staff and volunteers should complete recommended training over an agreed period. This training will include an introduction to Child Wellbeing and Protection Policy. Further training, where the role works directly with children and young people, is then provided.

8. Probation

Newly appointed members of staff will complete an agreed period of probation.

9. Review of ongoing suitability

All members of staff and volunteers will have a performance review on a regular basis. Performances reviews should include an evaluation of progress and identification of training needs.

All individuals in regulated work for the Club will require to complete a self-declaration form on an annual basis and apply for a Scheme Record Update every three years. This ensures we are continually risk assessing members of staff and volunteers to keep children safe.

10. New vetting information

If new vetting information becomes available through a self-declaration form or PVG scheme record updates, this is will be considered through a risk assessment by the Club's Safeguarding Panel. Should any risk be identified, it will then be necessary to follow Responding to Concerns Procedure.

11. Consideration for Children's List or Barred Individuals

If Disclosure Scotland notify the Club that a member of staff or volunteer is being considered for listing, that individual will be suspended as a precaution, until the outcome of the case is determined. Suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension, the best interests of the child will be the primary consideration.

If Disclosure Scotland inform the club that an individual is barred, that member of staff or volunteer will be removed from regulated work with children and/or young people immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007 section 5 duties for organisations.

RESPONDING TO CONCERNS PROCEDURE

RECOGNISE → **RECORD** → **REPORT** → **RESPOND**

In all cases where there are concerns about a child or young person and/or the conduct of an adult which affects, or may affect, a child or young person, the best interests and wellbeing of the child or young person will be the paramount consideration.

The purpose of this Procedure is to safeguard and protect children and young people involved in Scottish football and to respond appropriately to any concerns ensuring they are dealt with in a timely, appropriate and proportionate manner. Following set of published procedures when dealing with concerns helps:

- To avoid those receiving information from engaging in subjective 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

No staff or volunteer in receipt of information that causes concern about a child or young person or the conduct of an adult shall keep that information to themselves, or attempt to deal with the matter on their own. Instead in all cases the following procedure **must** be followed regardless of whether the concerns arise through the adult or child or young person's involvement in football or from outside of football.

REMEMBER:

If you are concerned about the *immediate* safety of the child or young person:

1. **Take whatever action is required to ensure the child's immediate safety.**
2. **Pass the information immediately to the police and seek their advice.**
3. **Report the concern to the club Child Wellbeing and Protection Officer, advising that the matter has been reported to the police**

At any time if you have a concern about the wellbeing of a child or young person, or think you may have a concern, you can contact Child Wellbeing and Protection Officer for advice and support on **07923673775** or at **Email: CWPO@montrosefc.co.uk**

1. EVERYONE'S RESPONSIBILITY

A concern may range from mild verbal bullying to physical or sexual abuse and occur either through football or outside of it, for example in the child's home. All concerns will be responded to by the Child Wellbeing and Protection Officer. If a member of staff or volunteer has a concern it is NOT their responsibility to investigate BUT it is their responsibility to:

- Reassure the person making the report that they have done the right thing in raising the concern
- Listen openly and without judgement
- Record anything that is said
- Report the concern to the club's Child Wellbeing and Protection Officer
- If there is a concern about the immediate safety of the child or young person, take the necessary steps to ensure their safety and contact the police

Everyone has a responsibility to **recognise** a concern, to **record** the concern either on the Concern Recording Form or in email format, and **report** the concern to the Child Wellbeing and Protection Officer.

2. RECOGNISE

Staff and volunteers may become aware of a concern in different ways. For example:

- Direct disclosure by the child or young person.
- Observation of the concern, such as a change in the behaviour, appearance or nature of the child or young person or the conduct of an adult.
- Information that is shared from another individual or organisation e.g. an incident observed by another child or young person or adult and reported to them

All concerns must be reported to the Child Wellbeing and Protection Officer on the day the concern arises or as soon as practically possible thereafter.

What to do if a child or young person discloses abuse

DO:	
• Stay calm – ensure that the child or young person is safe and feels safe • Listen to the child or young person and take what they say seriously. Do not show disbelief. Show and tell them that you are taking what they say seriously	• Avoid projecting your own reactions onto the child or young person • 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-

• Reassure the child or young person that they are not to blame and were right to tell someone • Be aware of interpreting what a child or young person says, especially if they have learning or physical disabilities which affects their ability to communicate or English is not their first language	ended, non-leading questions e.g. What? When? Where? Who? • Do not assume that the experience was bad or painful - it may have been neutral or even pleasurable e.g. the child or young person may think that they are in a consenting relationship with the adult • Do not introduce personal information from either your own experiences or those of other children.
DON'T:	
• Panic • Show shock or distaste • Probe for more information than is offered • Speculate or make assumptions • Rush into actions that may be inappropriate	• Make negative comments about the person against whom the allegation has been made • Approach the individual against whom the allegation has been made • Make promises or agree to keep secrets and give a guarantee of confidentiality

3. RECORD

Record keeping is of critical importance and all information should be recorded in line with the following:

DO:	**DON'T:**
• Make a written record of the information as soon as possible • Make the record factual, accurate and legible • If the concern arises from a disclosure from a child or young record using the child or young person's exact words, where possible • Include dates, times, locations and contexts, if available, in which the concern occurred together with any other relevant information	• Give your personal opinion, unless it is backed up by substantial evidence • Use judgemental language • Write the record in a way that protects the reputation of the Association or the individual who the concern relates to – remain unbiased

Where the child or young person has made a direct disclosure, and when appropriate, it is important that the child or young person understands why we are recording their details. If a child/young person recognises that people can help and support, and that this is the purpose of their details being shared, they will be more included and informed of the processes.

4. REPORT

The Child Wellbeing and Protection Officer can be contacted in a number of ways:

- By telephone on **07923673775**
- By email at **CWPO@montrosefc.co.cuk**

How to report the concern:

- Report the concern as soon as possible. It is recommended that initial contact is made with the Child Wellbeing and Protection Officer by telephone
- Email the completed Concern Recording Form to the Child Wellbeing and Protection Officer, if you are able to do this via secure email

Do not delay in reporting the concern

- By attempting to obtain information to complete all sections of the Concern Recording Form
- By waiting until you can complete the Concern Recording Form
- If you have been unable to contact the Child Wellbeing and Protection Officer by telephone

If you are unable to access a Concern Recording Form, please contact the Child Wellbeing and Protection Officer by telephone or email the information to the above address, if you are able to do so securely, in order to report the concern.

If you are unsure whether the information you have should be a cause for concern advice and support can be sought at any time from the Child Wellbeing and Protection Officer by contacting them for advice and support.

This can be done in a confidential manner anonymising the details of the parties involved.

If the Child Wellbeing and Protection Officer is not available and an immediate response is required the police and social work services must be contacted. They have a statutory responsibility for the protection of children and they may already hold other information about the child or young people. If the information is shared with the police or other agencies, record what information is shared and any

advice given and actions taken. At the earliest opportunity thereafter the Club's Child Wellbeing and Protection Officer should be informed.

Confidentiality

To maintain confidentiality do not keep any electronic, printed or written versions of the information you have provided. The Concern Recording Form should be deleted or destroyed (by means of shredding) as soon as the information has been passed on. The Child Wellbeing and Protection Officer will maintain a copy of the information in a secure and confidential manner.

Support

The Club recognises that voicing concerns, suspicions or allegations of poor practice, misconduct or abuse can cause great concern and stress – particularly if it relates to a colleague, volunteer or child/parent who is known to you. However, sharing information about the wellbeing of a child or young person is paramount in order to prevent the child or young person from suffering harm or further harm. Any member of staff or volunteer whom, in good faith, discloses information related to a concern will receive full support from the club.

Concern about the conduct of the Child Wellbeing and Protection Officer

Where the concern is about the Child Wellbeing and Protection Officer it must be reported to the **Montrose Community Trust Projects Manager** directly. In this situation, the **Montrose Community Trust Projects Manager** will take on the role and responsibilities as listed below of the Child Wellbeing and Protection Officer.

5. RESPOND

The following sets out the steps which will be taken by the Child Wellbeing and Protection Officer after the concern has been reported.

A. The process on receipt of a concern

Once the concern has been reported the Child Wellbeing and Protection Officer will:

- Establish the basic facts and conduct an initial assessment of the facts in order to determine the appropriate course of action. The appropriate course of action may differ depending on whether the concern is about the wellbeing of a child/young person or about the conduct of an adult.
- Decide who should be informed of the concern, this may include the child or young person, their parent/carer, or external agencies.
- Consult external agencies such as the police and social work services for advice at any time, if required. This is important because they may hold other important information which, when considered alongside the current concern, builds a significant picture of concern.

All subsequent actions taken by the Child Wellbeing and Protection Officer shall be recorded, in the order in which they happen, and the records should be signed and dated.

B. Conducting the Initial Assessment

The purpose of the initial assessment is to clarify the nature and context of the concerns. Every situation is unique so guidance cannot be prescriptive.

Where the concern relates to the conduct of an adult, pending the outcome of any investigation, precautionary suspension will be considered in all cases where there is significant concern about the conduct of a member of staff and volunteers towards children and/or young people. For further information on precautionary suspension see section 6 of this Procedure.

In all cases, the initial assessment may involve:

- Speaking to the member of staff or volunteer who raised the concern; and/or
- Speaking to other members of staff or volunteers who may have information related to the concern; and/or
- Speaking to the member of staff or volunteers whose conduct has been reported – this will be subject to the nature and seriousness of the situation and should not be done if the concern suggests that the conduct may be criminal behaviour; and/or
- If the concern involves a named child or young person it may be appropriate to speak to the child or young person. This should never been done in cases where there is a suggestion of criminal conduct without first seeking the advice of the police. If it is appropriate to speak to the child or young person all questions should be basic, open-ended, non-leading and asked *solely with a view to clarifying the basic facts*. When speaking to a child or young person another adult should always be present. It is recommended that this other adult is known to the child or young person and the meeting is pre-arranged so the child or young person will be aware that you are going to speak to them about a concern; and/or

- Speaking to other children and/or young people and/or other individuals to establish the basic facts. As above, all questions should be basic, open-ended, non-leading and asked *solely with a view to clarifying the basic facts*.

Best practice advice

Questioning of children by those conducting an initial assessment should be avoided, if possible. If it is necessary to speak to the child in order to clarify the basic facts, best practice suggests that consent from the parent/carer be obtained unless obtaining that consent may place the child at risk.

Views of the Child

Children and young people have the right to say what they think in all matters affecting them and to have their views taken seriously (Article 12, UNCRC). This must be at the forefront of any concerns that are raised. The nature of the concern will impact on the decision as to whether it is appropriate to discuss the concern directly with the child or young person. The views of the child or young person must be considered based on the age and maturity.

An initial assessment of basic facts may require the need to ask a child or young person some basic, open-ended, non-leading questions solely for with a view to clarifying the basic facts. It may also be necessary to ask similar basic questions of other children and young people, or other appropriate individuals who may have information.

It will not always be appropriate to speak directly with the child or young person about the concern. Advice should be sought from the Child Wellbeing and Protection Officer if there is any uncertainty about the appropriate course of action.

If the information indicates that a criminal offence has been committed against the child or young person it would not be appropriate to ask the child or young person questions about the incident or speak to them directly about the incident(s), unless it is a disclosure directly from the child. Interviewing children and young people about possible abuse or criminal offences is the sole remit of specially trained police officers and social workers.

Where the concern about a child's wellbeing suggests they are in need of protection, the information must be passed on with or without their consent for the purposes of their protection. Allegations of abuse must always be taken seriously. *No member of the Club shall investigate allegations of abuse or decide whether or not a child has been abused.* False allegations are very rare. If a child says or indicates they are being abused or information is obtained which gives concern that a child is being abused, the information must be responded to on the same day in line with this procedure.

Fairness and natural justice

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

- They will be made aware of the nature of concern; and
- They will be given an opportunity to put forward their case; and
- The Club will act in good faith, ensuring the matter is dealt with impartially and as quickly as possible in the circumstances.

C. Concluding the Initial Assessment

Decisions reached on conclusion of the Initial Assessment may differ depending on whether the concern relates to the wellbeing of a child or young person or to the conduct of an adult. Sometimes, the concern may relate to both the wellbeing of a child and the conduct of an adult in which case two sets of conclusions should be reached.

A concern about the wellbeing of a child/young person

At the end of the initial assessment one of the following conclusions should be reached:

- The facts do not substantiate the concern, therefore no further action will be taken
- The concern has been successfully addressed by the child or young person, their parent and/or club staff or volunteers and no further action is needed
- The concern has not been successfully addressed and further support is needed for the child or young person
- Information should be shared with statutory services, for example Police Scotland or the Social Work Department due to the gravity of the concern
- Information should be shared with the child's Named Person, if applicable, for consideration

In all cases consideration should be given support as to what support, if any, is required for the child or young person and whether there is a need to share information with the Scottish FA in terms of a Data Sharing Agreement.

Sharing Concerns with Parents/Carers

The Club is committed to working in partnership with parents/carers whenever there are concerns about a child or young person. Parents/carers have the primary responsibility for the safety and wellbeing of their children. Where concerns are raised about a child or young person this will be considered in line with the wellbeing indicators and *may* be discussed with parents/carers. For example, if a child 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 and the best interests of the child will be considered as to what is the best support them. Children and young people will be asked who they feel is suitable to be informed and when relevant, consent gained from the child or young person.

Where there are concerns that the parents/carers may be responsible for or have knowledge of the abuse, sharing concerns with the parents/carers may place the child or young person at further risk. *In such cases advice must always firstly be sought from the police/social work services or Named Person as to who informs the parents/carers.*

Sharing Information with Police and statutory agencies

Where the concern about a child or young person's wellbeing suggests that they are in need of protection or that a criminal offence has been committed against them the concern must be reported to the police and/or social work services. The police and local authority have a statutory duty of care for all children.

A concern about the conduct of an adult

At the end of the initial assessment one of the following conclusions should be reached:

- The facts do not substantiate the concern, therefore no further action will be taken
- Information supports concern of poor practice
- Information supports concern of serious poor practice and/or misconduct
- Information supports concern of possible criminal behaviour

Initial Assessment Supports concern of poor practice

If the initial assessment supports a concern that the conduct of an adult amounts to poor practice, the Child Wellbeing and Protection Officer will share the findings of the initial assessment with the relevant member of staff at the Club, who has responsibility for the staff or volunteer whose conduct has amounted to poor practice, who will respond in line the Club's procedures.

The Child Wellbeing and Protection Officer will carry out any further investigation, as necessary and take appropriate action depending on the nature and seriousness of the conduct.

Initial Assessment supports concern of poor practice and/or misconduct

If the concern relates to the conduct of a member of staff or volunteer the Child Wellbeing and Protection Officer will share the findings of the initial assessment with the relevant member of staff in the HR Department, if applicable, who will respond in line the club's Disciplinary Procedures, or with the official at the Club who has responsibility for the staff or volunteer whose conducted has amounted to serious poor practice and/or misconduct.

Initial Assessment supports concern of possible criminal behaviour

Where the initial assessment of information gives reasonable cause to suspect an adult's behaviour has been a criminal offence, the Child Wellbeing and Protection Officer will:

- report the concern to the police as soon as possible on the day the information is received, along with supporting information; and
- make a written record of the name of the police officer to whom the concerns were passed together with the crime reference number, time and date of the call, in case any follow up is required; and
- on request, provide the police with a copy of the Concern Recording Form; and
- following the advice of the police, inform the parents/carers of the child involved as soon as possible unless the police advice is not to do this; and
- if appropriate, share the information with the child's Named Person if there is any impact on a child's wellbeing caused by an adult's possible criminal behaviour unless the police advise not to do this.

Advice will firstly be obtained from the police about informing the member of staff or volunteer involved in the concerns. If the advice is to inform them, they will be told that information has been received which may suggest an allegation of abuse or possible criminal offence. As the matter will be *sub judice* (i.e. under judicial consideration) 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 member of staff and volunteer.

The club will take all reasonable steps to support a member of staff or volunteer whom a concern has been raised about, as well as others who may be involved as witnesses.

Possible outcomes include one or more of the following:

- Police investigation – may involve a child protection investigation jointly by police and social work services
- Criminal proceedings
- Civil proceedings (by the child/family who raised the concern)
- Disciplinary Proceedings
- Referral to Disclosure Scotland, where the PVG criteria is met

Referral to Disclosure Scotland under Protection of Vulnerable Groups (Scotland) Act 2007

Depending on the nature of the concern and the action taken by the club, there may be a requirement, in law, to notify Disclosure Scotland. The following will apply where the member of staff or volunteer is in regulated work with the club and a member of the PVG scheme.

Referring to Disclosure Scotland

The Club will refer to Disclosure Scotland the case of any member of staff or volunteer who (whether or not in the course of their role with the club) has:

- harmed a child
- placed a child at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child, or
- given inappropriate medical treatment to a child.

AND as a result the club has taken or would have taken one of the following options:

1. The Club has dismissed the member of staff or volunteer; or

2. The member of staff or volunteer would have been dismissed as a result of the incident had they not resigned, retired or been made redundant; or

3. The Club has transferred the member of staff or volunteer to a position in the club which is not regulated work with children; or

4. The member of staff or volunteer would have been dismissed or considered for dismissal where employment or volunteer role was not due to end at the expiry of a fixed term contract; or

5. The member of staff or volunteer would have been dismissed or considered for dismissal had the contract not expired.

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

- been dismissed by the club; or
- resigned, retired or been made redundant; or
- been transferred to another position in the club which is not regulated work with children.

Information from Disclosure Scotland

If Disclosure Scotland notifies the club that a member of staff or volunteer is being considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Precautionary suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension the best interests and wellbeing of children and young people will be the paramount consideration.

If Disclosure Scotland informs the club that an individual is barred, that member of staff or volunteer will be removed permanently from regulated work with children immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007.

6. PRECAUTIONARY SUSPENSION

Suspension is not a form of disciplinary action. The member of staff involved may be suspended whilst an investigation is carried out. Suspension will be carried out in accordance with the Club's Disciplinary Procedures.

7. CRIMINAL PROCEEDINGS

An ongoing criminal investigation does not necessarily rule out disciplinary action by the club or investigation by the Child Wellbeing and Protection Officer. However, any action taken must not

jeopardise the criminal investigation. Advice must be taken from the police on this. Sufficient information should be available to enable the club to make a decision whether to go ahead with disciplinary action/response under this concerns procedure.

In any event, once criminal proceedings have concluded the Club will consider the matter and the outcomes in line with this procedure.

8. FALSE OR MALICIOUS ALLEGATIONS

In exceptional circumstances where an investigation establishes an allegation or concern raised is false, unfounded or malicious:

- The member of staff and volunteers 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; and
- All records pertaining to the circumstances and investigation shall be kept confidentially; and
- The Club will take all reasonable steps to support the individual in this situation; and
- In these circumstances the Club will review the participation or continued involvement in club activities of the individual who made the false or malicious allegation. If the false or malicious allegation has been made by a child or young person, it will only be appropriate to have a discussion with the child or young person to determine their views and opinions with parental/carer permission; and
- Data collected for the investigation will be destroyed in accordance with the requirements of the Data Protection Act 1998.

9. ALLEGATIONS OF NON-RECENT ABUSE

The Club recognises that sharing personal experience of abuse can be difficult, challenging and sensitive. Therefore 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 procedures will be followed in the event of an allegation of non-recent abuse, including the club's responsibility to refer to Disclosure Scotland.

10. MEDIA

All media enquiries relating to concerns under this procedure must be referred to **Montrose Community Trust CEO Chris Platt**

CASE REVIEW PROCEDURE

1. PURPOSE OF CASE REVIEW

Case reviews take place to establish whether there are lessons to be learned about the ways in which a concern has been investigated and responded to. Reviewing a concern allows the Club to consider:

- How the Responding to Concerns Procedure was implemented; and
- The effectiveness of the Responding to Concerns Procedure; and
- Informing policy and improving practice with regards to wellbeing & protection matters.

2. DECIDING TO CONDUCT A REVIEW

The Club will follow the criteria set out below when considering and establishing a case for review.

1. The harm or risk of harm to a child was high; and/or
2. Views expressed by those involved in the case have raised concern about the way it was handled; and/or
3. There was a clear failure of procedure in handling the case: and/or
4. The case attracted a significant amount of media interest; and/or
5. The case concerned an unusual practice or behaviour; and/or
6. The case took a significantly long period of time to resolve; and/or
7. The Board decides a review is appropriate.

A case deemed eligible for review may be a particular concern or matter or, in some cases, may be cumulative concerns.

From time to time the Club may, internally, take a sample of cases to review to ensure the level of service provided in case management is consistent and to highlight any learning to take forward into future cases.

3. IDENTIFYING WHO UNDERTAKES THE REVIEW

The Club will appoint a case reviewer, this may be internal or external to the club. The case reviewer, whether internal or external, will have expertise in the area of the concern. These skills may differ according to the circumstances of each case and the agreed role of the case reviewer.

External Case Reviewer

The following criteria will be considered when deciding whether the case review should be external to the club.

- Are the recommendations likely to influence and/or change practice across the whole of Scottish football?
- Was the risk of harm to the child high?
- Has the case has attracted a significant amount of media interest?
- Is there a lack of experience and knowledge internally regarding the nature of the case?
- Have the Board expressed a preference towards an external reviewer as being more appropriate?

Where the answer has been **yes** to one or more of the criteria above, there is a presumption that an external case reviewer will be appointed by the club. The club continue to have an overview of the review and will set out clear expectations in respect of timescales (see section below), milestones in the process and deadlines for completion of reports but will not have any input into the findings or recommendation of the review.

Where an external reviewer is commissioned, consideration will be given to any formal contractual arrangements required, appropriate legal advice sought, which agencies will enter into the arrangements (if any) and a contract drawn up covering timescales, fees and confidentiality including data protection.

Internal Case Reviewer

Reviews may also be undertaken internally and a case reviewer will be appointed from within the club. A case will not be reviewed by any individual who had an involvement in the concern or incident, either as a named individual or witness, in the matter of concern.

4. TIMESCALES FOR REVIEW

It is desirable that the case review should be undertaken as speedily as feasible and all cases will aim to be reviewed within an 8 week period from the point the case reviewer has been appointed and received all evidence and correspondence relating to the case.

Timescales will be open to change due to particular circumstances relating to each case. Where an extension is necessary a progress report and explanation for the extension must be submitted for approval to the club's **[insert role]**.

5. FIRST STEPS OF THE REVIEW

After an individual has been identified, the Case Reviewer will give consideration where there may be some outstanding investigations or proceedings that are still ongoing. These considerations will be:

1. Is there a Police and/or social work protection investigation still ongoing?
2. Is there a criminal investigation by the police still ongoing?
3. Are there any related legal proceedings in relation to the case?

If the answer to any of these questions is yes, the review cannot proceed until any of the above has concluded.

6. OTHER CONSIDERATIONS

If the review can proceed, the case reviewer will need to consider how people may feel about the case being reviewed and the possible impact this could have. These reviews are not in place to reopen concerns or reinvestigate them. All evidence and correspondence relating to the concern itself will be considered and only in exceptional circumstances will contact be made with those involved e.g. parents, children and witnesses for opinions or comment.

People may feel anxious about their actions being scrutinised but it should be made clear at the start of the review what it is set out to achieve to relieve any concerns, for example:

"I've been asked by the club to review how the organisation dealt with the concerns about XXXXX. This will consider how procedures were followed and whether appropriate action was taken to protect those involved. I understand that you were involved in this case but I would like to clarify that this review is in place to…"

Throughout the case review, the case reviewer will make a record of the review and its findings. This may not be a lengthy report, although a full report may be appropriate in certain circumstances. Generally, any record of a review should contain the following information:

- The source of the concern.
- The nature of the concern.

- A chronology of events, individuals and organisations involved.
- Action taken.
- An analysis of the key issues or matters linked to the aims of the review.
- Any other relevant points or observations.
- Lessons to be learned and changes to be made.
- Recommendations.

CASE REVIEW PROCEDURE

1. Establish the facts of the case, a chronology of events and the roles of those involved

Setting out the actual sequence of events will help the case reviewer to understand what happened, when, and who was involved; for example:

23 April 2018	Young person discloses physical abuse to their coach during a training session
23 April 2018	Coach reports the matter to Child Wellbeing and Protection Officer
24 April 2018	Advice sought by CWPO from DC Smith at the Family Protection Unit, Police Scotland and the disclosure is reported to the police
25 April 2018	CWPO speaks to coach about any appropriate support for the young person

2. Identify any issues of key questions relation to the aims of the review

The case reviewer should then be able to answer the questions contained in the specific remit of the review. If the case reviewer considers that a child or young person may still be at risk despite action taken during the case or as a result of failure to take appropriate action, they should be prepared to act.

Any urgent issues should be addressed immediately without waiting for the conclusion of the review.

3. Identify any other relevant points or observations

The case reviewer may identify issues which are worth exploring further. These may include:

PROCEDURES	PEOPLE
♦ Were the relevant procedures followed? ♦ If not, is there a reasonable explanation for this? ♦ Were the timescales appropriate?	♦ Were the right people involved? ♦ Were the views of the child/family obtained? ♦ Were those involved aware of the procedures? ♦ Had the people involved been trained?

♦ Do the current procedures provide adequate information about what to do? ♦ If appropriate, was a referral made to Disclosure Scotland as required in law?	♦ Where appropriate, were external organisations involved; for example, the police or governing body of sport?
OUTCOMES ♦ Was the outcome appropriate in the case? ♦ If not, why not? ♦ Is there a need to take further action in this case; for example, referring the case to police/social work? ♦ Were the right people told the right things about the outcome?	**RECORDING** ♦ Were records kept? ♦ Is the quality of the information recorded satisfactory? ♦ Can the forms be improved?

(This list is not exhaustive)

4. Identify any lessons to be learned, changes needed and make recommendations

If the case reviewer has gone through the above table and can identify gaps or missed opportunities then this will inform the case reviewer's recommendations.

Recommendations may include things like changes to procedures, forms and/or the provision of training. It may be helpful for the case reviewer to priorities the recommendations; for example, essential, desirable or helpful.

5. Responding to the Findings and Recommendations

Recommendations will be reported to the club's **Community Trust CEO**

The report should include the recommendations only and not any details about the case, in order to preserve the child or young person's privacy, as well as others involved. The club will consider how to respond to the findings, any recommendations and how to advise/support any others on whose behalf it has conducted the review.

Where recommendations are to be followed, the club will identify:

- the priorities;

- what action is required;
- who will take action to address the recommendations; and
- timescales for completion.

This information must be clearly communicated to those involved.

If it is decided not to follow any recommendations, this decision and the reasons shall be clearly recorded. The **Community Trust CEO** will consider whether this decision requires to be communicated further e.g. the club's Board or any interested parties e.g. persons involved in concern or individual who conducted the case review.

Remember that many of the details of the case will be confidential, so any information shared must be presented in a way that protects the anonymity and privacy of those involved.