

BOWLS SCOTLAND MAKING A REFERRAL POLICY

Introduction

The Protection of Vulnerable groups (Scotland) Act 2007 is in place to make sure unsuitable individuals cannot work or volunteer with children or protected adults. This is referred to as regulated work. There is a requirement for Clubs and Bowls Scotland as an organisation to pass on information to Disclosure Scotland when they identify an unsuitable individual within a club.

Background

The PVG Scheme requires organisations to make referrals to the Protection Unit at Disclosure Scotland in certain circumstances. If The Club/Bowls Scotland permanently remove someone from regulated work, it needs to be decided if the reason(s) that they were removed means Disclosure Scotland need to be informed about what happened. This is called “Making a Referral” and includes circumstances where you would have removed them if, for any reason, they have already left the role.

Disclosure Scotland will then use this information to help them decide if someone remains suitable to continue to undertake regulated work (with children/adults/both) or if they should be removed from regulated work.

When Should Bowls Scotland let the Protection Unit Know What’s Happened?

Bowls Scotland should only make a referral when both Condition 1 and Condition 2 below have been met. Condition 2 is meeting a minimum of 1 of the 5 points.

Condition 1 – A person has been permanently removed/removed themselves from regulated work:

(this includes suspension which requires the person to reapply for their role when the suspension period has ended)

Condition 2 – At least 1 of the following 5 grounds apply to their permanent removal:

- Caused harm to a child or protected adult.
- Placed someone at risk of harm.
- Engaged in inappropriate conduct involving pornography.
- Engaged in inappropriate sexual conduct.
- Given inappropriate medical treatment.

When both conditions have been met, Bowls Scotland **must** let Disclosure Scotland know by making a referral.

Making a referral is not optional. It is a legal requirement to report circumstances where both conditions are met. This should be done within 3 months of the decision being made.

Who Is Responsible for Making the Referral?

When a club carries out disciplinary action and makes the decision to permanently remove someone from regulated work, the club are responsible for making the referral. In these circumstances the club must contact Bowls Scotland (safeguarding@bowlsscotland.com) in the first instance for support.

Where Bowls Scotland takes disciplinary action, which means that they must remove someone from regulated work in a club, Bowls Scotland is responsible for making the referral. Bowls Scotland will communicate with the club as appropriate.

Where there is a historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work with Bowls Scotland but there is a belief, in all probability, that have led to the 2 conditions being met, Bowls Scotland will consider whether a referral is made. The legal responsibility only applies after 28th of February 2011 when the PVG system was first introduced.

Where it is necessary to make a referral, this process will be carried out by the Lead Safeguarding Officer. In their absence, the referral process will be carried out by the Operations Manager. Those who are in a position which may involve carrying out disciplinary action that may result in the removal from regulated work or dismissal of someone in regulated work - must ensure they notify the Lead Safeguarding Officer or, in their absence, the Operations Manager of the legal requirement to make a referral where the conditions above have been met.

Failure to make a referral where required, may result in Bowls Scotland and any clubs involved being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify those responsible when both conditions for making a referral have been met.

Review

This Policy and associated procedures will be regularly reviewed:

- In accordance with changes in legislation and guidance on the protection of children or following any changes within Bowls Scotland.
- Following any issues or concerns raised about the protection of children within Bowls Scotland.
- In all other circumstances, at least every three years.

Questions about this policy should be directed to:

Safeguarding Lead Officer and/or Business Operations Manager, Bowls Scotland