



newton mearns

BAPTIST CHURCH

Child Protection Policy

Version	Review Date	Reviewers	Notes
1	April 2021		
2	April 2024	Alison Watson Rachel Glasgow	Removal of appendices (consent forms now completed electronically) Clarification of 6.5.1 Next review date: April 2027

Newton Mearns Baptist Church

Child Protection Policy

1. Introduction

Newton Mearns Baptist Church is committed to expressing God's love to all people, in all age groups. This document outlines the approach of the church towards working with children and young people, whom we greatly value, and wish to encourage their growth towards mature living, to genuine fellowship, and meaningful service.

We long that each child and young person might come to faith in Christ and aim to offer them good models of faith and discipleship in our lives, and in the church.

In January 2009, meetings of elders and deacons agreed the following policy statement on care and welfare, and approved child protection guidelines for use throughout the life and work of Newton Mearns Baptist Church. **The leadership of the church fully endorse this Policy and it is a requirement of all who work with children, young people and vulnerable adults to read, understand and adhere to this policy. This Policy should be read in conjunction with other policies – First Aid Policy, Health and Safety Policy, Accident and Incident Reporting Policy, Food Hygiene Policy and the General Data Protection Regulations Policy (GDPR).**

Practice will be monitored, progress reported, and policies reviewed annually, or more frequently, if judged appropriate.

2. Policy Statement

As elders and deacons we commit ourselves to the nurturing, protecting, and safekeeping of all people, especially children, young people and vulnerable adults.

References to “children” throughout this document can be deemed to include young people as well. A child is defined as 0-15 years 364 days, and a young person is defined as 16 – 17 years 364 days.

The church meeting endorsed the commitment, recognising that all ministry to, with, and among children is the responsibility of the whole fellowship.

The church recognises the responsibility, especially when children are in our care, to be aware of the possibility of abuse of children, to take measures to prevent such abuse, and to report (in accordance with our reporting policy) any abuse suspected or discovered.

The church is committed to supporting, resourcing, and training those who work with children, and to providing supervision appropriate to levels of contact and responsibility of those so working.

Each leader with children is required to understand and apply the recommendations laid down in this policy statement. A summary and full format is available. All children's leaders will be provided with a copy of the policy and will be required to sign to confirm they are in agreement with it. A copy of this log will be kept in the church safe and destroyed at the end of each academic year, in accordance with GDPR requirements. A copy of this Policy is also available on the church website.

The church will endeavour to make sure that all adults working with children and young people are deemed appropriate to do so. Appropriate recruitment procedures and checks will be utilised to ensure compliance with all current legislation in this regard.

As part of our witness all church leaders and leaders of children's groups will join the Protection of Vulnerable Groups scheme, hereafter 'PVG Scheme', as appropriate to their level of contact with children. If they are already members of this scheme Newton Mearns Baptist Church will conduct an update check. The deacons and elders undertake to ensure that this is fully complied with.

To provide assistance to children, the elders and deacons will appoint children's representatives to be available to listen to children and young people, to offer support and counsel to them. The appointed persons, their names and contact details, will be publicly displayed. The purpose and role of these appointed persons will be regularly explained to children as required.

Bodies and organisations, which do not belong to the church, but are using the church premises, will be required to follow the standards, procedures and practices of the church.

3. Conditions of use of church premises

The church recognises that the primary responsibility for children lies with parents, guardians, or those authorised by parents or guardians, to watch over them. Whenever children are on church premises accompanied by any of the above, the primary responsibility will lie with them. It is the parent/carer's responsibility to inform leaders about any relevant information relating to their child. The church recognises its own responsibility in ensuring that buildings and grounds provide a safe place in which to operate; and that where a child is not in direct contact with parent, guardian, or authorised person, those placed in charge from within the church will operate according to the principles and practice of this Policy Document.

4. Protecting our Children

The church is aware of the reality of child abuse, and seeks to provide a safe environment for all children.

On the other hand, while ready to help wherever abuse is revealed, we do not wish to create an atmosphere among our leaders where they are constantly suspecting the possibility of abuse in some of the children who attend church activities. Neither is it the church's role to investigate. It is important to understand there are professional procedures which guide the actions of the social work department and the police, whose role it is to investigate.

The following acts as a guideline for how the church requires all children's leaders to act.

4.1 Principles

- 1) We recognise abuse may occur in a variety of forms, including: physical, verbal, emotional, and sexual abuse, or through neglect.
- 2) We understand that abuse can occur in any environment; churches are not immune from this.
- 3) It is not always obvious to know when abuse is taking place. The signs of abuse may not be obvious; the abuser might take care to cover his/her tracks.
- 4) Children may find it difficult to voice their concerns about being abused.
- 5) Abuse at home or school may reveal itself in a church environment.

6) Suspicion of abuse or allegations of abuse must be responded to in appropriate ways.

4.2 Roles and Responsibilities

1) Two children's representatives have been appointed by the elders and approved by the deacons and the church meeting. It will be their task to determine how to respond to possible abuse.

2) A children's leader (or other person in the church) who suspects abuse or to whom allegations have been made, will report directly to one or both of the children's representatives.

4.3 If both are unavailable, the leader should consult the pastors or other person appointed for an interim period. The children's representatives must be informed on their return.

4.3 Guidelines for Action

4.3.1 Children's Leaders - 12 Things to remember

A child may come to you alleging that they have been injured, or reveal some injuries which raise suspicion of abuse. The *leader* should remember:

1) DO beware of signs of abuse - unexplained injuries, unusual behaviour (especially with sexual or violent connotations), and extreme or abnormal emotional reactions.

2) When you suspect abuse - **DO** take action. (See all of 4.1, 4.2 and 4.3)

3) DO report to the Children's Representative. The final responsibility lies with them.

4) DO take seriously any allegation of abuse which a child alleges - be sympathetic, calm, non-judgmental and re-assuring.

5) DO make sure the child knows you will take action, but do not promise secrecy. Be aware that he/she may have been threatened.

6) DO NOT investigate the situation personally.

7) DO NOT seek to interview the child.

8) DO NOT consult parents or alleged perpetrator.

9) DO NOT consult with anyone other than laid down by the guidelines of this Policy Booklet.

10) DO NOT mention the matter to other persons working in the Children's Activity, or to any other person (not even a spouse).

11) DO NOT leave specific information on the answer phones of the children's representatives. Instead, make them aware that there is a child protection issue that you need to speak to them about.

12) DO write down what the child/young person says on the Accident & Incident Reporting Form as soon as possible after the conversation. Write down only the information that the child/young person says.

4.4 Considering what action to take

It is important to respond in an appropriate way and the children's representatives have been appointed to advise and guide in this. The following should guide the actions of children's leaders.

- Acute Injury

Seek immediate medical attention. Examples of this may include cuts, bruises or broken limbs incurred at the group itself. **Only** in such circumstances should direct contact with parents be made.

If you think that the injury may not be consistent with the explanation given, then inform the doctor of your concerns. In this situation and all others noted below, contact the children's representatives immediately.

- Non-acute Injury

It is possible that concern may be raised due to bruising, or suspicion of physical neglect or emotional abuse. In such circumstances the children's *leader* should contact the children's representatives and not parents.

- Sexual Abuse

A child may reveal information or evidence to suggest sexual abuse. If a child reveals abuse, this should be recorded quickly and accurately and passed immediately to the children's representatives. Be sympathetic, calm, non-judgmental and reassuring.

Note that non-physical forms of sexual abuse can be very traumatic for children. Examples of this may include one or more of the following characteristics: lack of consent by the child; inequality in age, size or developmental stage; actual or threatened coercion.

4.4.1 The Children's Representatives will:

- 1) Determine how to act in every case.
- 2) Consult each other and one of the pastors.
- 3) Make themselves available for the child to talk with them, and encourage this to take place if deemed appropriate.
- 4) Decide whether or not to inform the parents, social work department or the police child protection unit.
- 5) Act as contact point for concerned parents / carer and relevant others.
- 6) Update person who reported abuse of progress, where appropriate.
- 7) Maintain confidentiality throughout, and require this of other persons involved.

4.5 Additional Information

- 1) Children's representatives might seek the co-operation of parents or guardians in obtaining medical care.
- 2) The children's representative or the medical practitioner may decide it is right to initiate further action, and encourage the parent or guardian to seek the help of the social work department.
- 3) Where parents or guardians are unwilling to cooperate, representatives may determine to contact the social work department, or the police child protection unit.
- 4) We recognise that there may be circumstances where parents / guardians have concerns about our care of their child. This policy will extend to all those involved in such circumstances.
- 5) We should inform parents / carers:
 - i) That we have a policy.
 - ii) The names of the team & their role, alongside the aims of the group.

- iii) That we have children's representatives, with brief information on their role, and how to contact them. This should be posted publicly within the church building.

5. Appointment of Children's Leaders

The elders and deacons will seek to ensure, through the following guidelines, that children's leaders will be of good character and integrity, suitable in person and gift for working with children. It is our desire that those working under the auspices of the church will hold to the Christian faith or be sympathetic to the beliefs and practices of the church.

5.1. General Approach

The church leadership will prayerfully discern suitable volunteers, based on these parameters:

- We will not rely solely on our personal knowledge of any person.
- Names of potential volunteers will be submitted to the church leadership for approval before they are approached to serve.
- We will require all leaders, including those presently serving the church as a children's leader, to comply with the policy.

5.2. Process of Appointment

- 1) Leaders must join the PVG scheme by filling out the necessary paperwork and the check completed prior to taking up an appointment. It is the responsibility of the group leader to ensure this happens for each new leader. If leaders are already members of this scheme, Newton Mearns Baptist Church will conduct an update check. The church is presently insured for working with children and youth only, not vulnerable adults.
- 2) If a leader is not a member of the PVG scheme, self-declaration forms may be completed for 'one-off' events; provided the leader is not in sole charge of the children or young people and is not left alone with them.
- 3) An appropriate person (usually the overall group leader) will undertake the supervisory role of a new leader. The aim is to ensure the suitability of the applicant for the task, to support applicant in the work, and to see if he/she is able to work within the ethos of the activity, and other leaders.
- 4) Review of all appointments will be made as appropriate by the elders or deacons. Appointments will be reviewed regularly.
- 5) It is expected that all children's leaders will attend annual training. Annual Child Protection training is mandatory for all leaders of children's groups.
- 6) Suitable notice should be given when a children's leader intends to relinquish his/her post.
- 7) If a volunteer has to be permanently removed from regulated work it is the church's responsibility to decide if the reason(s) they were removed merits informing Disclosure Scotland. This is called "Making a Referral" (See Appendix 3).
Disclosure Scotland will then use this information to help the church decide if someone remains suitable to continue to do regulated work, or if they should be removed from regulated work.

A referral should only be made when **two conditions** have been met:

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

Condition 2 – At least one of the following five grounds apply to their permanent removal:

- Caused harm
- Placed someone at risk of harm
- Engaged in inappropriate conduct involving pornography
- Engaged in inappropriate sexual conduct
- Given inappropriate medical treatment

When both of these conditions have been met, the church must inform Disclosure Scotland by making a referral. This should be done by those named in Appendix 3. This is a legal responsibility, and distinctly different to the role of the Children’s Representatives, who are appointed to act on behalf of the children and young people. The form for making a referral can be found on Disclosure Scotland’s website, along with instructions for completing the form and the Protection Unit can be contacted on 03000 2000 40.

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

6. Working with Children

6.1. Registration

- 1) Each children's activity must maintain a register for all activities. A registration/consent form, in accordance with GDPR, must be completed for each child attending.
- 2) The registration process will begin with each new annual session, or at the opening of a short-term or special event.
- 3) All children who join the activity throughout the year will undergo the same registration process.
- 4) An attendance record must be documented at each group meeting.
- 5) The registration document contains sensitive information and therefore should be held securely within the church office. In accordance with our GDPR Policy, this information must be destroyed immediately after the event to which it relates is finished.

6.2. Behaviour guidelines

- 1) Good behaviour begins by leaders acting and relating in a well-disciplined manner themselves.
- 2) Good behaviour is best ensured within the context of the example set by the leaders, and of good relationships both between the leaders themselves, and with the children.
- 3) Good discipline requires consistency, both among the leaders who carry this out, and the methods utilised.
- 4) Do not allow manipulation by children of one leader against another.
- 5) Do not concentrate energy on dealing with children who present difficulties, but give much attention to those who are well-behaved.
- 6) No leader should lose his/her temper with a child (or another leader). Any leader under strain should seek the assistance of another leader.
- 7) Physical restraint of a child should not be used, unless there is a risk of harm.

- 8) Always show the child that he/she is cared for. Remember to show them that what you are unhappy with is a particular form of behaviour.
- 9) Seek to deal with disciplinary matters away from main group, but always ensure that you are observable by other leaders.
- 10) It is the leader's responsibility to immediately inform the parents/carers of any child/young person involved in any form of incident. This may also require to be logged on an Accident and Incident Reporting Form, even if no further action is required.

6.3 Bullying Behaviour

- 1) Every child and young person has the right to enjoy their activity or group without experiencing bullying behaviour. Newton Mearns Baptist Church operates a zero tolerance approach to bullying behaviour.
- 2) Bullying behaviour may take the form of physical, verbal, social, emotional, psychological or cyber bullying.
- 3) Leaders have a responsibility to care for the physical, emotional and spiritual well-being and development of each child and young person.
- 4) It is the leader's responsibility to establish boundaries and to ensure the children/young people are aware of who they can talk to if they are experiencing bullying behaviour.
- 5) The Accident and Incident Reporting Form should be completed as soon as possible after an incidence of bullying behaviour has been brought to a leader's attention.

6.4. Physical Contact

- 1) All children are to be treated with respect, care and dignity.
No comment should be made about a child's physical features (even constantly praising one in the company of another can cause hurt).
- 2) Physical contact between leader and child must be **a deliberate action, with a clear and specific purpose**, such as helping the child, ensuring his/her safety, giving instruction, care, or reassurance, or undertaking appropriate first aid.
Contact should be finished as soon as its appropriateness is over. As far as possible, this should be done in the presence of others, or be for a brief period. Repeated contacts must be limited.
- 3) The need of comfort for a child often poses special dangers. In such a case, be sure other leaders or persons can observe what you are doing.
- 4) Try always to be in the company of others. Use best endeavour to ensure you are never in a room alone with a child.
- 5) When taking a child to the toilet try to ensure you do not go on your own. Always take other children (though not too many at a time) and have another leader with you, if possible. The only exception to this relates to preschool children and babies where it may be appropriate to undertake this unattended.
- 6) Respect the child's privacy at all times but be aware of any particular help they might require.
- 7) Do not be in a locked cubicle with a child.
- 8) Where possible, leaders should use a separate toilet from the children.

6.5. Working Out with the Church Premises

6.5.1. When planning an event out with the church premises, the leader should firstly discuss this with the deacon/elder responsible for children/youth. The office should be notified of the details of the event using the form provided in Appendix 2, and a risk assessment carried out by the group leader prior to the event taking place.

6.5.2 Consent

Where an activity is held at a different time or place from normal, the consent of parents or guardians must be sought. Where the activity is residential in nature then the consent form must be completed immediately prior to the activity.

6.5.3 Specialised Activities

Any specialised activities must be properly supervised by appropriately qualified persons. A risk assessment must be carried out by the group leader prior to undertaking the activity. Please ensure that you discuss with the church leadership before proceeding.

If any external agencies are used, it is the leader's responsibility to have recorded evidence of the person's or agency's qualifications.

6.5.4 Insurance

The leader must ensure that proper insurance cover is taken out, if not already covered by the church. The cost of the outing may include this.

6.5.5 Transport

Transport to/from home to scheduled activities is the responsibility of the parents/ guardians, unless otherwise agreed with leaders of activities.

In the latter case, drivers should use best endeavour to ensure they are not alone with a child, and in all cases children must use seat-belts. If being alone with the child is unavoidable, then the child should sit in the back seat. Where appropriate (i.e. <135cm or <twelve years old), a booster seat must be used.

When travelling together as a group to an event, drivers should complete a driver's form (see Appendix 1) and this should be given to the overall group leader in advance.

Use of Hired Vehicles:

- 1) Ensure hire is from reputable company which has the appropriate endorsements.
- 2) If the vehicle supplied seems unroadworthy in some way, do not continue with journey. Make immediate contact with the Hire Company.
- 3) Hire vehicles must be fitted with three-point seat belts suitable for age group. It is the group leader's responsibility to ensure these are used.
- 4) Take great care getting on and off vehicle, and check passenger numbers against registration.
- 5) Take registration forms, consent forms, and first aid provision with you (if you have a qualified first aider).

Private Vehicles:

- 1) Ensure vehicles are properly insured, taxed and roadworthy.
Ask for documentation from all drivers. If any serious doubt, do not use.

- 2) Require all drivers to operate within law, and abide by good driving practice. All drivers must be over 21, with 3 years of driving experience.
- 3) All speed limits must be observed.
- 4) Any driver who is found to be speeding on such outings, should not be used again.
- 5) Seat belts must be worn by all passengers.
- 6) An agreed place for dropping off should be clearly made.
- 7) A proper route should be planned, and clearly printed, with appropriate details of destination and contact numbers.
- 8) Take great care getting on and off vehicle, and check passenger numbers against registration.
- 9) Take registration forms, consent forms, and first aid (if you have a qualified first aider) with you.

6.5.6 Ratio of Workers to Children

In assessing the ratio, we include only those *leaders* who are 18 years or over. Those under 16 will be valued for their role, but will be included as children for the purposes of ratios. Those 16 years – 17 y and 364 days will not be solely responsible for the care of children.

Baptist Union of Great Britain Recommended Minimum Ratios for Outdoor and Indoor Activities.

The following table represents recommended minimum ratios of adults to children. This should be your starting point in calculating appropriate ratios for your groups and activities. If any special factors emerge within your risk assessment, you should increase the recommended ratio in order to ensure the safety of the children and young people. Remember that in calculating the ratios of workers to children you should not include young leaders who are under the age of 18 among your number of adult workers.

Age Range	Recommended Minimum Ratio for INDOOR Activities	Recommended Minimum Ratio for OUTDOOR Activities
0 – 2 years	1:3 (minimum 2)	1:3 (minimum 2)
3 years	1:4 (minimum 2)	1:4 (minimum 2)
4 - 7 years	1:8 (minimum 2)	1:6 (minimum 2)
8 - 12 years	2 adults for up to 20 children (preferably one of each gender) with an extra adult for every 10 additional children.	2 adults for up to 15 children (preferably one of each gender) with an extra adult for every 10 additional children.
13 years and over	2 adults for up to 20 children (preferably one of each gender) with an extra adult for every 10 additional children.	2 adults for up to 20 children (preferably one of each gender) with an extra adult for every 10 additional children.

Where pre-school or primary school aged children are involved, two leaders must be operating with each separate group.

Where secondary school aged children are involved, the above ratios must be followed. If the leader meets with eight or fewer children on his/her own it must be in a public facility or in a home where a parent, guardian or other adult person is present.

6.6 Other Contact

Group leaders making contact with children out with the normal activity session must ensure that they take appropriate precautions in relation to their own safety, and in terms of child protection.

6.6.1 Use of on-line Resources

Where the use of on-line resources such as chat rooms and other social networking tools are deemed to be an appropriate extension to the normal working of the activity of a group they must be official NMBC groups which a number of the NMBC leadership have oversight of. The following steps must be taken:

- Parents must be informed in writing of the planned contact prior to its use;
- Email or instant messaging should only be used with the written consent of parents;
- The contact should be discussed with the church leadership;
- Photographs and video clips of children may be published on the NMBC website, or other on-line resource, such as Facebook and Twitter, only in accordance with NMBC's GDPR policy and the specific consent of parents/guardians and children/young people.
- Children's leaders should not make contact with any individual child or young person who they have got to know through that activity through any social networking site. This includes the adding of children as contacts in Facebook and other social media. If a child contacts a leader through this route, it is the individual responsibility of the leader to decline.
- Within church groups, we would encourage face to face interaction, and would discourage the use of mobile devices during a group activity.

6.6.2 Mobile Phones

Leaders should not exchange mobile phone numbers to communicate with children. Any exception to this should be discussed with the church leadership.

6.6.3 Individual Contact

Individual leaders should never meet with children unaccompanied. In the context of "detached youth work", leaders should work in pairs at all times.

Remember that, as a leader, you may find yourself in vulnerable situations, especially regarding private/ instant messaging/ email. If a child/young person initiates contact which requires a factual response a leader may wish to respond by email, always copying another leader, as well as the parent/carer, into the email. If it is an urgent query, the leader may wish to phone the child's/young person's home and ask to speak to their parent/carer. It is the church's desire to be protective of leaders and any concerns a leader has should be raised with the leadership as soon as possible.

7. Health & Safety

The church has a health and safety policy, which is regularly reviewed, covering all aspects of our work in any of our buildings, and of these buildings themselves. Leaders of children's groups should familiarise themselves with this policy, which is available via the church website.

7.1. Accidents and Injury

The church has a first aid policy available via the church website. All leaders of children's groups should familiarise themselves with this policy.

Additionally, the points below are particular to children's groups and should be adhered to.

1) The Church will ensure that first aid boxes are available within church premises and the locations of these known and accessible to all children's leaders. If these are not available, children's leaders must ensure a kit is made available, and report the absence of first aid boxes to the church.

2) All accidents, including children or leaders, no matter how trivial, must be recorded on an Accident and Incident Reporting Form, even if no further action is required.

3) Written permission must be received beforehand from parents (or guardians) to enable leaders to take a child to hospital, in the event of an emergency. This must include consent for medical intervention as appropriate.

Every attempt shall be made to contact parents (or guardians), in the event of an emergency requiring hospitalisation.

4) In the event of transporting a child to hospital or home because of injury or illness, another person must accompany the driver.

5) Parents must be informed of all injuries. Immediate contact should be made with parents (or guardians) in the event of serious situations.

Out with church premises, children's leaders are responsible for ensuring basic first aid provision and a first aider is present. An excursion first aid kit will be available for use.

Medical information regarding children can be found securely in the church office and must be available whenever the group meets.

Name.....Date of Birth.....

Address.....

Post Code.....Telephone.....

Driving Licence No.....Date of passing test.....

Please give details of any motoring offences/convictions that are not spent or any that are pending (date and nature) and details of current endorsements.

(You are required to notify us of any offences which occur after the completion of this form).

Declaration

I am over 21 years of age and have at least 3 years of driving experience.

I have completed section A to the best of my knowledge.

I understand that even if I meet the conditions above I may only transport children/young people/ team members only at the discretion of the team leader.

I will observe the driving conditions, being particularly careful to adhere to the legal speed limits at all times.

In using my motor vehicle for a NMBC children's/youth event, I confirm that I have comprehensive motor cover and I confirm that I am covered for business or voluntary usage.

Signed.....

Date.....

In accordance with our Data Protection policy, once completed, we confirm that this form will be held securely and then shredded immediately after the event to which it relates. The information which it contains will be used purely for the effective and safe running of the activities listed nor will it be passed to any person other than in the interests of appropriate disclosure to the leaders of the activities with which your child is involved.



Children’s and Youth Activities Out of Church Event Form

Appendix 2

In order for us to approve your event and for the leadership to be aware that something is taking place outwith the church building should an emergency situation arise during the event, we require to know the following information prior to the event taking place. Please complete the form below and return it to the designated member of the leadership team and church office (office@newtonmearnsbaptist.org.uk) not later than 24 hours before the event.

Name of Group	
Name of Leader in Charge	
Mobile Number of Leader in Charge	
Date of Event	
Start Time	
Finish Time	
Venue Details	
Method of Transport to Venue	
Please provide a brief description of the event	

Please provide a list of names and emergency contact numbers for all the children/young people and team members who will be attending the event. Please leave a copy of this form with a nominated person who could make contact with the leadership in the event of an emergency. If an emergency situation should arise during your event please contact one of the leadership team or pastors immediately.

Name	Emergency Contact Number	Name	Emergency Contact Number
Name of Nominated Person:		Contact Number:	

In accordance with our Data Protection policy, once completed, we confirm that this form will be held securely and then shredded immediately after the event to which it relates. The information which it contains will be used purely for the effective and safe running of the activities listed nor will it be passed to any person other than in the interests of appropriate disclosure to the leaders of the activities with which your child is involved.



Referrals Policy of Newton Mearns Baptist Church

Appendix 3

This policy is relevant to all those involved in making recruitment/disciplinary decisions in our organisation.

When a volunteer or member of staff is permanently removed from a regulated work position, there are certain circumstances where our organisation must notify the Protection Unit at Disclosure Scotland that this has happened. This is called "Making a Referral". If we would have permanently removed the individual, the actions detailed in this policy will continue to apply (even if a member of staff, or volunteer, leaves their regulated work position prior to any action being taken, irrespective of the reason that they leave).

Two conditions must be met before we let Disclosure Scotland know that something has happened.

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

Condition 2 – At least one of the following five grounds apply:

- 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 of these conditions have been met, it is a legal requirement that we inform Disclosure Scotland by making a referral within three months of the permanent removal of the individual. This is a legal requirement, and distinctly different to the role of the Children's Representatives, who are appointed to act on behalf of the children and young people. Disclosure Scotland stipulate referrals be made by two designated individuals. They are identified in this appendix as Rachel Glasgow and Jo Ratter.

Where there is an historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work with us but which we believe would, in all probability, have led to the two conditions being met, we will consider whether we want to make a referral but the legal responsibility applies only after 28 February 2011 when PVG was first introduced.

Where it is necessary to make a referral, this process will be carried out by Rachel Glasgow. In her absence, the referral process will be carried out by Jo Ratter. Those who are in a position which may involve carrying out disciplinary action which may result in the removal from regulated work or dismissal of someone in regulated work must ensure they notify Rachel Glasgow or, in her absence, Jo Ratter, 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 our organisation being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify Rachel Glasgow or Jo Ratter when both conditions for making a referral have been met. This is a legal responsibility, and distinctly different to the role of the Children's Representatives, who are appointed to act on behalf of the children and young people.