



Adult Wellbeing and Protection Guidance for the Protection of Adults

Based on guidance from:



Introduction

This pack is a collection of good practice guidelines and templates that CGS uses to help promote adult wellbeing and protection to keep them safe in sport. It is regularly reviewed and incorporates any new and updated wellbeing and protection guidance and legislation. In sport, an adult is defined as someone over the age of 18.

To ensure a safe environment for adults CGS advocates that all sections of this pack are implemented whether using existing CGS policies or the templates provided.

This pack outlines CGS commitment to protecting adults and encompasses an Adult Wellbeing and Protection Policy. A separate Adult Wellbeing and Protection Policy is available. A separate Wellbeing and Protection Guidance for Children and Young People is also available covering members under the age of 18.

The pack is written to safeguard and protect all adults who work, volunteer, participate and perform in our sport while also providing support and guidance to safeguard those who are more vulnerable within our membership. It provides guidance and support for staff and volunteers working with adults in sport and any member of staff or volunteer taking on the role of Wellbeing and Protection Officer (WPO). It should be read in conjunction with other relevant policies and procedures.

Throughout this guidance we will refer to the sports, volunteers and staff. By this we mean anyone involved in the delivery of sport or the Commonwealth Games for example paid or unpaid staff including coaches, support personnel, parent helpers, team officials etc.

Further Support

Further guidance and support is available from the CGS Wellbeing and Protection Officer and the Children First – Case Management Support Service.

If you have an immediate and serious concern about the safety of an adult, contact the Police and/or social work protection team. The Police can be contacted on: 101 (non-emergencies), 999 (emergencies) or <https://www.scotland.police.uk/secureforms/contact/>. **Contact details of social work can be found on the relevant local authority website.**

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Wellbeing & Protection Policy Statement

CGS is committed to safeguard and protect all adults who work, volunteer, participate and perform in our sport while also providing support and guidance to safeguard those who are more vulnerable within our membership. We are committed to ensure they are able to participate in an enjoyable and safe environment which promotes wellbeing and protects them from harm, poor practice, exploitation, bullying and abuse. While this policy provides for all adult participants it is acknowledged that there are certain groups within our adult participants that are more at risk of harm. CGS's adult wellbeing and protection policy statement, related procedures and guidance are adopted at the highest level by the CGS Board. A clear statement of intent will be issued so that everyone understands CGS's position on promoting the wellbeing and protection of adults involved in its activities. A separate Wellbeing & Protection Policy for Children & Young People is also available covering members under the age of 18. Please see the current CGS Adults Wellbeing and Protection Policy Statement ([found here](#)).

CGS is fully committed to a rights-based approach within our sports. To that end we recognise and implement the general principles of the UN Convention on Human Rights and the UN Convention on the Rights of Persons with Disabilities. Our Wellbeing & Protection Policy also takes into account principles from the Adult Support (Scotland) Act 2007. Staff and volunteers will work together to embrace difference and diversity and respect the rights of all persons within our sports.

Key Principles

- The wellbeing and dignity of all adults is the primary concern.
- All adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm, poor practice, exploitation, bullying and abuse including: Age; Disability; Gender reassignment; Race; Religion and belief; Pregnancy and maternity; Marriage and civil partnership; Sex and Sexual orientation (Equalities Act, 2010)
- All adults and particularly adults at risk have the right to express views on all matters which affect them, should they wish to do so.
- Safeguarding and adult protection is everyone's responsibility.
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.
- Staff and volunteers working with adults, particularly adults at risk are provided with opportunities for education and training to ensure best practice becomes the norm.
- Working in partnership with adults at risk and their families/carers is essential for the promotion of an inclusive, safe and enjoyable environment.

Clear Roles & Responsibilities

CGS has appointed a Wellbeing and Protection Officer (WPO) and another person who can support the WPO and deputise in their absence. The WPO is the main point of contact and makes it easy for everyone to know who to go to if they need:

- Support
- Advice
- Training
- To report a concern

The WPO, with the support of the CGS Board, will 'champion' good practice and make sure policies and procedures are put in place. Contact details and the role of the WPO should be widely and easily accessible and understood by the sports, volunteers/staff, children, young people and parents/carers. During periods when the WPO is unavailable it must be clear who the designated deputy for wellbeing and protection is in their absence.

Please see **Appendix 1** for Job Description of Wellbeing and Protection Officer.

Monitoring & Review

This policy and these procedures will be regularly monitored and reviewed, with a full review being carried out every 3 years. This policy and procedures will also be reviewed in the following circumstances:

- In accordance with changes in legislation.
- Changes in CGS or its governance.
- Following any issues or concerns raised about the protection of adults within CGS.
- On advice from Safeguarding in Sport/sportscotland/ Scottish Disability Sport/ Children First etc.

This policy will be monitored by:

- Keeping records of cases brought and their outcomes.
- Accepting comments on the ease of implementation and effect of the policy.
- At least once per year the Board will receive a report which details any changes required to the policy and a summary of cases managed.

Safe Recruitment

A well-run safe recruitment process is part of CGS's commitment to putting the protection and wellbeing of adults. Many jobs are done by volunteers who have been recruited formally or informally. CGS has a legal and moral responsibility to ensure that the person appointed is suitable. The checklist in **Appendix 2** gives essential steps to make sure CGS meets its duty.

Explained

CGS has a legal duty, under the Protection of Vulnerable Groups (Scotland) 2007 Act and Disclosure (Scotland) 2020 Act, to make sure that those who are authorised to work or volunteer on behalf of CGS are not on the Barred List. The Barred List is a list of individuals who have been barred from working with children and/or protected adults by Disclosure Scotland. The lists are separate, although people can be on both lists.

The person(s) in CGS who are responsible for making the decisions about appointments and for managing the sports, volunteers and staff should be clearly identified. The CGS Wellbeing and Protection Officer will play an important advisory role in relation to appointments to work with protected adults. It is worth pointing out at this stage that it is a common misunderstanding that CGS will be contacted by Disclosure Scotland in the event of any new information becoming available about a PVG Scheme Member. This is not the case. CGS will only be

informed by Disclosure Scotland if any relevant new information becomes available about a member of the sports, volunteers or staff. For example, CGS will be contacted if the individual is being considered for listing because they have received a conviction for harming a child or protected adult, but they will not be contacted if the PVG Scheme Member receives a dangerous driving conviction. This should be borne in mind if using employees/volunteers for transporting adults to events. In this case a PVG update should be undertaken annually.

When a PVG Scheme Member leaves.

If a PVG Scheme member is no longer in a regulated role with protected adults on behalf of CGS, Disclosure Scotland should be notified. Should a member of the sports, volunteers or staff not be in contact for three months or more, CGS will inform Disclosure Scotland that the individual is no longer in a regulated role with protected adults.

Existing PVG Scheme Members

If the person appointed to a position of regulated work is already a PVG scheme member, a 'Scheme Record Update' from Disclosure Scotland will be requested. This will register CGS's connection to and interest in this person and provide you with any relevant updated information since the application was made.

References

CGS will always request and check 2 references. At least one reference should be from a role that involved working with children or protected adults. References from relatives are not acceptable. These can be verbal or written. Record verbal references - who the reference was from and what was said.

Induction & Training

When a new post holder starts at CGS the Wellbeing and Protection Officer should:

- Agree what training is required for all those working with adults at risk
- Explain the adult wellbeing and protection policy and procedures, including the Codes of Conduct
- Get written agreement to abide by Adult Wellbeing and Protection policies and the Codes of Conduct for working with adults.

Trial period

It is recommended that CGS and any new members of the sports, volunteers or staff agree a trial period to make sure that the role is a good fit for both.

Monitoring and Performance review

CGS should monitor the performance of the individual doing regulated work. This gives an opportunity to check on progress and address any problems or concerns.

See **Appendix 3** for information on PVG which may be useful for CGS to share with people who CGS are considering carrying out regulated work with protected adults.

Codes of Conduct for Working with Adults

A code of conduct for working with adults is used to make clear:

- What behaviour is acceptable and unacceptable.
- The standards of practice expected when working and volunteering on behalf of CGS.
- The basis for challenging and improving practise.

Everyone working on behalf of CGS signs up to CGS code of conduct. Members of the sports, volunteers and staff must be clear about the expectations on them when involved in activities. Children, young people, adults and the parents/carers involved in activities should also be clear about what they can expect from the adults working with them.

CGS believes the sports, volunteers and staff, children, young people and parents/carers, support and understand codes of conduct best when they are involved in drawing them up and have the opportunity to discuss regularly what is acceptable and unacceptable behaviour. This will be done in preparation for a Games.

Concerns about breach of the code of conduct should be taken seriously and responded to in line with the complaints policy, disciplinary procedure and/or procedures for responding to concerns.

Code of conduct for parents/carers

Adults, adults at risk and their parents/carers should also be clear about the expectations placed upon them.

CGS believes it is beneficial to discuss this in their group/team and to agree what the consequences of breaking these rules should be. This will be done in preparation for a Games.

Further guidance and support is available from:

CGS Wellbeing & Protection Officer:

T: 07766 602368

E: safeguarding@teamsotland.scot

Children First Child Wellbeing and Protection in Sport Service:

T: 0141 419 1156

E: cwps@childrenfirst.org.uk

W: www.childrenfirst.org.uk

See **Appendix 4** for Template Code of Conduct for Athlete (+18).

Safe In Sport – Good Practice Guidelines

CGS has a duty of care towards all adults involved in its activities. Although it is not possible to give guidance for all possible circumstances, the Good Practice Guidelines are based on best practice and cover some of the most common situations.

First Aid & the Treatment of Injuries

CGS volunteers/staff involved in an event or activity require to be made aware of any pre-existing medical conditions, or medicines being taken by participants or existing injuries and treatment required. Adult participants are responsible for making this relevant medical information known.

The following guidelines should be followed:

- Have an accessible and well-resourced first aid kit and a working telephone whilst at the venue.
- Where possible, access to medical advice and/or assistance should be made available.
- Where possible, access to a defibrillator should be made available.
- Only those with a current, recognised First Aid qualification should treat injuries.
- Good sense or sport specific guidance should be used to determine which injuries are significant.
- The circumstances of any accidents that occur should be recorded and reviewed to avoid it happening again.

The above covers CGS events and activities, with the exception of Commonwealth Games time (Games or Youth Games) when Team Scotland's procedures and policies will be followed including the athlete signing the agreed Team Member Agreement and completing a medical questionnaire for review by our medical team.

Physical Contact

Any necessary physical contact during sport sessions should respect and be sensitive to the needs and wishes of the person and should take place in a culture of dignity and respect, to be adhered within the guidelines, laws and specifications of the respective sport.

People should be encouraged to speak out if they feel uncomfortable.

Demonstrating a Technique

In the first instance, techniques should be delivered by demonstration (either by the coach or an athlete who can display the technique safely).

If physical contact is necessary, for example to provide support, this should be clearly explained to the person in advance and they should be given the chance to opt out. Physical support should be provided openly and must always be proportionate to the circumstances.

Procedure for the use of Photographs, Film or Video

For adults who work, volunteer, participate and perform in our sport, written consent must be obtained from the person (or carers if necessary) before any photography or filming takes place.

Management Of Photography

Reasonable steps must be taken to promote the safe use of photography and filming at events and activities. It is not possible to prevent individuals photographing or filming in public places, but CGS does have the right to prohibit the use of photography, film or video at its own events or activities at a private venue.

Where photography or filming is permitted, (and consent has been granted), the following guidelines should be followed:

- Put a system in place to allow easy tracking of photographers and their equipment. For example, use a badge or sticker to identify those with permission to photograph or film.
- People must never be portrayed in a demeaning, tasteless or a provocative manner. People should never be shown in a state of partial undress, other than when depicting an action shot within the context of the sport. Attire such as tracksuits or t-shirts may be more appropriate.
- Decisions about publishing images should reflect the best interests of the person and should consider whether they might place the person at risk. Special care must be taken in relation to vulnerable adults.
- All negatives, copies of videos and digital images will be stored in a secure place. These will not be kept under the security and control of CGS for any longer than is necessary having regard to the purposes for which they were taken.

Concerns

Anyone behaving in a way which could reasonably be viewed as inappropriate in relation to filming or photographing should be reported to the CGS WPO or the Police.

Communication Technology & Social Media

Communication technology and social media developments advance extremely quickly, meaning ways in which we communicate and receive and absorb information are changing all the time. This provides a great opportunity for CGS to promote their activities and communicate easily with members. But it can also put people at considerable risk, which is why safeguards must be put in place.

The following guidelines should be met in order to safeguard all parties when communicating using texting/social media:

- All communications from CGS should be open, transparent and appropriate.
- Messages should only be sent to communicate details of meeting points, training, match details, competition results etc. The same message should be sent to every member of the group/team.
- It should always be clear that it is CGS who is communicating information – one-to-one messaging arrangements between sports, team staff and athletes should be strongly discouraged and safeguards should be in place and settings adjusted to prevent this happening.
- Messages should never contain any offensive, abusive or inappropriate language. They should not be open to misinterpretation.
- Carers should be offered the option to be copied into any messages that will be sent if it's seen as being appropriate.
- Consent to communicate via technology/social media should be sought directly.

- All concerns about the inappropriate use of technology and social media will be dealt with in line with the Procedure for Responding to Concerns. This may include the concerns being reported to police.
- All phone numbers/email addresses should be recorded and kept securely in a locked cabinet or password-protected electronic file or database under the security and control of CGS.
- The number of people with access to people's details should be kept to a practical minimum. A record should be kept of their numbers/addresses by the CGS WPO.

Use of Images & Information

- Information published on the websites/social networking sites must never include personal information that could identify a person e.g. home address, email address, telephone number. All contact must be directed to CGS.
- Information about specific events or meetings e.g. coaching sessions must not be distributed to any individuals other than to those directly concerned.

What to do if there is a Wellbeing or Protection Concern

A complaint, concern or allegation may come from a number of sources: the adult, one of their friends, their coach, a family member, a carer or someone else within the organisation. It may involve the behaviour of an employee or an internal or external volunteer, or something that has happened to the adult outside the sport e.g. at home or in the community. Adults may confide in volunteers/staff they trust, in a place where they feel safe.

Responsibilities

A report/concern may range from mild verbal bullying to physical or sexual abuse. If you are concerned that an adult may be at risk of harm, it is NOT your responsibility to investigate further BUT it is your responsibility to:

- Reassure the person making the report they have done the right thing in raising a concern
- Listen openly without judgment
- Record anything that is said
- Report it to the CGS WPO and appropriate statutory authorities

Responding to a Direct Disclosure

See **Appendix 6** for a flowchart for responding to a wellbeing or protection concern.

Respond

Disclosures need to be handled sensitively to avoid causing further distress to the adult. Common sense is advised in these situations to protect the adults rights and the best interests of the person will be considered as to what is the best support for each individual person. They will be asked who they feel is suitable to be informed and consent should be gained, unless immediate actions is required due to personal risk.

Good practice:

- React calmly so the adult feels safe.
- Consider what requirements the adult may need to communicate effectively (e.g. do they have an additional support need, is English their first language etc.).
- Reassure the adult they are not to blame and were right to tell someone.
- Avoid asking too many 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 e.g. Who? What? Where? When? (never why)
- It's important to explain to the adult who you may need to share information with and why. Don't promise to keep information to yourself.
- Do not introduce personal information from either your own experiences or those of other adults.
- The safety of the individual is paramount. If the adult who the wellbeing concern has been raised about needs urgent medical attention, then call an ambulance, inform the doctor of the concern and ensure they are made aware that it is potentially linked to abuse.
- Pass on the information to the CGS Wellbeing and Protection Officer/or social work services or the police without delay
- Keep a record of the information, which may need to be passed to Police or Social Work. (Concern Recording Form **Appendix 5**). Secure online storage is available on SharePoint, through CGS and all relevant information relating to abuse must be kept indefinitely in line with recent legislation.

Avoid:

- Panicking.
- Making promises that can't be kept.
- Showing shock or distaste.
- Probing for more information than is offered.
- Speculating or making assumptions.

- Approach the individual against whom the allegation has been made.
- Making negative comments about the person against whom the allegation has been made.

Record

Make a written record of the wellbeing concern as soon as possible using the Concern Recording Form (**Appendix 5**), completing as much of the form as possible. This should be stored securely, in line with CGS policy and GDPR requirements, and shared with WPO. You are recording this information for:

- Yourself, so you have a record of what happened.
- The WPO or other designated safeguarding person, who will coordinate any action that needs to be taken.
- The Police/Social Services if appropriate.

It is not appropriate to share sensitive and confidential information with other people, e.g.:

- Committees
- Other acquaintances
- Any information relating to adult protection should be held under secure conditions and made available on a need-to-know basis only.

When recording information on the incident form you should:

- Confine yourself to the facts – what have you seen/observed, heard or had reported to you
- Distinguish between what is your own personal knowledge and what you have been told by other people
- Not include your own opinions on the matter. Be clear where you are giving either your own or others' interpretation of events and the reasons for this (e.g. context, individuals' response to challenge)

Report

All wellbeing concerns should be reported to the CGS Wellbeing and Protection Officer as soon as possible. The WPO may escalate the concern to police/social work if this is considered appropriate. For advice and guidance when/if the CGS WPO is unavailable, or when an immediate response is required, contact the police and social work services directly. All advice should be recorded and shared with the CGS WPO at the earliest opportunity. The CGS WPO will get consent from the adult subject to the wellbeing concern (and/or carers if they are an adult at risk) to liaise with the WPO for the relevant SGB of which the adult at risk is a member, to agree the most appropriate party to liaise with carers. The CGS WPO and the SGB WPO should agree on the following:

- if information should be shared with any other organisations. Should this be deemed necessary, this would be agreed with the adult at risk and their carers first.
- any action or support that may be required for the adult at risk, whether from the SGB directly or through an external organisation, e.g. signposting to GP or counsellor.
- persons responsible within the SGB and timescales for agreed actions.

Monitoring

The SGB should monitor the adult subject of the wellbeing concern for ongoing wellbeing, and provide updated information to CGS as deemed appropriate, in line with GDPR and the partnership agreement.

What to do if there is a Disclosure of Historical Allegations of Abuse

Allegations of abuse may be disclosed a time after the event e.g. an adult who was abused as a child by someone who was (or still is) involved in their life.

If somebody raises a child/adult protection concern in relation to a staff member/coach/volunteer who is currently working then you should follow the 'What to do if there is a Wellbeing Concern' procedures in this policy.

If it is a historical allegation then follow the same 'What to do if there is a Wellbeing Concern' procedure within the policy, record the information shared using the Concern Recording Form **Appendix 5**, then signpost the individual to Police Scotland (they can phone 101).

If you have a concern about a child's or adult's immediate safety then this should be passed onto the Police or Social Work and after the child/adult has been secured and is safe, record and report as normal.

For advice and guidance when/if the CGS WPO is unavailable, or when an immediate response is required, contact the police and social work services directly. Record any advice.

Sharing Concerns with Parents/Carers

Where there are concerns that the parents/carers may be responsible for, or have knowledge of, the abuse sharing concerns with the parents/carers may place the adult at further risk. In such cases advice must always firstly be sought from the Police or social work services as to when and who should inform the parents/carers.

Further guidance and support is available from the Wellbeing & Protection Officer at CGS. Key considerations are if the PSOC is still involved in sport, has access to children in sport and/or if in fact they have children. Consent from the adult must be considered and sought, with the caveat of a need to assess wider risks whilst ensuring appropriate, careful explanation and support to the adult should this need to be referred to Police/social work.

T: 07766 602368

E: safeguarding@teamsotland.scot

Children First Child Wellbeing and Protection in Sport Service:

T: 0141 419 1156

E: cwps@childrenfirst.org.uk

W: www.childrenfirst.org.uk

What to do if there is a Protection Concern

Appendix 6 shows a flowchart of this procedure.

These procedures aim to ensure that all concerns are dealt with in a timely, appropriate and proportionate manner. No one in receipt of information shall keep that information to themselves or attempt to deal with the matter on their own.

At any point in responding to concerns, advice may be sought from the police or social work services.

If CGS is notified that a member of staff is under consideration for listing by Disclosure Scotland, a precautionary suspension should be put in place pending the outcome. A suspension is not a form of disciplinary action.

Initial Reporting of Wellbeing and Protection Concerns

Any concerns for the wellbeing of an adult must be reported to the CGS Wellbeing and Protection Officer (WPO) on the day the concern arises, as soon as practically possible.

Where the concern is about the CGS Wellbeing and Protection Officer, concerns should be reported to the Chief Executive /Chair of the Board or similar senior figure at CGS.

Report

Advise the CGS Wellbeing and Protection Officer as quickly as possible. This should not be delayed by gathering information to complete all sections of the form. The information in the form will help the CGS WPO to decide what action to take next.

For advice and guidance when/if the CGS WPO is unavailable, or when an immediate response is required, contact the WPO's designated deputy.

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

Establish the Basic Facts

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

- Establish the basic facts.
- Conduct an initial assessment of the facts in order to determine the appropriate course of action, to be able to make a full risk assessment.
- 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.

Conduct an Initial Assessment

The purpose of the initial assessment is to clarify the nature and context of the concerns. It should determine if the conduct was inappropriate behaviour, serious poor practice/misconduct or whether there is reasonable cause to suspect that the behaviour and conduct has been criminal.

- Every situation is unique so guidance cannot be prescriptive.
- Where the established facts support a concern of criminal behaviour, 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/volunteer may be approached as

part of the information gathering process. Careful consideration on the timing of when to approach the PSOC will be taken and if it is necessary to approach them to gather information. This will be dependent on if there will be an independent investigation re breach of Codes of Conduct and aligned to the disciplinary process. Then the approach may be to impose sanctions, such as precautionary suspension.

- Where the nature and seriousness of the information suggests that a criminal offence may have been committed, or that to assess the facts may jeopardise evidence, advice will be sought from the police before they are approached.
- An initial assessment of the basic facts may require the need to ask 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 appropriate individuals.

Interviewing about possible abuse and criminal offences is the sole remit of specially trained police officers and social workers. Questioning by those conducting an initial assessment should always be avoided as far as possible.

Record

Make a written record of the information as soon as possible using the Concern Recording Form, (**Appendix 5**) completing as much of the form as possible. You are recording this information for:

- Yourself, so you have a record of what happened.
- The WPO or other designated safeguarding person, who will coordinate any action that needs to be taken.
- The Police/Social Services if appropriate.

It is not appropriate to share sensitive and confidential information with other people, e.g.:

- Committees.
- Other acquaintances.
- Any information relating to adult protection should be held under secure conditions and made available on a need-to-know basis only.

When recording information on the incident form you should:

- Confine yourself to the facts – what have you seen/observed, heard or had reported to you.
- Distinguish between what is your own personal knowledge and what you have been told by other people.
- Not include your own opinions on the matter. Be clear where you are giving either your own or others' interpretation of events and the reasons for this (e.g. context, individuals' response to challenge).

Possible outcomes of initial assessment:

- (i) No further action (facts do not substantiate complaint).
- (ii) Situation is dealt with under CGS Disciplinary Procedures.
- (iii) Adult Protection investigation (jointly by police and social work services).
- (iv) Criminal investigation (by the police). The results of a criminal investigation may well influence the disciplinary investigation, but not in all cases.
- (v) Civil proceedings (by those who raised the concern).

Initial assessment supports concerns about poor practice and/or misconduct

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

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

the circumstances. Careful consideration on the timing of when to approach the PSOC will be taken and if it is necessary to approach them to gather information. This will be dependent on if there will be an independent investigation re breach of Codes of Conduct and aligned to the disciplinary process. Then the approach may be to impose sanctions, such as precautionary suspension.

Any impact on an adult's wellbeing caused by poor practice/or misconduct will be managed under CGS's disciplinary policy. Pending the outcome of an investigation, precautionary suspension will be considered in all cases where there is a significant concern about conduct towards an adult.

Where the circumstances meet the referral criteria set out in the Protection of Vulnerable Groups (Scotland) Act 2007, CGS has a legal duty to make a referral to Disclosure Scotland. For assistance and advice please contact CGS

T: 07766 602368

E: safeguarding@teamsotland.scot

Initial assessment supports concerns about possible criminal behaviour

If the initial assessment gives reasonable cause to suspect a person's behaviour has been a criminal offence, the CGS Wellbeing and Protection Officer (WPO) will report the concerns to the police as soon as possible on the day the information is received. The Police can be contacted on: 101 (non-emergencies), 999 (emergencies) or <https://www.scotland.police.uk/secureforms/contact/>.

Referrals to the police will be confirmed in writing by the CGS WPO within 24 hours. A copy of the Concern Recording Form will be provided to the police on request.

Appropriate steps will be taken to ensure the safety of those who may be at risk. Advice will firstly be obtained from the police about informing those 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 towards them. 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 adult.

Precautionary Suspension

In line with CGS's disciplinary policy the person accused of a criminal offence must be suspended whilst an investigation is carried out. They will be informed in writing of the reason for the suspension. Suspension is not a form of disciplinary action.

Any disciplinary action taken must not jeopardise an ongoing criminal investigation. The police should be asked for advice. The initial assessment will not form part of the disciplinary investigation.

Media

All media enquiries relating to the conduct of a CGS volunteers/staff should be referred to the CGS's nominated representative – e.g. Head of Marketing and Communications/Chief Executive. It is advisable to seek support from the CGS Wellbeing and Protection Officer.

Any serious breach of the code of conduct should be dealt with under CGS's disciplinary procedure. Where abuse is alleged or suspected the matter must be handed over to the police for investigation.

Making a Referral to the Barred List

When disciplinary action is taken against someone in a regulated role as a result of harmful behaviour towards protected adults, CGS has a legal duty to refer the member of staff/volunteer to Disclosure Scotland so that consideration can be given to whether that individual should be barred from any kind of regulated work with children/young people and/or protected adults.

A referral must be made if the member of staff/volunteer:

- Has been dismissed.
- Would have been dismissed as a result of the incident had they not resigned, retired or been made redundant.
- Has been transferred to a position that is not regulated work with children/young people or protected adults.
- 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,
- Would have been dismissed or considered for dismissal had the contract not expired.

It is an offence NOT to refer an individual when the criteria have been met. For detailed guidance on this see <https://www.disclosurescotland.co.uk/protectionservices/referralprocess.htm> and contact safeguarding@teamsotland.scot

Case Review

Reviewing how wellbeing and protection concerns have been managed is an important part of good practice and risk management. It provides an opportunity to identify specific areas of risk, trends or patterns, identify learning and to:

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

CGS should conduct a review

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

Appendix 7 is a Case Review Matrix & Planning Template.

In all matters of Welfare and Protection, please contact the CGS Wellbeing & Protection Officer for advice and guidance on 07766 602368 or safeguarding@teamsotland.scot

Protecting Adults

Wellbeing and protection concerns, poor practice and abuse can occur in many situations, at home and within the sporting environment. We know that some individuals will actively seek access to adults through sport in order to harm them.

Harm: Harm is defined as all harmful conduct:

- a. Wellbeing concerns
- b. Poor practice
- c. Abuse

Wellbeing and Protection Concerns

Wellbeing concerns definition:

A wellbeing concern is if an adult's wellbeing, is – or is at risk of – being adversely affected in any matter, some examples are:

- **Negative Discrimination (including racism):**

Adults may experience harassment or negative discrimination because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs. Although not in itself a category of abuse, it may be necessary for the purposes of the Adult Protection Policy for negative discriminatory behaviour to be categorised as emotional abuse.

- **Abuse of Position of Trust:**

A relationship of trust can be described as one in which one party is in a position of power or influence over another by virtue of their position – such as a coach, staff member, sports officials or other appointed volunteer. A genuine relationship can start between two people within a relationship of trust, however it is important to recognise that relationships where an unequal power dynamic exists can become exploitative and lead to abuse.

- **Abuse of Trust:**

Abusive Practice – Where a person is indoctrinated with attitudes to training, drugs and cheating, or social, political and religious views (radicalisation) which are unacceptable to the community or rules of the sport.

- **Abuse of trust and sexual activity:**

Any sexual activity, which is not freely consenting, is criminal. The sexual activity covered by abuse of trust may be ostensibly consensual but rendered unacceptable because of the relative positions of the parties concerned. It is acknowledged that in some situations a shared attraction may develop between two people within a relationship of trust. In such circumstances, it is essential that the individual who holds the position of trust behaves in an open manner, makes the CGS Wellbeing & Protection Officer aware of the situation, and resigns from this position of trust if the parties involved wish the relationship to develop beyond the existing professional one. This will ensure that the previous power differential is not a factor in any future relationship. It is the responsibility of the person in the position of trust to ensure that his or her conduct is fully in line with the Adult Wellbeing and Protection Policy and any other relevant policy.

Conduct on sexual activity between individuals in a relationship of trust aims to:

- Protect the individual from an unequal and potentially damaging relationship
- Protect the person in a position of trust by preventing him/her from entering into such a relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable

Poor Practice

Poor Practice Definition:

Poor practice includes any behaviour that contravenes the Adult Wellbeing and Protection Policy or any procedures and guidelines that accompany it or any behaviour that does not respect an adult's rights, an adult at risk's rights or that of their carers/ family/support workers. This is behaviour that falls short of abuse but is still considered unacceptable.

The following definitions set out common areas within sport where poor practice can occur:

- Breaches of the CGS Adult Wellbeing & Protection Policy and Procedure
- Practices that may be carried out with the best intentions but fall into a category of behaviours that are used by people who sexually abuse or 'groom' adults/adults at risk

Abuse

Abuse Definition:

Abuse and neglect are forms of maltreatment of an adult. Somebody may abuse or neglect an adult by inflicting, or by failing to act to prevent, significant harm to the adult. Abuse is a violation of an individual's human and civil rights by a person or persons. Adults may be abused in a family or in an institutional setting by those known to them or, more rarely, by a stranger.

This definition includes placing an adult at risk through something a person has done to them or something a person is failing to do for them.

I. Emotional Abuse

This could include: threats of harm, being left alone, humiliation, intimidation, causing distress, verbal abuse, bullying, blaming, constant criticism, controlling, depriving contact with others

Examples of Emotional Abuse in Sport:

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

Signs that may raise concerns about emotional abuse include:

- Low self-esteem.
- Extremes of passivity or aggression.
- Significant decline in concentration.
- Indiscriminate friendliness and neediness.
- Self-harm or mutilation.

II. Physical Abuse

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

An important indicator of physical abuse is where 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. It is possible that some injuries may have occurred for other reasons e.g. skin disorders, rare bone diseases.

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 or injuries.
- Administering, condoning or failure to intervene in drug use.

III. Neglect

This could include: failure to provide medical or physical care, access to a doctor or other services, or denying someone medication, food or heating, privacy or dignity, self-neglect.

Examples of Physical Neglect in Sport

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

IV. Sexual Abuse

This includes any sexual activity that a person doesn't understand or want, photographing, sexual harassment, voyeurism, exhibitionism and/or grooming.

Examples of Sexual Abuse in Sport

- Exposure to sexually explicit inappropriate language or jokes.
- Inappropriate touching.
- Fear of medical examinations.
- Genital odour, venereal /sexually transmitted diseases.
- Itchiness, soreness, discharge, unexplained bleeding from the rectum, vagina or penis.
- Abnormal sexual drawings.
- "Grooming" including over the internet.

V. Financial

This could include: stealing, fraud, pressure to hand over or sign over property or money, misuse of property or welfare benefits, or stopping someone getting their money or possessions.

VI. Information

This could include: withholding information or advice about rights or entitlements.

VII. Discrimination

This could include: because of age, colour, disability, gender, race, religion, cultural background or sexual orientation.

VIII. Institutional

This could include: isolated or persistent and frequent ill treatment, poor or unsatisfactory professional practice, or gross misconduct, perpetrated by an individual or number of individuals within environments where any adult, including adults at risk, would receive professional 'care'.

These categories are not mutually exclusive, for example, an adult experiencing physical abuse will undoubtedly be experiencing emotional abuse as well. The definitions show the different ways in which abuse may be experienced by an adult but are not exhaustive, as the individual circumstances of abuse will vary from adult to adult.

Bullying

Bullying is identified as a form of psychological abuse and can be experienced by any adult when someone abuses their position of authority or relationship of trust or between adult members within a sport – you do not have to be an adult at risk to experience this form of abuse. 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. CGS recognises that bullying is something which may be more frequently experienced by adults at risk and therefore have a Bullying and Harassment Policy to ensure that bullying is not tolerated and does not persist.

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, criminality or humiliation.
- Emotional e.g. isolating 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 that may raise concerns about bullying include:

- Hesitation or reluctance to come to attend training or activity.
- Reluctance to go to certain places or work with a certain individual.
- Bruising or other injuries.
- Becoming nervous and withdrawn.
- Clothing or personal possessions go missing or get damaged.
- Suddenly prone to lashing out at people, either physically or verbally, when normally quiet.

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 them and what they regard as offensive.

Adults may experience harassment or negative discrimination because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs.

Identifying Adult Abuse

Although some of the physical and behavioural signs listed below may be symptomatic of abuse, they may not always be an indicator and, on the contrary, adults experiencing abuse may not show any of these signs.

There are various indicators that an adult may be suffering from abuse, a list of general signs are shown below: (Please note that the list is not complete)

- Unexplained or unusual injuries.
- A delay in seeking treatment for injuries or illness.
- Sudden increase in confusion.
- Unexplained deterioration of health or appearance.
- People being anxious or afraid.
- Misuse of medication, e.g. not giving medicines properly.
- Unexplained changes of behaviour, e.g. becoming anxious and withdrawn, fear of another person.
- Pressure by family or professional(s) to have someone moved into or taken out of care.
- Hostile or unkind behaviour by a person.
- Unexplained debt, not paying bills for services.
- Not having their basic needs met, such as adequate food or heating.
- Not being provided with adequate information about their rights or entitlements, or being misinformed.
- Prejudicial actions or remarks to the adult at risk about age, gender, disability, race, colour, sexual or religious orientation.
- Another person using the adult's possessions, bank account or property without his or her informed consent.
- The adult at risk not receiving appropriate care, which would protect them from harm; adult abuse is often difficult to recognise.

It's not the responsibility of anyone involved in sport to determine whether or not an adult has been abused, that is the role of trained professionals. We all however have a duty to act on any concerns about abuse.

All definitions taken from the Scottish Government's information sheet: 'Adult Support and Protection: Ensuring Support and Preventing Harm'.

Adults who are deaf, disabled or have a learning disability

Adults who have a physical or learning disability are more vulnerable to abuse because:

- They are often dependent on a number of people for care and handling, some of which may be of an intimate nature.
- They may be unable to understand the inappropriate actions or unable to communicate to others that something is wrong.
- Signs of abuse can be misinterpreted as a symptom of their disability.
- Like other adults, they are fearful of the consequences of disclosing abuse.
- Attitudes and assumptions that adults with disabilities are not abused.
- They may be unable to resist abuse due to physical impairment.
- They are worried about negative attitudes towards adults with disabilities.
- The individual needs support with personal care (certain personal care needs may present more opportunities for abuse).
- They are depended on by someone else.
- There may have been a change in lifestyle which has resulted in unemployment, employment or illness.
- They are emotionally or socially isolated.
- There is an absence of local support networks.
- There is alcohol/substance misuse present (either by the adult at risk or someone else around them).
- They are financially dependent on another individual.
- There are communication, speech and language differences.

Volunteers/staff should be aware of the additional vulnerabilities that may affect adults at risk and be mindful of this when working with them.

What can CGS do?

Strategies and solutions do not come in 'one size fits all'. Each case is unique and requires an individual assessment and response to the individual situation. What might work in one situation might not work in another. You might have to adopt different strategies before finding one that is effective. **Appendix 8** lists the relevant legislation.