

1.0 INTRODUCTION

- 1.1 Child Protection in Scotland is “Everyone’s Responsibility”, and under the principles set out by the Scottish Government, under the GIRFEC principles (Getting it Right for Every Child), organisations such as Registered Social Landlords have a corporate responsibility to do everything they can to ensure the safety and wellbeing of children.
- 1.2 GIRFEC requires that all services for children and young people – including social work, health, education, police, housing and third sector services – adapt and streamline their systems and practices so that, where necessary, they can work together better to support children and young people.
- 1.3 This policy outlines a code of practice, which will safeguard the welfare of children and young people within SBHA’s activities, projects, and general care. The main principle of this policy is to act as a set of guidelines for our teams and volunteers who have any contact with children and young people.
- 1.4 SBHA, alongside all other agencies, professional bodies and services which work with children and their families, have a responsibility to recognise and actively consider potential risks to a child, irrespective of whether the child or parent is their ‘client’ or the principle reason for the contact with the child and/or family.
- 1.5 SBHA will identify and consider the child’s needs, share information and concerns with other agencies and work collaboratively with other services (as well as with the child and their family) to improve outcomes.
- 1.6 SBHA believe it is therefore vital that SBHA team members are well trained and knowledgeable in identifying the responsibilities and roles played not just by themselves but by all other agencies who may be involved. An awareness and appreciation of the role of others is essential for effective collaboration between organisations, professional bodies and the public.

2.0 CHILD PROTECTION PROCEDURES IN THE SCOTTISH BORDERS

- 2.1 In the Scottish Borders the Public Protection Committee has responsibility for child protection matters in the Scottish Borders and their procedures can be found on the following link: -

<http://www.sb-cpc-procedures.org.uk/contents/>

It is suggested that any person who may come into contact with children keeps a note of this link and is aware of how to access the information.

3.0 DUTY OF CARE

- 3.1 SBHA has a corporate duty of care towards all children and young people who receive a service across the Scottish Borders. Any concerns about a child or young person must be reported immediately.
- 3.2 The public also have a right to expect that SBHA employees and volunteers who run activities for children and young people will not abuse their positions of trust and cause physical, sexual or emotional harm to those in their care.

3.3 Furthermore this duty of care extends to SBHA ensuring that stringent and robust procedures are in place so teams are fully trained and equipped to work with young people and report any concerns they may have in any case.

4.0 ROLES AND RESPONSIBILITIES

4.1 SBHA leaders have a responsibility to supervise casework giving clear guidance to team members on individual cases.

4.2 SBHA leaders must be aware of the emotional state of team members and its volunteers; and ensure that they feel supported in carrying out their everyday duties especially when dealing with cases with child protection issues.

4.3 SBHA leaders, teams and volunteers must use team-meetings and supervision as various means of discussing problems and issues of child protection.

4.4 All SBHA team members have a responsibility to disclosure of any information relating to the protection of children from harm.

5.0 DEFINITION OF A CHILD

5.1 For the purposes of this policy a child is defined as anyone under 16 years of age.

5.2 16- to 18-year-olds: Young people aged 16 to 18 years are sometimes classified as children in Scotland. In terms of the Children (Scotland) Act 1995, a 16- to 18-year-old will be regarded as a child if he/she is subject to a supervision requirement through a Children's Hearing.

5.3 However, for the purposes of Part V of the Police Act 1997 a child is defined as anyone under the age of 18 years.

6.0 YOUNG PEOPLE/ADULTS AT RISK

6.1 The term Adult at Risk refers to any person aged 16 or over whom for the time being is unable to safeguard his/her own welfare or properly manage his/her financial affairs, and is in one or more of the following categories: -

- A person in need of care and attention by reason of either infirmity or the effects of ageing;
- A person suffering from an illness or mental disorder; and
- A person substantially handicapped by a disability.

6.2 Young Persons at Risk may also be in need of health, social or housing support services and may be unable to take care of themselves or unable to protect themselves from harm or exploitation. Several studies suggest that children and vulnerable young people are at increased risk of abuse. Various factors contribute to this such as stereotyping, prejudice, discrimination, isolation, an inability to protect themselves or adequately communicate or even understand that abuse has occurred.

6.3 All SBHA team members have a responsibility in reporting abuse in this and any other age-group.

7.0 DISCOVERY OR DISCLOSURE OF SUSPECTED ABUSE

7.1 SBHA team members have a legal duty and responsibility to take action if they have grounds for suspecting abuse is taking place.

7.2 Abuse may be in many different forms:

- Physical;
- Emotional;
- Sexual; and
- Neglect.

7.3 Concern first and foremost must be for the child. SBHA team members and volunteers may feel caught between their responsibilities to the parent and the child. However, the worker's duty must be with the child. It should be noted that involvement with the family may not be primarily about the welfare of the children in the household but become evident when you engage with them due to circumstances e.g., rent arrears, neighbour disputes, domestic abuse issues, antisocial behaviour, repairs, etc.

7.4 In any situation where child abuse is suspected, SBHA team members shall tell their line manager immediately AND inform Social Work at whichever locality the child resides. Within the Scottish Borders area, the numbers for Social Work are: -

- Scottish Borders Council's Public Protection Team 01896 662787
- Scottish Borders Council main switchboard 0300 100 1800
- Duty Service Out of hours: 01896 752111

The Police can also be contacted via the 999 system.

8.0 DISCLOSURE OF INFORMATION

8.1 All SBHA team members must understand there is **NO BAR** to the disclosure of any information relating to the protection of children from harm. There are **NO RESTRICTIONS** about passing on information under the: -

- Data Protection Act;
- Human Rights Legislation;
- or any other legislation.

8.2 The Scottish Borders Child Protection Committee (CPC) encourages **all** information to be passed on as it may only be one vital piece of the whole picture.

You don't have to be sure

Don't think...what if I'm wrong

THINK...WHAT IF I'M RIGHT

9.0 PLANNING FOR ACTIVITIES AND PROJECTS

9.1 Before any activity is planned SBHA team members will make sure that a risk assessment is carried out and that people are clear on their roles and responsibilities, so the following factors are considered:

- If the activity is going to be carried out by children/young people;
- SBHA team member/child ratio required and availability of team members;
- If the activity is the sole activity at the time within the building;
- The age groups of children involved and any special needs requirements;

- The skills and experience of SBHA team members including PVG scheme registration; and
- The general health and safety requirements of the project.

10.0 TEAM TRAINING AND DEVELOPMENT

10.1 It is important all SBHA team members and volunteers who work with children and young people have access to and attend relevant training and development on child protection. It is the responsibility of Team Leaders and line managers to ensure guidelines are understood and training needs are met.

11.0 SBC CHILD PROTECTION COMMITTEE TRAINING GROUP

11.1 The Scottish Borders Public Protection Committee Training and Development Delivery Group is responsible for ascertaining local training needs, ensuring that appropriate training is provided and taking a strategic overview of multi-agency training to promote effective practice in safeguarding and promoting the welfare of children.

11.2 This training is an extremely valuable resource for SBHA teams and ensures all agencies involved such as SBHA, SBC, NHS Borders and the Scottish Police Force work to the same guidelines and a collaborative framework is adhered to.

11.3 SBHA will ensure that all relevant team members attend the appropriate level of training session and attend refresher courses every 2-3 years to ensure ongoing awareness and knowledge on Child Protection issues.

11.4 Information on child protection training courses is available on the Child Protection Committee website at <http://www.sb-cpc-procedures.org.uk/contents/>

12.0 RECRUITMENT AND SELECTION

12.1 ___When recruiting new team members, a basic DBS (Disclosure and Barring Service) check must be requested for all front-line team members and volunteers who will be working in environments where there could be children and/or protected adults. This will be done via Disclosure Scotland, which is registered to undertake these checks.

13.0 PROTECTING VULNERABLE GROUPS SCHEME (PVG SCHEME)

13.1 The Disclosure (Scotland) Act 2020 introduced 'regulated roles', which define whether membership of the PVG schedule is required for a particular role. From 1 April 2025, registering under the schedule became a legal requirement for anyone carrying out such a role. The PVG Scheme allows SBHA as a registered body to request and obtain information on whether an individual has any criminal convictions and whether they are barred from doing regulated work with children or protected adults either as an employee or a volunteer.

13.2 In Scotland, a 'regulated role' refers to a position (paid and voluntary) that involves carrying out certain activities where there is contact with children or protected adults. This might be:

- jobs with caring responsibilities for children or protected adult
- teaching or supervising children or protected adults
- providing personal services to children or protected adults
- working directly with children or protected adults

- 13.3 A child is anyone under the age of 18. A protected adult is anyone 18 or over who, by reason of physical or mental disability, illness, infirmity or ageing, and either:
- (i) has an impaired ability to protect themselves for from physical or psychological harm or
 - (ii) requires assistance with the activities of daily living
- 13.4 For employees or candidates seeking employment that will have ~~substantial~~ contact with children and or protected adults, they will require to join “The Protecting Vulnerable Groups Scheme” (PVG scheme).
- 13.5 SBHA will comply fully with Disclosure Scotland regarding the correct handling, use, storage, retention and disposal of both Basic Disclosures and The Protecting Vulnerable Groups Scheme. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.
- 13.6 Disclosure information is not kept in personnel files. It is always kept separately and stored securely with access strictly controlled and limited to those who are entitled to see it as part of their duties.

a) Procedure

- The requirement for a basic disclosure or PVG Scheme registration from a successful candidate will be included in candidates’ application packs and on the application form.
- All applicants called for interview should be encouraged to provide details of their criminal record at an early stage in the application process.
- When a job offer is made the letter must state that it is subject to the receipt of satisfactory disclosure and references. The candidate must be asked to complete and sign an application for the relevant disclosure. Once processed a copy of the disclosure will be sent to the applicant. Depending on the content of this disclosure, either the candidate’s application can be accepted, they can be called in for further discussion, or the application can be declined with a brief explanation of the reasons.
- Each case should be considered on its merits considering the nature of the position and the circumstances and background of the applicant’s offences. Where a line manager is unsure of the appropriate approach guidance and professional advice should be taken where appropriate.

b) Subsequent checks

- Once in post, follow up checks will be made every three years to ensure that an offence has not been committed during the period of employment.

c) Handling

- Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We recognise that it is a **criminal offence** to pass this information to anyone who is not entitled to receive it.

d) Usage

- Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

e) Retention

- Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, we will consult Disclosure Scotland about this and will consider General Data Protection Regulation requirements.

f) Disposal

- Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means.

14.0 MONITORING AND REVIEW

- 14.1 Child protection issues are very important, and this policy will be reviewed every 3 years or earlier where legislation, performance or other changes necessitate this.

15.0 REFERENCES

- 15.1 The National Guidance for Child Protection in Scotland 2021 (updated in 2023) can be accessed here: [National Guidance for Child Protection in Scotland 2021 - updated 2023 - gov.scot](#)