**Safeguarding**

|  |
| --- |
| **Referrals Policy** |

Scottish Rugby and every club have a duty to report any harmful behaviour that might affect whether volunteers are allowed to work with children. This applies whether the person is a member of the PVG Scheme or not and is called making a referral.

|  |
| --- |
| **When to make a referral to Disclosure Scotland** |

There are two conditions which must be met before Disclosure Scotland is notified:

Condition 1 – An individual has been permanently removed, has removed themselves from regulated work or has been transferred permanently away from work with children

Condition 2 – An individual has participated in at least one of the following:

* Caused harm to a child
* Placed someone at risk of harm
* Engaged in inappropriate behaviour involving pornography
* Engaged in inappropriate behaviour of a sexual nature involving a child
* Given inappropriate medical treatment to a child

|  |
| --- |
| **Types of harm** |

There are a number of different ways ‘harm’ can be defined. Please note that people can cause a risk of harm without actually doing anything directly to a child.

Examples of harm include:

* Physical harm (e.g. inappropriate physical restraint or assault)
* Psychological harm (e.g. emotional abuse)
* Theft (e.g. embezzlement)

Examples of behaviour which lead to a risk of harm include:

* Attempting to harm (even if they don’t succeed)
* Trying to make someone else cause harm
* Encouraging someone to self-harm
* Reckless behaviour or incompetence that may cause someone to be harmed as a result, even if they didn’t mean it to be

|  |
| --- |
| **Making a referral** |

When both conditions have been met, it is a legal requirement that Disclosure Scotland must be notified by making a referral within 3 months of the permanent removal of the individual.

Where there is an historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work but would have met both conditions a referral can still be done.

Where it is necessary to make a referral, this process should be carried out by your club’s Child Protection Officer (CPO) with the support of Scottish Rugby. If the referral cannot be made by your club CPO it can be carried out by Scottish Rugby Safeguarding Team. Those in a position of carrying out disciplinary action which may result in the removal or dismissal of someone in regulated work must ensure they notify both the club CPO and Scottish Rugby Lead CPO when an individual meets both conditions. Failure to make a referral where required may result in prosecution.

**MAKING A REFERRAL FLOWCHART**

Has an individual at club participated in at least one of the following:

* Caused harm to a child
* Placed someone at risk of harm
* Engaged in inappropriate behaviour involving pornography
* Engaged in inappropriate behaviour of a sexual nature involving a child
* Given inappropriate medical treatment to a child

Yes

Has the individual:

* Been permanently removed, or
* Removed themselves from regulated work, or
* Has been permanently transferred away from work with children

Yes

No

No referral required but contact Scottish Rugby Safeguarding Team safeguarding@sru.org.uk with the following information:

* Club
* Individuals name and role
* Outline what happened
* Any other relevant details

Notify club Child Protection Officer and Scottish Rugby Safeguarding Team (safeguarding@sru.org.uk)

Complete [referral form](https://www.mygov.scot/pvg-employer-referral/) within 3 months and send to Disclosure Scotland pucorrespondence@disclosurescotland.gsi.gov.uk

If you would like to know about referrals or have any questions, please get in touch with Scottish Rugby Safeguarding Team (safeguarding@sru.org.uk) or phone 0131 346 5000. Additionally, for more information please see <https://www.mygov.scot/pvg-referrals/>