



Taymouth Castle GC Referral Policy. Making Referrals Under the PVG Act

1. Purpose

The purpose of this policy is to set forth Taymouth Castle GC's statement of policy and procedures for handling referrals of relevant individuals to Disclosure Scotland under the Protection of Vulnerable Groups (Scotland) Act 2007. The objective of this policy is to ensure the Club's compliance with legislation to protect its integrity and reputation and to ensure the protection and safety of our Club members.

2. References

The Protection of Vulnerable Groups (Scotland) Act 2007 is in place to make sure unsuitable individuals cannot work or volunteer with children or protected adults (regulated work).

The Act aims to provide a robust system by which unsuitable people are prevented from doing regulated work with children or protected adults and by which people who become unsuitable are identified.

The Protection of Vulnerable Groups Regulations list the information that you are required to provide to Disclosure Scotland when making a referral if you hold it, and it is a criminal offence knowingly to fail to supply the prescribed information.

3. Scope

This policy is relevant to the Safeguarding Officer and/or person responsible for supervising or overseeing safeguarding matters, and all those involved in making recruitment/disciplinary decisions in Taymouth Castle GC.

4. Policy Statement

Taymouth Castle GC takes the protection of vulnerable groups attending or using its services very seriously.

We view referrals of individuals to Disclosure Scotland as an opportunity to review and improve practice and the customer experience. The referral process provides the opportunity to establish how the circumstances were able to happen and to put safeguards in place to minimise the risk of recurrence. Handling referrals effectively is important to our Club.

Our Commitment

We will endeavour to:

- Publicise the existence of our Safeguarding policies and procedures so that people know what they are
- Make sure our staff and volunteers know what to do to comply with our policies, procedures and legal obligations
- Provide a fair and clear procedure for anyone who is the subject of a referral
- Make sure referrals are submitted in a timely manner and in any case within the legally required timeframe

5. Procedure

When a volunteer or member of staff is permanently removed from a regulated work position, there are certain circumstances where the Club/Organisation must notify the Protection Unit at Disclosure Scotland that this has happened.

Two conditions must be met before Disclosure Scotland should be notified that something has happened:

Condition 1

A person has been permanently removed/has removed themselves from regulated work, and

Condition 2

At least one of the following grounds apply to their permanent removal:

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

When both of these conditions have been met, it is a legal requirement that the Club/ Organisation must let Disclosure Scotland know by making a referral within three months of the permanent removal of the individual by completing the appropriate Referral Form and submitting it to Disclosure Scotland.

If the individual would have been permanently removed, 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.

Where there is an historical allegation of harm or inappropriate behaviour made in relation to someone who is no longer in regulated work at the Club/Organisation but which is believed would have led to the two conditions being met, the Club/Organisation will consider whether to make a referral, but the legal responsibility applies only to occurrences that are alleged to have taken place after 28 February 2011 when PVG was first introduced.

Where it is necessary to make a referral, this process will be carried out by the Safeguarding Officer. In their absence or where the referral is in relation to that person, the referral process will be carried out by the Club Captain.

Those who are in a role that may involve carrying out disciplinary action that may result in the removal of someone from regulated work or dismissal of someone in regulated work, they must ensure that they notify the Safeguarding Officer or, in their absence, the Club Captain of the legal requirement to make a referral where the conditions above have been met.

6. Consequences

Failure to make a referral where required is a criminal offence and may result in Taymouth Castle GC being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify the Safeguarding Officer or the Club Captain when both conditions for making a referral have been met.

7. Responsibilities

Copies of this policy shall be made available to relevant staff, volunteers and board members during the induction process.

Staff and volunteers are expected to take personal responsibility for observing this policy and should feel able to draw this policy to the attention of colleagues, members and visitors to Taymouth Castle GC.

The Safeguarding Officer and the Club Captain have a responsibility to enforce the policy.

Overall responsibility for this policy and its implementation lies with Taymouth Castle GC's Committee.

8. Questions

Questions, comments, and suggestions regarding this policy may be directed to Taymouth Castle GC Secretary via the email address taymouthcastlegc@outlook.com.

9. Approval

Club Safeguarding Officer: Alistair Stalker

Signed :



Date

9th June 2024