



North Berwick Pipe Band

NORTH BERWICK, EAST LoTHIAN, SCOTLAND

Registered Charity No SC000499

VAT Reg. No. 327 3498 40

CHILD AND PROTECTED ADULTS POLICY STATEMENT

This policy applies to regulated roles with children and/or protected adults as defined in the Disclosure (Scotland) Act 2020.

The North Berwick Pipe Band (hereafter referred to as “the Band”) is fully committed to promoting children’s rights, notably their right to be protected from harm, abuse and exploitation and to be involved in any decisions that directly affect them. Similarly the Band is committed to promoting the same rights in the case of protected adults. The Band has a duty of care to implement effective policies and procedures for safeguarding the welfare of children, young people and protected adults. In order to achieve this we will ensure our members and volunteers are carefully selected, screened, trained and supervised as appropriate to the duties they carry out. Furthermore we will endeavour to keep up to date with national developments relating to the care and protection of children, young people and protected adults.

Definitions

The term **child** applies to any person under 18 years of age.

The term **Protected Adult** refers to any person aged 18 or over protected by the PVG Act because they are receiving certain services as set out at section 94 of the PVG Act and regulations as amended by the Disclosure (Scotland) Act 2020.

A person may be considered **protected** if he or she receives some form of care, has a physical or mental disability, or is of such advanced age to be incapable of protecting himself or herself from assault, physical, sexual or emotional abuse.

A Protected Adult may be in need of health or social support services and may be unable to take care of and to protect himself/herself from harm or exploitation.

(It should be noted that whereas the methods of planning for the protection and safety of Protected Adults are very similar to that of children, the legislative framework is very different. This particularly applies to such matters as levels of responsibility and reporting abuse when the adult has a legal status quite different from that of a child).

The term “regular contact” has been interpreted as meaning any unsupervised contact with children as part of that person’s day-to-day work.

The term **regulated role** includes teaching, other sustained contact activities or holding a position of responsibility (trustee) in the organisation which has as one of its main purposes the provision of benefits for or to children (regardless of whether the organisation has an additional purpose of providing benefits for or to another group of persons).

The new Disclosure levels are as follows:

- **Level 2** – previously referred to as a Standard and Enhanced
- **Level 2 with barred list check** – previously referred to as an Enhanced Disclosure check with barred list.
- **PVG Scheme to Join** – previously referred to as a Scheme Record to Join and an Existing Member Scheme Record. This will be required for new applicants joining the PVG scheme for the first time AND for those existing PVG scheme members adding a workforce they are not already a member for.
- **PVG Scheme for Existing Members** – previously referred to as a Scheme Record Update. This will be required for those existing PVG scheme members who are updating their membership for a workforce they are already a member for.

For the purpose of this policy, the above levels will be referred to as Disclosure Records and applied as appropriate to the position applied for.

The Band will:

1. Develop best practice in relation to the recruitment of all members and volunteers. This will include, where appropriate:
 - Ensuring all successful applicants provide a suitable reference.
 - Ensuring all successful applicants complete, if applicable, a self declaration form.
 - Ensuring all successful applicants complete the correct level of Disclosure Certificate check*.
 - Ensuring all members/volunteers appointed to a childcare position involving regulated roles (as defined in Disclosure (Scotland) Act 2020) are checked against the Disqualified from Working with Children's List.
 - Ensuring all newly appointed members/volunteers complete the agreed probationary period on commencement of their role.
2. Provide opportunities for all members/volunteers to be given an overview of the organisation's purpose, values, structure and services. This will include the following:
 - Details of the structure of the organisation.
 - Details of the organisation's aims and objectives.
 - Details of the roles and responsibilities of members and volunteers within the organisation.
 - Details and clarification of the expectations, roles and responsibilities of the newly appointed member/volunteer.
 - Clarification, agreement and signing up to the organisation's child protection policy and procedures.

3. Ensure that all members/volunteers understand their responsibility to work to the standards and procedures detailed in the organisation's Code of Conduct and Good Practice and Child Protection Procedures by:
 - Ensuring all members/volunteers receive information and a copy of the organisation's Code of Conduct and Good Practice.
 - Ensuring all members/volunteers receive information and a copy of the organisation's Child Protection Procedures.
 - Ensuring all members/volunteers are given details of the organisation's Child Protection Officer(s) contact details and role within the organisation.
4. Ensure that all members/volunteers understand their obligations to report care or protection concerns about a child/young person, to the organisation's designated child protection person.
5. Ensure that all procedures relating to the conduct of members/volunteers are implemented in a consistent and equitable manner by:
 - Conducting a consistent recruitment procedure.
 - Providing guidance to all members/volunteers on the range of policies and procedures that must be adhered to within the organisation for the Care and Protection of Children.
 - Providing information to all members/volunteers on the organisation's disciplinary procedures.
 - Ensuring all members/volunteers receive information on the relevant legislation that the organisation must adhere to, for example the Protection of Children (Scotland) Act 2003.
6. Provide opportunities for all members/volunteers to develop their skills and knowledge by providing information and guidance by:
 - Providing access to the organisation's policies and procedures.
 - Providing links to organisations who can provide information: VDS, CRBS, Citizens Advice, sportscotland, governing bodies.
 - Providing relevant support on the members/volunteers initial and future roles within the organisation.
 - Providing relevant support on specific areas such as Health and Safety and confidentiality.
 - Ensuring members/volunteers participate in continuous development, where their performance, skills, motivation and expectations will be enhanced.
7. Ensure that children and young people are enabled to express their ideas and views on a wide range of issues and will have access to the organisation's policies and procedures including the Code of Conduct and Complaints procedure.
8. Ensure that parents/carers are encouraged to be involved in the work of the organisation and, when requested, have access to all policies and procedures.
9. **Reporting Abuse**

The Band understands that in addition to making a referral (a written report) to Disclosure Scotland, child protection issues concerning workers (paid/unpaid), children and young people must always be referred to the child protection agencies (i.e. social work and/or police) for appropriate investigation. Any issues of a criminal nature will be reported to the police.

A dedicated Complaints Procedure is in place with particular reference to Protection of a Vulnerable Group (PVG) or Child protection. The relevant procedure –Safeguarding Reporting Procedure – can be found at <http://www.northberwickpipeband.co.uk/2.1.1 SRP v1.0 image.pdf>.

The Band will ensure that all members and volunteers are aware of this policy and the associated reporting procedures and have received appropriate information and support to ensure its full implementation.

10. Legal issues

It is an offence for an individual who is barred to undertake the type of regulated work from which they are barred.

It is an offence for an organisation to offer regulated work to someone who is barred or fail to remove a person from regulated work if they have been notified that they are barred.

It is an offence for an organisation not to refer an individual to Disclosure Scotland where the grounds have been met.

** Regarding the level of disclosure check, in terms of protected adults, an Adult disclosure would only be required if the class was set up specifically for a group of protected adults. This scenario is unlikely in the current procedures in the Band.*

In accordance with the Disclosure (Scotland) Act 2020 a Tutor between the ages of 16 and 18 will be required to have a disclosure check.