

## Referrals Policy of Midlothian Swimming Club

This policy is relevant to all those involved in making recruitment/disciplinary decisions in our club.

When a volunteer or club member is permanently removed from a regulated work position, there are certain circumstances where our club must notify the Protection Unit at Disclosure Scotland that this has happened. This is called "Making a Referral". If we would have permanently removed the individual, the actions detailed in this policy will continue to apply (even if a club member or volunteer leaves their regulated work position prior to any action being taken, irrespective of the reason that they leave).

Two conditions must be met before we or Scottish Swimming let Disclosure Scotland know that something has happened. A referral will only be made when both Condition 1 and Condition 2 below have been met. Condition 2 must be at least 1 of the 5 grounds listed.

**Condition 1** – A person has been permanently removed/removed themselves from regulated work (this includes suspension which requires the person to reapply for their role when the suspension period has ended)

**Condition 2** – At least 1 of the following 5 grounds apply

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

When both of these conditions have been met, it is a legal requirement that we or Scottish Swimming must let Disclosure Scotland know 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 with us but which we believe would, in all probability, have led to the 2 conditions being met, we or Scottish Swimming will consider whether we want to make a referral, but the legal responsibility applies only after 28 February 2011 when PVG was first introduced.

Where it is necessary for our club to make a referral, this process will be carried out by the **Club President**. In their absence, the referral process will be carried out by the **Club Welfare Protection Officer**.

Where it is necessary for our Sports Governing Body (**Scottish Swimming**) to make a referral, this process will be carried out by (**Euan Lowe, Chief Executive**). In their absence, the referral process will be carried out by (**Elaine Mackenzie, Director of Services**).

Failure to make a referral where required, may result in our club or Scottish Swimming being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify those responsible as well as Sean Dawson, Scottish Swimming Safeguarding Manager ([s.dawson@scottishswimming.com](mailto:s.dawson@scottishswimming.com)) when both conditions for making a referral have been met.