

RESPONDING TO CONCERNS PROCEDURE



RESPONDING TO CONCERNS PROCEDURE

In all cases where there are concerns about a child or young person and/or the conduct of an adult which affects, or may affect, a child or young person, the **best interests and wellbeing of the child or young person will be the paramount consideration.**

The purpose of this Procedure is to safeguard and protect children and young people involved in Scottish football and to respond appropriately to any concerns ensuring they are dealt with in a timely, appropriate and proportionate manner. Following a set of published procedures when dealing with concerns helps:

- Avoid those receiving information from engaging in subjective judgements
- Reassure those who report concerns that an appropriate course of action will ensue
- Support those charged with managing concerns by providing them with a step-by-step process to follow
- Safeguard the rights of those against whom complaints or allegations have been made

No member of staff or Associated Person in receipt of information that causes concern about a child or young person or the conduct of an adult shall keep that information to themselves, or attempt to deal with the matter on their own. Instead in all cases this procedure **must** be followed regardless of whether the concerns arise through the adult or child or young person's involvement in football or from outside of football.

REMEMBER:

If you are concerned about the **immediate safety** of the child or young person:

1. Take whatever action is required to ensure the child's immediate safety.
2. Pass the information immediately to the police and seek their advice.
3. Report the concern to the Wellbeing and Protection Department, advising that the matter has been reported to the police.

If you have a concern about the wellbeing of a child or young person, or think you may have a concern, you can contact the Scottish FA Wellbeing and Protection Department for advice and support on **0141 616 6133** or at childrenswellbeing@scottishfa.co.uk.



1/

EVERYONE'S RESPONSIBILITY

A concern may range from mild verbal bullying to physical or sexual abuse and occur either through football or outside of it, for example in the child's home. All concerns will be investigated by the Wellbeing and Protection Department. **If a member of staff or Associated Person has a concern it is not their responsibility to investigate but it is their responsibility to:**

- Reassure the person making the report that they have done the right thing in raising the concern
- Listen openly without judgement
- Record anything that is said
- Report the concern to the Wellbeing and Protection Department
- If there is a concern about the immediate safety of the child or young person, take the necessary steps to ensure their safety and contact the police

Everyone has a responsibility to **recognise** a concern, to **record** the concern either on the [Concern Recording Form](#) or in email format, and **report** the concern to the Wellbeing and Protection Department.

2/

RECOGNISE

Members of staff and Associated Persons may become aware of a concern in different ways.

For example:

- Directly from the child or young person
- Observation of the concern, such as a change in the behaviour, appearance, or nature of the child or young person, or the conduct of an adult
- Information that is shared from another individual or organisation e.g. an incident observed by another child or young person, or adult and reported to them

All concerns must be reported to the Scottish FA Wellbeing and Protection Department on the day the concern arises, or as soon as practically possible thereafter.

3/

RECORD

Record keeping is of critical importance and all information should be recorded in line with the following:

DO:

- Make a written record of the information as soon as possible
- Make the record factual, accurate and legible
- If it is a disclosure from a child or young person, record using the child or young person's exact words, if possible
- Include dates, times, locations and contexts, if available, together with any other relevant information

DON'T:

- Give your personal opinion, unless it is backed up by substantial evidence
- Use judgemental language
- Write the record in a way that protects the reputation of the Association or the individual who the concern relates to — remain unbiased

Where the child or young person has made a direct disclosure, and when appropriate, it is important that the child or young person understands why we are recording their details. If a child/young person recognises that people can help and support, and that this is the purpose of their details being shared, they will be more included and informed of the processes.

WHAT TO DO IF A CHILD OR YOUNG PERSON DISCLOSES ABUSE**DO:**

- Stay calm — ensure that the child or young person is safe and feels safe
- Listen to the child or young person and take what they say seriously. Do not show disbelief. Show and tell them that you are taking what they say seriously
- Reassure the child or young person that they are not to blame and were right to tell someone
- Be aware of interpreting what a child or young person says, especially if they have learning or physical disabilities which affects their ability to communicate, or English is not their first language
- Avoid projecting your own reactions onto the child or young person
- Do not assume that the experience was bad or painful — it may have been neutral or even pleasurable e.g. the child or young person may think that they are in a consenting relationship with the adult
- Avoid asking any questions. If necessary only ask enough questions to gain basic information to establish the possibility that abuse may have occurred. Only use open-ended, non-leading questions e.g. What? When? Where? Who?
- Do not introduce personal information from either your own experiences or those of other children

**DON'T:**

- Panic
- Show shock or distaste
- Probe for more information than is offered
- Speculate or make assumptions
- Make negative comments about the person against whom the allegation has been made
- Approach the individual against whom the allegation has been made
- Make promises or agree to keep secrets and give a guarantee of confidentiality
- Rush into actions that may be inappropriate





4/ REPORT

The Scottish FA Wellbeing and Protection department can be contacted in a number of ways:

- By telephone on **0141 616 6133**
- By email at childrenswellbeing@scottishfa.co.uk

How to report the concern:

- Report the concern as soon as possible. It is recommended that initial contact is made with the Scottish FA Wellbeing and Protection department by telephone
- Email the completed Concern Recording Form to childrenswellbeing@scottishfa.co.uk, if you are able to do this via secure email

Do not delay in reporting the concern:

- By attempting to obtain information to complete all sections of the Concern Recording Form
- By waiting until you return to the office to complete the Concern Recording Form, if you are working remotely
- If you have been unable to contact a member of the Scottish FA Wellbeing and Protection department by telephone

If you are unable to access a Concern Recording Form, please contact the Scottish FA Wellbeing and Protection Department by telephone or email the information, if you are able to do so securely, in order to report the concern.

If you are unsure whether the information you have should be a cause for concern, advice and support can be sought from a member of the Scottish FA Wellbeing and Protection Department by contacting the department on 0141 616 6133 or at childrenswellbeing@scottishfa.co.uk. This can be done in a confidential manner anonymising the details of the parties involved.

If a member of the Wellbeing and Protection Department is not available and an immediate response is required, the police and social work services must be contacted. They have a statutory responsibility for the protection of children and they may already hold other information about the child or young person. If the information is shared with the police or other agencies, record what information is shared and any advice given and actions taken. At the earliest opportunity thereafter a member of the Wellbeing and Protection Department should be informed.

Confidentiality

To maintain confidentiality do not keep any electronic, printed or written versions of the information you have provided. The Concern Recording Form should be deleted or destroyed (by means of shredding) as soon as the information has been passed on. The Scottish FA Wellbeing and Protection department will maintain a copy of the information in a secure and confidential manner.

Concern about the conduct of a member of Scottish FA staff

Where the concern raised relates to a member of staff it should be reported to the Wellbeing and Protection Department as set out above in the first instance. If the initial assessment indicates there is evidence of a concern, the Wellbeing and Protection Department, will share the information with the HR Department who will decide if the Scottish FA Disciplinary Procedures are invoked.

If the concern relates to a member of the Wellbeing and Protection Department then it must be reported to the Head of Wellbeing and Protection.

Where the concern is about the Head of Wellbeing and Protection it must be reported to the Scottish FA Chief Executive directly. In this situation, the Chief Executive will take on the role and responsibilities as listed below of the Wellbeing and Protection Department.

Support

The Scottish FA recognises that voicing concerns, suspicions or allegations of poor practice, misconduct or abuse can cause great concern and stress — particularly if it relates to a colleague, volunteer or child/parent who is known to you. However, sharing information about the wellbeing of a child or young person is paramount in order to prevent the child or young person from suffering harm or further harm. Any member of staff or Associated Person whom, in good faith, discloses information related to a concern will receive full support from the Scottish FA Wellbeing and Protection Department and/or the Scottish FA HR Department. Members of staff and Associated Persons can reference the [Scottish FA's Whistleblowing Policy](#).



5/ RESPOND

The following sets out the steps which will be taken by the Scottish FA Wellbeing and Protection Department after the concern has been reported.

A/ THE PROCESS ON RECEIPT OF A CONCERN

Once the concern has been reported the relevant member of the Wellbeing and Protection Department will:

- Establish the basic facts and conduct an initial assessment of the facts in order to determine the appropriate course of action. The appropriate course of action may differ depending on whether the concern is about the wellbeing of a child/young person or about the conduct of an adult
- Decide who should be informed of the concern, this may include the child or young person, their parent/carer, other members of Scottish FA staff or external agencies
- Consult external agencies, such as the police and social work services, for advice at any time, if required. This is important because they may hold other important information which, when considered alongside the current concern, builds a significant picture of concern

All subsequent actions taken by the relevant member of the Wellbeing and Protection department shall be recorded, in the order in which they happen, and the records should be dated.

B/ CONDUCTING THE INITIAL ASSESSMENT

The purpose of the initial assessment is to clarify the nature and context of the concern. Every situation is unique so guidance cannot be prescriptive.

Where the concern relates to the conduct of an adult, pending the outcome of any investigation, precautionary suspension will be considered in all cases where there is significant concern about the conduct of a member of staff and Associated Person towards a child and/or young person. For further information on precautionary suspensions see section 6 of this Procedure.

In all cases, the initial assessment may involve:

- Speaking to the member of staff or Associated Person who raised the concern
- Speaking to other members of staff or Associated Persons who may have information related to the concern
- Speaking to the member of staff or Associated Person whose conduct has been reported — this will be subject to the nature and seriousness of the situation and should not be done if the concern suggests that the conduct may be criminal behaviour
- If the concern involves a named child or young person it may be appropriate to speak to the child or young person. Further guidance on speaking to children and people is set out below
- Speaking to other children and/or young people and/or other individuals to establish the basic facts

Speaking to children and young people

Children and young people have the right to say what they think in all matters affecting them and to have their views taken seriously (Article 12, UNCRC). This must be at the forefront of any concerns that are raised. The nature of the concern will impact on the decision as to whether it is appropriate to discuss the concern directly with the child or young person. The views of the child or young person must be considered based on their age and maturity.

An initial assessment of basic facts may require the need to ask a child or young person some basic, open-ended, non-leading questions solely with a view to clarifying the basic facts. It may also be necessary to ask similar basic questions of other children and young people, or other appropriate individuals who may have information.

This should never be done in cases where there is a suggestion of criminal conduct without first seeking the advice of the police. If the information indicates that a criminal offence has been committed against the child or young person it would not be appropriate to ask the child or young person questions about the incident or speak to them directly about the incident(s), unless questioning for clarification during the initial disclosure made directly from the child. Interviewing children and young people about possible abuse or criminal offences is the sole remit of specially trained police officers and social workers.

If it is appropriate to speak to the child or young person all questions should be basic, open-ended, non-leading and asked solely with a view to clarifying the basic facts. When speaking to a child or young person another adult should always be present. It is recommended that this other adult is known to the child or young person and the meeting is pre-arranged so the child or young person will be aware that you are going to speak to them about a concern.

Where the concern about a child's wellbeing suggests they are in need of protection, the information must be passed on with or without their consent for the purposes of their protection. Allegations of abuse must always be taken seriously. **No member of Scottish FA staff shall investigate allegations of abuse or decide whether or not a child has been abused without reporting the information to statutory authorities and taking advice in the first instance.** False allegations are very rare. If a child says or indicates they are being abused or information is obtained which gives concern that a child is being abused, the information must be responded to on the same day in line with this procedure.

Fairness and natural justice

In the event of an investigation into the conduct of a member of staff or Associated Person all actions will be informed by the principles of natural justice:

- The member of staff or Associated Person will be made aware of the nature of concern
- The member of staff or Associated Person will be given an opportunity to put forward their case
- The Scottish FA will act in good faith, ensuring the matter is dealt with impartially and as quickly as possible in the circumstances.



BEST PRACTICE ADVICE

Questioning of children by those conducting an initial assessment should always be avoided, as far as possible. If it is necessary to speak to the child in order to clarify the basic facts, best practice suggests that consent from the parent/carer be obtained unless obtaining that consent may place the child at risk.

C/

CONCLUDING THE INITIAL ASSESSMENT

Decisions reached on conclusion of the Initial Assessment may differ depending on whether the concern relates to the wellbeing of a child or young person or to the conduct of an adult. The concern may relate to both the wellbeing of a child and the conduct of an adult in which case two sets of conclusions should be reached.

A CONCERN ABOUT THE WELLBEING OF A CHILD/YOUNG PERSON

At the end of the initial assessment one of the following conclusions should be reached:

- The facts do not substantiate the concern and therefore no further action will be taken
- The concern has been successfully addressed by the child or young person, their parent/carer and/or Scottish FA staff and therefore no further action is needed
- The concern has not been successfully addressed and further support is needed for the child or young person
- Information should be shared with statutory services, for example Police Scotland or the Social Work Department due to the gravity of the concern
- Information should be shared with the child's Named Person, if applicable, for consideration

In all cases consideration should be given as to what support, if any, is required for the child or young person and whether there is a need to share information with a member club or organisation in terms of a Data Sharing Agreement.

Sharing Concerns with Parents/Carers

The Scottish FA is committed to working in partnership with parents/carers whenever there are concerns about a child or young person. Parents/carers have the primary responsibility for the safety and wellbeing of their children. Where concerns are raised about a child or young person this will be considered in line with the wellbeing indicators and may be discussed with parents/carers. For example, if a child seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement. Common sense is advised in these situations and the best interests of the child will be considered as to what is the best support them. Children and young people will be asked who should be informed and, if appropriate, consent gained from the child or young person before their parents/carers are notified.

Where there are concerns that the parents/carers may be responsible for or have knowledge of the abuse, sharing concerns with the parents/carers may place the child or young person at further risk. In such cases advice must always firstly be sought from the police/social work services or Named Person as to who informs the parents/carers.

Sharing Information with Police and statutory agencies

Where the concern about a child or young person's wellbeing suggests that they are in need of protection or that a criminal offence has been committed against them, the concern **must** be reported to the police and/or social work services. The police and local authority have a statutory duty of care for all children.

With the consent of the child or young person, where applicable, and their parent or carer, appropriate and proportionate information **may** be shared with the child's Named Person or named school teacher.

**A CONCERN ABOUT THE CONDUCT OF AN ADULT**

At the end of the initial assessment one of the following conclusions should be reached:

- The facts do not substantiate the concern and therefore no further action will be taken
- Information supports concern about poor practice
- Information supports concern about serious poor practice and/or misconduct
- Information supports concern about possible criminal behaviour

Initial Assessment supports concern about poor practice

If the initial assessment supports a concern that the conduct of an adult amounts to poor practice, the Wellbeing and Protection department will share the findings of the initial assessment with the adult's line manager.

The line manager will carry out any further investigation as necessary and take appropriate action depending on the nature and seriousness of the conduct.

The line manager may liaise with the Wellbeing and Protection department during the investigation process.

Possible outcomes:

- No further action required e.g. the adult has recognised that their conduct was inappropriate and has already taken steps to ensure it does not occur again
- Informal discussion
- Formal discussion, with a record being retained on the individual's file
- Further training and support required, with a record being retained on the individual's file

Initial Assessment supports concern about serious poor practice and/or misconduct

If the concern relates to the conduct of a Scottish FA member of staff the Wellbeing and Protection department will liaise with the Scottish FA HR department who will deal with the concern in line with Scottish FA Disciplinary Procedures.

Possible outcomes:

- Further training and support
- Disciplinary investigation (Scottish FA staff only)
- Formal warning
- Disciplinary Hearing (Scottish FA staff only)
- Dismissal
- Referral to Disclosure Scotland, where the adult was in regulated work with children and young people and the legal criteria for referral is met

Initial Assessment supports concern about possible criminal behaviour

Where the initial assessment gives reasonable cause to suspect an adult's behaviour has been a criminal offence, the member of the Scottish FA Wellbeing and Protection department dealing with the concern will:

- report the concern to the police as soon as possible on the day the information is received, along with supporting information
- make a written record of the name of the police officer to whom the concerns were passed to together with the crime reference number, time and date of the call, in case any follow up is required
- on request, provide the police with a copy of the [Concern Recording Form](#)
- following the advice of the police, inform the parents/carers of the child involved as soon as possible unless the police advice is not to do this
- if appropriate, share the information with the child's Named Person if there is any impact on a child's wellbeing caused by an adult's possible criminal behaviour, unless the police advise not to do this

Advice will first be obtained from the police about informing the member of staff or Associated Person involved in the concerns. If the advice is to inform them, they will be told that information has been received which may suggest an allegation of a criminal offence. As the matter will be *sub judice* (i.e. under judicial consideration) no details will be given unless advised to do so by the police. All actions will ensure the best evidence is preserved for any criminal proceedings while at the same time safeguarding the rights of the member of staff or Associated Person.

The Scottish FA will take all reasonable steps to support a member of staff or Associated Person whom a concern has been raised about, as well as others who may be involved as witnesses.

Possible outcomes include one or more of the following:

- Police investigation — may involve a child protection investigation jointly by police and social work services
- Criminal proceedings
- Civil proceedings (by the child/family who raised the concern)
- Disciplinary Hearing (Scottish FA staff only)
- Referral to Disclosure Scotland, where the adult was in regulated work with children and young people and the legal criteria for referral is met

REFERRAL TO DISCLOSURE SCOTLAND UNDER PROTECTION OF VULNERABLE GROUPS (SCOTLAND) ACT 2007

Depending on the nature of the concern and the action taken by the Scottish FA, there may be a requirement, in law, to notify Disclosure Scotland. The following will apply where the member of staff or Associated Persons is in regulated work with the Scottish FA and a member of the PVG scheme.

Referring to Disclosure Scotland

The Scottish FA will refer to Disclosure Scotland the case of any member of staff or Associated Person who (whether or not in the course of their role with Scottish FA) has:

- harmed a child
- placed a child at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child, or
- given inappropriate medical treatment to a child.

AND as a result the Scottish FA has taken or would have taken one of the following options:

1. The Scottish FA has dismissed the member of staff or Associated Person; or
2. The member of staff or Associated Person would have been dismissed as a result of the incident had they not resigned, retired or been made redundant; or
3. The Scottish FA has transferred the member of staff or Associated Person to a position in Scottish FA which is not regulated work with children; or
4. The member of staff or Associated Person would have been dismissed or considered for dismissal where employment or volunteer role was not due to end at the expiry of a fixed term contract; or
5. The member of staff or Associated Person would have been dismissed or considered for dismissal had the contract not expired.

The Scottish FA will also refer the case of a member of staff or Associated Person where information becomes available after the member of staff or Associated Person has:

- been dismissed by the Scottish FA; or
- resigned, retired or been made redundant; or
- been transferred to another position in the Scottish FA which is not regulated work with children.

INFORMATION FROM DISCLOSURE SCOTLAND

If Disclosure Scotland notifies the Scottish FA that a member of staff or Associated Person is being considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Precautionary suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension, the best interests and wellbeing of children and young people will be the paramount consideration.

If Disclosure Scotland informs the Scottish FA that an individual is barred, that member of staff or Associated Person will be removed permanently from regulated work with children immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007.





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PRECAUTIONARY SUSPENSION

Any member of staff or Associated Person may be suspended on a precautionary basis whilst an investigation is carried out. Suspension is not a form of disciplinary action but may be carried out where, for example, the concern indicates criminal behaviour or serious poor practice.

For members of staff, suspension will be carried out in accordance with the Scottish FA Disciplinary Procedures, including written notification of the suspension to the member of staff.

7/

CRIMINAL PROCEEDINGS

An ongoing criminal investigation does not necessarily rule out disciplinary action by the HR Department or investigation by the Wellbeing and Protection Department. However, any action taken must not jeopardise the criminal investigation. Advice must be taken from the police on this. Sufficient information should be available to enable either Scottish FA department to make a decision whether to go ahead with disciplinary action or to respond under this procedure.

In any event, once criminal proceedings have concluded the Scottish FA will consider the matter and the outcomes in line with this procedure.

8/

FALSE OR MALICIOUS ALLEGATIONS

In exceptional circumstances where an investigation establishes an allegation or concern raised is false or malicious:

- The member of staff and Associated Person involved will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. They may wish to seek legal advice
- All records pertaining to the circumstances and investigation shall be kept confidentially
- The Scottish FA Wellbeing and Protection Department will take all reasonable steps to support the individual in this situation
- In these circumstances the Scottish FA will review the participation or continued involvement in Scottish FA activities of the individual who made the false or malicious allegation. If the false or malicious allegation has been made by a child or young person, it will only be appropriate to have a discussion with the child or young person to determine their views and opinions with parental/carer permission
- Data collected for the investigation will be destroyed in accordance with the requirements of current data protection legislation

9/

ALLEGATIONS OF NON-RECENT ABUSE

The Scottish FA recognises that sharing personal experience of abuse can be difficult, challenging and sensitive. Therefore allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by someone who is still currently working with children. These procedures will be followed in the event of an allegation of non-recent abuse, including the Scottish FA's responsibility to refer to Disclosure Scotland.

10/

MEDIA

All media enquiries relating to concerns under this procedure must be referred to the Scottish FA Media and Communications Manager, who will liaise with the Head of Wellbeing and Protection, or Chief Executive in his/her absence, in deciding on the best course of action.



CASE REVIEW PROCEDURE

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PURPOSE OF CASE REVIEW

Case reviews take place to establish whether there are lessons to be learned about the ways in which a concern has been investigated and responded to. Reviewing a concern allows the Scottish FA to consider:

- How the Responding to Concerns Procedure was implemented and adherence to the process
- The effectiveness of the Responding to Concerns Procedure
- Informing policy and improving practice with regards to wellbeing & protection matters

2/

DECIDING TO CONDUCT A REVIEW

The Scottish FA will follow the criteria set out below when considering and establishing a case for review.

1. The harm or risk of harm to a child was high; and/or
2. Views expressed by those involved in the case have raised concern about the way it was handled and identified specific concerns; and/or
3. There was a clear failure of procedure in handling the case; and/or
4. The case concerned an unusual practice or behaviour; and/or
5. The case took a significantly long period of time to resolve; and/or
6. The Chief Executive, the Scottish FA Board or Independent Advisory Board decides a review is appropriate.

A case deemed eligible for review may be a particular concern or matter or, in some cases, may be cumulative concerns.

The Wellbeing and Protection Department may take a sample of cases to review to ensure the level of service provided in case management is consistent and to highlight any learning to take forward into future cases. The Scottish FA Wellbeing and Protection Department may also decide to undertake a case review when a concern previously investigated and/or reviewed by another party has been brought to the attention of the Wellbeing and Protection Department.

3/

IDENTIFYING WHO UNDERTAKES THE REVIEW

The Head of Wellbeing and Protection at the Scottish FA will appoint a case reviewer, who may be internal or external to the Scottish FA. The case reviewer, whether internal or external, will have expertise in the area of the concern. These skills may differ according to the circumstances of each case and the agreed role of the case reviewer.



External Case Reviewer

The following criteria will be considered when deciding whether the case review should be external to the Scottish FA.

- Are the recommendations likely to influence and/or change practice across the whole of Scottish football?
- Was the risk of harm to the child high?
- Is there a lack of experience and knowledge internally regarding the nature of the case?
- Has the Board expressed a preference towards an external reviewer as being more appropriate?
- Due to personnel involved in original response to concern there is a risk of a conflict of interest.

Where the answer is **yes** to one or more of the criteria above, there will be a presumption that the Head of Wellbeing and Protection will appoint an external case reviewer. The Scottish FA continues to have an overview of the review and will set out clear expectations in respect of timescales (see section 4), milestones in the process and deadlines for completion of reports but will not have any input into the findings or recommendation of the review.

Where an external reviewer is commissioned, consideration will be given to the formal contractual arrangements required, whether appropriate legal advice should be sought and which agencies could enter into the arrangements (if any). In all cases a contract will be drawn up covering timescales, fees and confidentiality including data protection.

Internal Case Reviewer

Reviews may also be undertaken internally and a case reviewer will be appointed from within the Wellbeing and Protection Department:

- The Child Wellbeing and Protection Officer will review a concern responded to by the Child Wellbeing and Protection Co-ordinator.
- The Child Wellbeing and Protection Co-ordinator will review a concern responded to by the Child Wellbeing and Protection Officer.
- The Head of Wellbeing and Protection may review concerns responded to by either the Child Wellbeing and Protection Officer or Child Wellbeing and Protection Co-ordinator. The Head of Wellbeing and Protection will be appointed as case reviewer in cases where it is considered that the facts and circumstances of the case require to be reviewed at a more senior level.

If the case to be reviewed has been managed by the Head of Wellbeing and Protection then the review will be conducted by the Chief Executive or an external reviewer.

A case will not be reviewed by any individual who had an involvement in the concern or incident, either as a named individual or witness, in the matter of concern.

A case review will not re-investigate the original complaint but focus on the process followed. If any criminality is uncovered during the review process, then a report will be made to Police Scotland and the case review suspended.

4/

TIMESCALES FOR REVIEW

It is desirable that the case review should be undertaken as speedily as feasible and all cases will aim to be reviewed within an 8 week period from the point the case reviewer has been appointed and received all evidence and correspondence relating to the case.

Timescales will be open to change due to particular circumstances relating to each case. Where an extension is necessary a progress report and explanation for the extension must be submitted for approval to:

- The Head of Wellbeing and Protection for reviews being undertaken by the Child Wellbeing and Protection Officer, Child Wellbeing and Protection Co-ordinator or by an external reviewer
- Chief Executive of the Scottish FA for reviews being undertaken by the Head of Wellbeing and Protection

5/

FIRST STEPS OF THE REVIEW

After an individual has been identified, the case reviewer will give consideration to any outstanding investigations or ongoing proceedings. These considerations will be:

1. Is there a police and/or social work protection investigation still ongoing?
2. Is there a criminal investigation by the police still ongoing?
3. Are there any related legal proceedings in relation to the case?

If the answer to any of these questions is yes, the review cannot proceed until the above have concluded.

6/

OTHER CONSIDERATIONS

If the review can proceed, the case reviewer will consider how people may feel about the case being reviewed and the possible impact this could have. These reviews are not in place to reopen concerns or reinvestigate them. All evidence and correspondence relating to the concern itself will be considered and only in exceptional circumstances will contact be made with those involved e.g. parents, children and witnesses for opinions or comment.

People may feel anxious about their actions being scrutinised but it should be made clear at the start of the review what it is set out to achieve to relieve any concerns, for example:

"I've been asked by the Scottish FA to review how the organisation dealt with the concerns about XXXXX. This will consider how procedures were followed and whether appropriate action was taken to protect those involved. I understand that you were involved in this case but I would like to clarify that this review is in place to..."

Throughout the whole case review, the case reviewer will make a record of the review and their findings. This may not be a lengthy report, although a full report may be appropriate in certain circumstances. Generally, any record of a review should contain the following information:

- The source of the concern
- The nature of the concern
- A chronology of events, individuals and organisations involved
- Action taken
- An analysis of the key issues or matters linked to the aims of the review
- Any other relevant points or observations
- Lessons to be learned and changes to be made
- Recommendations



CASE REVIEW PROCEDURE



1/ ESTABLISH THE FACTS OF THE CASE, A CHRONOLOGY OF EVENTS AND THE ROLES OF THOSE INVOLVED

Setting out the actual sequence of events will help the case reviewer to understand what happened, when, and who was involved; for example:

23 April 2018	Young person discloses physical abuse to their coach during a training session
23 April 2018	Coach reports the matter to Wellbeing and Protection Department
24 April 2018	Concern allocated to Child Wellbeing and Protection Officer (CWPO) in the Wellbeing and Protection Department
24 April 2018	Advice sought by CWPO from DC Smith at the Family Protection Unit, Police Scotland and the disclosure is reported to the police
25 April 2018	CWPO speaks to coach about any appropriate support for the young person

2/ IDENTIFY KEY QUESTIONS IN RELATION TO THE AIMS OF THE REVIEW

The case reviewer should then identify the questions contained in the specific remit of the review, and sources of information to provide the answers.

If the case reviewer considers that a child or young person may still be at risk despite action taken during the case or as a result of failure to take appropriate action, they should be prepared to act.

ANY URGENT ISSUES SHOULD BE ADDRESSED IMMEDIATELY WITHOUT WAITING FOR THE CONCLUSION OF THE REVIEW.

3/ IDENTIFY ANY OTHER RELEVANT POINTS OR OBSERVATIONS

The case reviewer may identify issues which are worth exploring further. These may include:

Procedures

- Were the relevant procedures followed?
- If not, is there a reasonable explanation for this?
- Were the timescales appropriate?
- Do the current procedures provide adequate information about what to do?
- If appropriate, was a referral made to Disclosure Scotland as required by law?

People

- Were the right people involved?
- Were the views of the child/family obtained?
- Were those involved aware of the procedures?
- Had the people involved been trained?
- Where appropriate, were external organisations involved; for example the police?

Outcomes

- Was the outcome appropriate in the case?
- If not, why not?
- Is there a need to take further action in this case; for example, referring the case to police/social work?
- Were the right people told the right things about the outcome?

Recording

- Were records kept?
- Is the quality of the information recorded satisfactory?
- Can the forms be improved?

4/ IDENTIFY ANY LESSONS TO BE LEARNED, CHANGES NEEDED AND MAKE RECOMMENDATIONS

If the case reviewer has gone through the above and can identify gaps or missed opportunities then this will inform the case reviewer's recommendations.

Recommendations may include things like changes to procedures, forms and/or the provision of training. It may be helpful for the case reviewer to prioritise the recommendations; for example, essential, desirable or helpful.

5/ RESPONDING TO THE FINDINGS AND RECOMMENDATIONS

Recommendations will be reported to the Head of Wellbeing and Protection in the first instance and the Head of Wellbeing and Protection will consult with the Chief Executive as required.

The report should include the recommendations only and not any details about the case, in order to preserve the child or young person's privacy, as well as others involved. The Wellbeing and Protection Department will consider how to respond to the findings, any recommendations and how to advise or support any others on whose behalf the review has been conducted.

Where recommendations are to be followed, the Head of Wellbeing and Protection, or the Chief Executive when necessary, will identify:

- the priorities
- what action is required
- who will take action to address the recommendations
- timescales for completion

This information must be clearly communicated to those involved.

If it is decided not to follow any recommendations, this decision and the reasons shall be clearly recorded. The Head of Wellbeing and Protection in consultation with the Chief Executive, as appropriate, will consider whether this decision requires to be communicated further e.g. to the Independent Wellbeing and Protection Advisory Board or any interested parties, such as persons involved in the concern or the individual who conducted the case review.

REMEMBER THAT MANY OF THE DETAILS OF THE CASE WILL BE CONFIDENTIAL, SO ANY INFORMATION SHARED MUST BE PRESENTED IN A WAY THAT PROTECTS THE ANONYMITY AND PRIVACY OF THOSE INVOLVED.





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