

Child Wellbeing and Protection Policy for Scottish Football – Referee Associations

RELATIONSHIPS

This Practice Note applies to all members and sets out the best practice in relation to developing positive relationships with young people involved at the Referee Association. It sets out how members can develop positive relationships with young people involved in refereeing and includes information on 'positions of trust', as well as highlighting behaviour which is inappropriate and the response that should be taken by anyone involved in football if they have any concerns.

The principles set out in this Practice Note will also apply to children and young people who members come into contact with through their role in football and any concerns inappropriate relationships between Association members and children or young people must be reported to the Referee Association's Child Wellbeing and Protection Officer.

Developing good relationships leads to positive behaviour on and off the pitch. Positive relationships are essential for creating the right environment. Unfortunately, there may be occasions where inappropriate relationships with children and young people are formed through football.


Within the Referee Association all members are expected to be proactive in promoting positive relationships with all children and young people involved in football.


Positive Relationships

Positive relationships are essential for creating an environment of inclusivity and fun. They lead to effective learning and create a place where young people feel able to share any worries or concerns. Where young people feel included, respected, safe and secure they are more likely to develop self-confidence, resilience and positive views of themselves.

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How to develop positive relationships with young people:

DO	
<ul style="list-style-type: none">• Have fun and help young people get the most out of their refereeing experience• Treat young people with respect, dignity, sensitivity and fairness• Listen to what they have to say and, when possible, include them in decisions on matters that affect them• Set clear boundaries so they know what to expect from you and what you expect from them	<ul style="list-style-type: none">• Encourage them to be the best version of themselves and to recognise their strengths and weaknesses• Support young people to understand their rights in football• Give enthusiastic and constructive feedback• Challenge inappropriate behaviour e.g. bullying behaviour, swearing or sexualised language 

DON'T	
<ul style="list-style-type: none">• Have favourites' – this could lead to resentment and jealousy by other young people and could be misinterpreted by others• Spend excessive amounts of time alone with young people away from others• Make sexually suggestive comments to a young person, even in fun	<ul style="list-style-type: none">• Form intimate emotional, physical or sexual relationships with young people• Have a young person to stay at your home where this is not part of a pre-existing family relationship or social relationship with other members of your family 

Position of Trust

In football, as in many sports, children and young people look up to the adults involved in the game and those in leadership roles. They see these individuals as **idols, role models** and sometimes the

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people who can help them **achieve their goal** of becoming a professional footballer or referee at a top level, whether this is real or perceived.

A **position of trust** is any position of authority that requires the holder of the position to enjoy the trust of a person over whom they exercise this authority and can also be known as a 'relationship of trust'. In the context of this Practice Note, people who hold positions of trust are generally adults but will also apply to young people who are aged under 18 and have taken on leadership roles.

The power and influence a member of the Referee Association can over a child or young person, including young referees at the Association and children and young people involved in football who recognise them as being in a position of authority, cannot be underestimated. Therefore, members will be considered to be in a position of trust.

If there is an additional competitive aspect to the activity and the person in the position of authority could be seen as having a role in the child or young person's success or failure, for example, through selection for refereeing particular games, then the dependency the younger person has upon the person in a position of authority will be increased. It is therefore vital for everyone to recognise the responsibility they have and ensure that they do not abuse their position of trust.

Current sexual offences legislation classifies any sexual activity involving children under 16 years old as unlawful. The **Sexual Offences (Scotland) Act 2009** defines specific roles and settings where sexual activity between 16 or 17 year olds and those in a position of trust, responsibility, or authority, constitutes a criminal offence. The legislation does not currently include sports roles (e.g. referees, coaches, instructors or helpers) or sports organisation settings (e.g. clubs, leisure facilities or events) within these definitions. Nonetheless the Referee Association recognises the influence that a members may have over young people, and that by virtue of their role they have the capacity to influence their personal, social and sporting development.

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Genuine relationships do occur, however, no intimate relationship should begin whilst the member is in a position of trust with the young person, regardless of whether they are both over the legal age of consent.

Any concerns that a member is or has abused their position of trust must be reported immediately to the Child Wellbeing and Protection Officer.

Peer on Peer Abuse

Football is a great place to make new friends and increase your social circle. Through a common interest in football, friendships will form and relationships will develop between young people. This may include intimate emotional relationships between young people. Often no harm comes from them, indeed they can be positive relationships. However, young people who suffer abuse can do so at the hands of other young people. **Peer on peer abuse may include physical, emotional and/or sexual abuse.** The Referee Association takes harmful behaviour by young people towards other young people seriously.

Any concerns about such conduct must be reported to the Referee Association’s Child Wellbeing and Protection Officer and, if appropriate, reported to the police and local statutory services.

‘Positions of trust’ also apply to young people who have taken on a leadership role within football. If there is a concern that a young person has abused their position of trust, or acted inappropriately towards another young person, this will be responded to in line with the Responding to Concerns Procedure.

Grooming

The vast majority of adults involved in football activities with children and young people participate with the aim of providing a fun and positive experience for those with whom they work. However, the

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Referee Association recognises that some people (though a minority) may use football as a way of gaining access to children and young people for inappropriate reasons, including sexual abuse.

In order to gain access to children and young people, those who commit offences often first earn the trust of people surrounding the child or young person. This may include representatives of the child or young person, members of the Referee Association, clubs, coaches and volunteers, parents and carers and other children or young people. This process is referred to as ‘grooming’. **This predatory behaviour is an offence and may be prosecuted separately to direct sexual abuse.** Those who commit offences often portray themselves as caring and trustworthy individuals so they are freely entrusted with the care of children or young people. Once they have gained access to children or young people, they befriend them in order to break down any pre-existing barriers. As soon as a trusting friendship has been established, they manipulate and control children or young person into gratifying their sexual needs. It is important to recognise that this can occur over a very short or a very long period of time, depending on the individual and the role they have. For example, if a person is perceived by the child or young person as being able to influence their sporting career then the process can be very short indeed.

Some children or young people who have been sexually abused may not consider that they have been abused as a result of grooming and instead may think that they are in a ‘loving’ relationship with the adult. It is important to understand that grooming is part of the abuse and is a criminal offence. The **Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005** addresses the predatory behaviour of those who “groom” children with the aim of abusing them by introducing an offence of “grooming”.

Any member of staff or Associated Person must report any suspicions or allegations of grooming to the Referee Association’s Child Wellbeing and Protection Officer in line with the Responding to Concerns Procedure.

Opportunistic and Situational Behaviour

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Not all people who abuse children and young people are predatory or go into a role with the intention of abusing children or young people. In some circumstances, the adult may take advantage of the opportunity through **misuse of their position of trust** and **a lack of clear boundaries** (“opportunistic behaviour”). Others may be in a situation where through working with a child or young person they **start to feel an attraction** (“situational behaviour”). For those whose behaviour is opportunistic or situational, they may have never previously considered abusing a child or young person or had a sexual attraction to children or young people and may be just as confused about their own behaviour, thoughts and feelings. This does not mean that their behaviour is any less concerning or abusive. The wellbeing and safety of the child or young person must always be the paramount consideration and all actions should be taken in their best interests.

Any concerns of such behaviour must be responded to under the Responding to Concerns Procedure and reported to the police, if possible criminal behaviour.

Sexual Activity

Within football, as within other activities, sexual relationships do occur. It is important to address sexual activity both between young people and between adults and children.

Sexual interactions between adults and young people (aged 16 and over) involved in football, while not illegal raise serious issues given the power imbalance inherent in the relationship. Where a young person is of the age of consent, the power the adult has over that young person may influence their ability to genuinely consent to sexual activity. Members in a position of authority may have significant power or influence over a young person’s career.

Sexual activity between adults and young people (aged 16 and over) involved in football is prohibited when the adult is considered to be in a position of trust or authority (e.g. official etc.)

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Inappropriate or criminal sexual behaviour committed by an adult will lead to suspension and disciplinary action in accordance with the Referee Association's Disciplinary Procedures, which in the case of criminal behaviour must include contacting the police.

Sexual activity between adults and children or young people under the age of 16 is a criminal act and should be immediately reported to the Child Wellbeing and Protection Officer and the police.

References and information provided on legislation listed above has been taken from '10 Steps to Safeguard Children in Sport' published online by the Safeguarding in Sport Service: www.children1st.org.uk/what-we-do/our-services/search-our-services/safeguarding-in-sport/10-steps-to-safeguard-children-in-sport