

## Cycling Scotland Child Protection Policy and Procedures v4

Cycling Scotland believes that a child or young person should never experience abuse of any kind. We have a responsibility to promote the welfare and wellbeing of all children and young people within the Scottish Government framework of GIRFEC (Getting It Right For Every Child) and keep them safe. We are committed to practice in a way that protects them.

The purpose of this policy is:

- To protect children and young people who receive Cycling Scotland services. This includes the children of adults who use the service.
- To provide staff with the overarching principles that guides our approach to protecting all children and young people from abuse.
- To ensure staff are clear about how to identify and respond to concerns about child welfare and wellbeing and especially those that are of a child protection nature.
- To ensure staff have a clear understanding of the principles and practice involved in the protection of children within a GIRFEC framework and applying the principle that every child in Scotland has the right to be Safe, Healthy, Achieving, Nurtured, Achieving, Responsible, Respected and Included.
- To ensure staff understand the importance of prevention in responding proactively and efficiently to all concerns.

This policy applies to all staff, including senior managers and board of trustees, paid staff, volunteers, sessional workers, agency staff, freelance consultants, students or anyone involved in work directly commissioned or undertaken by Cycling Scotland (referred to as staff in this document). If you have a concern, report it to the Designated Child Protection Officer (DCPO). This is Nina Saunders, and she can be contacted on 07715 407724. In her absence, speak to the Head of Education and Training or the CEO.

Note: Cycling Scotland co-ordinates Bikeability Scotland on behalf of the Bikeability Scotland Delivery Group (BSDG). Although Cycling Scotland is responsible for cascading the instructor training, the Bikeability Scotland training sessions themselves are coordinated and delivered by local authorities, schools and other organisations. Therefore, each local authority, school or organisations child protection policies and procedures will apply when delivering Bikeability Scotland training sessions.

### Legal framework

- Children (Scotland) Act 2020. Getting it right for Every Child (GIRFEC) 2022
- The Disclosure (Scotland) Act 2020
- Children and Young People (Scotland) Act 2014
- National Guidance for Child Protection Scotland (2021)
- Local CPC procedures/guidance. Information on local CPC's can be found at: <https://www.celcis.org/our-work/protecting-children/child-protection-committees-scotland>
- Adult Support and Protection (Scotland) Act 2007

## We recognise that:

- The welfare of a child is paramount Children (Scotland) Act 2020.
- All children regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm and abuse.
- Some children are additionally vulnerable because of the impact of previous experiences, their dependency, disability, communication needs or other issues.
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's wellbeing and welfare.

## We will seek to keep children and young people safe by:

- Valuing them, listening and respecting them.
- Adopting child protection practices through procedures and a code of conduct for staff.
- Developing and implementing an effective e-safety policy and related procedures
- Providing effective management for staff through supervision, support and training.
- Recruiting staff safely, ensuring all necessary checks are made through PVG membership and references.
- Sharing information about child protection and good practice with children, parents and staff.
- Sharing concerns with agencies that need to know including social work and police and involving parents and children appropriately.

## Definitions

### Who is a child?

For the purposes of this policy the definition of a 'child' or 'young person' is anyone aged under 18 years of age as supported by the Children (Scotland) Act 2020. The extension of the use of the term 'child' beyond 16 years of age is to ensure that there is not an abuse of the position of trust that exists in a position of trust relationship. Where a young person aged 16-18 requires protection, it must be noted that the Adult Support and Protection (Scotland) Act 2007 legislation may apply.

### What is child protection?

Child protection means protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a *likelihood* or *risk* of significant harm from abuse or neglect.

### What is child abuse?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. Assessments will need to consider whether abuse has occurred or is likely to occur.

There are four main categories of abuse: Physical, Emotional, Sexual and Neglect. The following definitions show some of the ways in which abuse may be experienced by a child.

They are not exhaustive, as individual circumstances may vary, and staff should be alert to this.

## Physical abuse

The causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent/carer feigns symptoms of, or deliberately causes, ill-health to a child (this is known as fabricated or induced illness).

- Possible indicators of physical abuse are repeat injuries, inherent suspicious injuries, burns and scalds, fractures and fabricated/induced illnesses.

## Sexual abuse

Any act that involves the child in any activity for the sexual gratification of another person, whether or not it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. Activities may involve physical contact, including penetrative or non-penetrative acts. It may also involve non-contact activities, such as involving children in looking at, or in the production of, indecent images or watching sexual activities, using sexual language towards a child or encouraging children to behave in sexually inappropriate ways.

- Possible indicators of sexual abuse are physical signs such as bruises, scratches or bite marks to thighs or genital areas; or behaviour such as precocity, withdrawal or inappropriate sexual behaviour.

## Emotional abuse

This is the persistent emotional neglect or ill-treatment that has severe and persistent adverse effects on a child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued in so far as they meet the needs of another person. It may involve the imposition of age – or developmentally, inappropriate expectations on a child. It may also involve causing children to feel frightened or in danger or exploiting/corrupting children. **Some level of emotional abuse is present in all types of ill-treatments of a child;** it can also occur independently of other forms of abuse.

- Possible indicators of emotional abuse are excessive dependence, attention seeking behaviour and self-harming.

## Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or development. It may involve parents failing to provide adequate food, shelter, clothing, or to protect a child from physical harm or danger or to ensure access to appropriate medical treatment. It may also include neglect of, or failure to respond to a child's basic emotional needs.

- Possible indicators of neglect are inadequate clothing, poor growth, hunger and poor hygiene.

## Other areas to be aware of:

**Bullying** - although bullying is not on its own a category of abuse it is important that staff are alert to the impact that bullying can have and this includes online cyber bullying and may be offensive, intimidating, malicious or insulting behaviour.

- Bullying is an unacceptable form of behaviour through which a child/young person or groups feel threatened, abused or undermined by another individual or group.
- Bullying is behaviour that can be defined as a repeated attack of a physical, psychological, social or verbal nature by those who are able to exert influence over others.
- Bullying can take many forms. It may include physical aggression, intimidation, threatening, extorting, pressurising, name-calling or teasing and can be online cyber bullying.
- Less obvious examples such as ignoring or excluding someone are also regarded as bullying and their possible effects should not be minimised.
- Bullying can cause stress and can affect a child's health.

Further information can be found at <http://www.respectme.org.uk/>

(Refer to the Dignity at Work and Equality & Diversity Policies in the Staff Handbook).

**Child sexual exploitation** - child sexual exploitation is a form of child sexual abuse in which person(s), of any age take advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act. Further information can be found at the Scottish Government website:  
<https://www.parentclub.scot/topics/online-safety>

**Domestic abuse** - takes the form of actions that can result in physical, sexual and psychological harm and suffering for women and children. It is widely unreported, and it is crucial that staff are aware of the signs of domestic abuse. Further information can be found at Police Scotland: <https://www.scotland.police.uk/advice-and-information/domestic-abuse/>

**Forced marriage** - is not condoned in Scotland and is an abuse of human rights. Children who are forced or subjected to emotional, physical or sexual abuse as a result, are protected by the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011. Further information can be found by calling the forced marriage helpline **on** 0800 027 1234 which is open 24 hours or by visiting: <https://www.mygov.scot/forced-marriage>

**Female genital mutilation (FGM)** - it is an offence in Scotland to carry out this procedure or carry it out (or arrange to carry it out) abroad, even in countries where it is legal. Further information on FGM can be found at: <https://www.mygov.scot/fgmA>. The 24-hour FGM advice line is available through the NSPCC by calling: 0800 028 3550.

**Radicalisation** - radicalisation is a non-specific word and may mean different things to different people. In the Scottish Government's published Revised Prevent Duty guidance: for Scotland (2015), radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Staff should understand what radicalisation means and why people may be vulnerable to it.

Further information can be found at: <https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-scotland>

**Child trafficking** - Child trafficking and modern slavery are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold. Children are trafficked for:

- child sexual exploitation
- benefit fraud
- forced marriage
- domestic servitude such as cleaning, childcare, cooking
- forced labour in factories or agriculture
- criminal activity such as pickpocketing, begging, transporting drugs, working on cannabis farms, selling pirate DVDs and bag theft.

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

Further information can be found at: <https://www.mygov.scot/human-trafficking-support>

## **Designated Child Protection Officer**

The Designated Child Protection Officer (DCPO) for Cycling Scotland who is responsible for dealing with any concerns about the protection of children is Nina Saunders (Cycle Training Manager). Contact telephone number: 07715407724.

The role of the DCPO is:

- To act as the first point of contact for staff concerned about the safety and welfare of a child.
- To confidentially manage and refer all cases of suspected abuse to the appropriate agency and as quickly as possible to either children's social work or Police Scotland.
- To be familiar with Child Protection Committees (CPC) procedures.
- To ensure that all staff know where they can find the child protection policy and procedures and that they are implemented.
- To liaise with appropriate local agencies for support and advice and know where to find local contacts.
- To organise training of staff about how to respond to child protection concerns and advise of training needs.
- To collect monitoring data on all welfare, wellbeing and child protection activities across the organisation.
- To act as a source of support, advice and expertise to staff on matter of child wellbeing, child welfare and protection when deciding whether to make a referral.
- To demonstrate an awareness and understanding of current issues within the field of keeping children and young people safe, such as child sexual exploitation and online safety.
- To have a working knowledge of GIRFEC, child protection case conferences as per National Guidance for Child Protection Scotland 2021.
- To lead on reviewing, updating and developing Cycling Scotland's child protection policy and procedures and monitoring its implementation.
- To lead the management of PVG notification where a person is dismissed or has left due to risk/harm to a child.

- To ensure that an individual case record is maintained of any action taken by the organisation, the liaison with other agencies and the outcome.
- To liaise with senior management to inform them of issues, especially ongoing enquiries by social work or lead professional and inform about any action taken and further action required. For example, disciplinary action against a member of staff.
- To advise Cycling Scotland of child protection training needs.
- To deal with the aftermath of an incident in the organisation.

## Child protection procedures

The legal parents/guardians of the child should be contacted in the first instance if appropriate. If a matter is serious enough then a referral must be made to local Social Work Services or Police Scotland.

## Code of safe conduct:

- Wherever possible avoid spending time with young people unobserved.
- Where necessary invite a young person to bring a friend, move into view of others or leave the door open.
- Where a private conversation is necessary inform another member of staff of your whereabouts and approximately how long you will be with the young person.
- Workers and volunteers should watch out for each other. Are colleagues being drawn into situations that could be misinterpreted? How colleagues' view each other's practice will be how outsiders will view it including parents.
- Be aware of any physical contact with a young person. Where necessary for example when there has been an accident ensure that you are treating the person for the injury. Do not continue with any additional contact wherever it is unnecessary.
- Do not have or be perceived to have favourites.
- Do not give lifts to young people outside agreed activities.
- Do not take young people to your home. Always make sure that you made a record of any home visit and make your manager aware of this.
- Where it is necessary to take a young person in your car ensure that your manager/colleague is aware of this and approximately how long you will be. Take a mobile phone to communicate any reasons for delays. Ask the young person to sit in the back.
- Do not use physical punishments or any action that involves locking up a child.
- Do not arrange meetings outside working hours. Do not develop social relationships with young people using the service. If you come into contact with a service user in a social setting, try and move away, if this is not possible try and maintain a professional distance. Pay attention to your own behaviour in such a setting.
- Do not buy goods or use the services of service users or their friends.
- Do not accept any money or gifts from service users. Tell the young people the policy and ensure the service user does not feel offended.
- Do not give money or gifts to service users.
- Do not borrow money from service users.
- Do not 'friend' or 'follow' any children or vulnerable adults on any social media sites.
- Be aware of the Ethical Code of Conduct detailed in the Training Policies Document.
- Follow responding to concerns procedure.

If a child discloses abuse, remember that this may be the beginning of a legal process, as well as of a process of recovery for the child. Legal action against a perpetrator can be seriously damaged by any suggestion that the child has been led in any way.

The following guidance should be followed as far as possible:

- Rather than directly questioning the child, just **listen** and be supportive.
- Never stop a child who is freely recalling significant events, but don't push the child to tell you more than they wish to.
- Write an account of the conversation immediately. Put the date and timings on it and mention anyone else who was present. Then sign it and hand your record to the DCPO, who should contact the child's parent/guardian or local children and family social work office where appropriate.
- All subsequent events affecting the child need to be recorded, up to the time of any formal interview takes place.

## Other important issues

- Children need to know that they will be listened to, and their concerns will be taken seriously, so it is a good idea to display information about helplines and peer support schemes.
- Children will talk about their concerns and problems to people they feel they can trust. The person a child talks to will not necessarily be a senior staff member.
- Any member of staff or volunteer who is approached by a child wanting to talk should listen positively and reassure the child.
- The way a staff member talks to a child in such situations may influence the evidence that is put forward if the case goes to court. It is important that staff do not jump to conclusions, ask leading questions, or put words in a child's mouth.
- Staff should be aware that:
  - it is **not their responsibility to investigate** suspected cases of abuse.
  - they should not take any action beyond that in their organisation's procedures.
  - they cannot promise a child complete confidentiality – they must explain that they may need to pass information to other professionals to help keep the child or other children safe.

**If you have concerns, you MUST ACT** – it may be the final piece of the jigsaw that is needed to protect that child, and it may prevent other children from being hurt. Contact the DCPO on 07715 407724.

## Numbers to contact:

- NSPCC – 0808 800 5000 (365 days per year, 24/7)
- Social Work (search individual local authority websites for contact details)
- Police Scotland – 101 or 999 for emergency

## Recording information

### Purpose of recording

- Allows for a chronology of what happened and when it happened
- Shows the history of events and allows analysis of any patterns
- Allows for continuity in absence of worker
- Shows actions taken by staff

- Provides accountability – agency, staff and caller
- Provides a basis for evidence in court
- Provides information for enquiry, statistics, research
- Highlights staff training and development needs.

## Checklist for a good record

- Structured and easily accessible
- Legible
- Clear and concise
- Author's meaning clearly conveyed
- Includes all relevant information
- Free from jargon and abbreviations
- Separates fact from opinion
- Professional judgment supported by evidence
- Decisions reached with worker are clearly recorded
- Signed and dated and timed.

## Recording Issues

1. **Be specific** – what is the exact nature of the concern, and which category of abuse does it suggest
2. **Show the evidence** – what did you see, hear? Who said what, when, how?
3. **Be precise** with time words – what does always, frequent or never mean?
4. State your **professional judgment**.
5. Ensure your professional judgment is **support by the evidence**.

Refer to Appendix 1 for the Cycling Scotland Report Form

## Confidentiality/sharing information

### Information sharing for child protection: general principles

The wellbeing of a child is of central importance when making decisions to lawfully share information with or about them.

- Children have a right to express their views and have them considered when decisions are made about what should happen to them.
- The reasons why information needs to be shared, and actions taken should be communicated openly and honestly with children and, where appropriate, their families.
- In general, information will normally only be shared with the consent of the child (depending on age and maturity). However, where there is a risk to a child's wellbeing, consent should not be sought, and relevant information should be shared with other individuals or agencies as appropriate.
- At all times, information shared should be relevant, necessary and proportionate to the circumstances of the child, and limited to those who need to know.
- When gathering information about possible risks to a child, information should be sought from all relevant sources, including services that may be involved with other family members. Relevant historical information should also be considered.
- When information is shared, a record should be made of when it was shared, with whom, for what purpose, in what form and whether it was disclosed with or without informed consent. Similarly, any decision *not* to share information and the rationale should also be recorded.
- Agencies should provide clear guidance for practitioners on sharing information. This should include advice on sharing information about adults who may pose a risk to children, dealing with disputes over information-sharing and clear policies on whistleblowing.

- It is not necessary to seek consent when there is legislative requirement to share information; for example, when making a referral to the Children's Reporter, or the prevention and detection of crime.

(Adapted from National Guidance Child Protection Scotland, 2021)

## **Allegations against staff**

Any concerns about the welfare of a child or vulnerable adult arising from alleged abuse or harassment by a member of staff at Cycling Scotland must be reported immediately to the DCPO 07715 407724).

The allegation should be investigated immediately by the DCPO, Corporate Services Manager, CEO or a Board Director as appropriate.

## **Supporting staff**

- Employers have a duty of care to their staff. They should ensure they provide effective support for anyone facing an allegation and provide the staff member with a named contact if they are suspended.
- Suspension should be carefully considered and is not automatic. It is essential that any allegation is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and at the same time supports the staff member who is the subject of the allegation. All options to avoid suspension should be considered prior to taking that step.

Where it is clear that an investigation by the police is unnecessary, the DCPO should discuss the next steps with the Head of their team, the organisation and HR.

- Keep records on an individual's file until retirement or 10 years if that will be longer.
- Decisions regarding suspension are with the employer.
- If Cycling Scotland removes an individual (paid or unpaid) from work such as looking after children or adults (or would have, had the person not left first) because the person poses a risk of harm to children or adults, the Organisation must make a referral to Disclosure Scotland. It is an offence to fail to make a referral without good reason (see the Making a referral policy in Appendix 2).

## **Whistleblowing**

Cycling Scotland understands that staff will often be the first to know when someone inside or connected with the Organisation is doing something illegal, dishonest, or improper, but may feel apprehensive about voicing their concerns. However, it is in the interest of everyone, and the Organisation that individuals with knowledge of wrongdoing are supported in reporting such behaviour.

Any individual with knowledge of any such activities should inform the DCPO/or their line manager who will take the matter further as appropriate and necessary or alternatively call NSPCC whistleblowing advice line on 0808 028 0285.

(Refer to the Whistleblowing Policy in the Staff Handbook).

## Social media

It is recognised that social media sites have become a significant way of life for many people and that, when used appropriately, are a positive way of keeping in touch with friends and colleagues as well as providing an opportunity to communicate through media.

There are instances, however, where these sites can be used inappropriately in terms of content or substantial use during working hours and the following should be adhered to:

- A staff member should not refer to any confidential information relating to their employment. This includes potentially sensitive or confidential information about Cycling Scotland.
- Any misuse of a social networking site including acts committed that may bring Cycling Scotland into disrepute, may result in disciplinary action against the staff member and could constitute gross misconduct.
- If a member of staff is concerned that information or content posted on one of the Cycling Scotland official sites is contrary to this policy, they should raise this concern with their DCPO/line manager and Head of Communications.
- Privacy should be respected always – if a staff member wishes to post a photograph or information on an individual, they should gain prior permission from the individual and it must not be posted on personal pages.
- Staff must not friend/follow on their personal sites young people or vulnerable adults that attend Cycling Scotland services under any circumstances.

(Refer also to the Use of Social Media Policy in the Staff Handbook).

## Photography

Permission must be sought to use imagery of participants in any activities of Cycling Scotland. It must be made clear where the photographs are to be used (refer to photography policy).

## Recruitment

Cycling Scotland will take all reasonable steps to prevent unsuitable people from working with children, young people and adults. If the job role requires working with children and/or vulnerable adults; staff will need to have PVG checks and have two suitable references of their suitability to work with children/young people/adults.

## Selection

- All applicants, for paid and unpaid positions, will complete an application form or alternative agreed recruitment process.
- Shortlisted applicants will be invited to attend an interview.
- Shortlisted applicants will be asked to provide references, and these will always be taken up prior to confirmation of appointment.

## Training

- The successful applicant will receive induction training, which will give an overview of the organisation and ensure they know its purpose, values, services and structure.
- Relevant training and support will be provided on an ongoing basis and will cover information about their role and opportunities for practising skills needed for the work.
- Training on specific areas will be given as a priority to new staff and will be regularly reviewed.

## Supervision

- All staff will have a designated line manager, who will provide regular feedback and support.
- Every member of full-time staff will attend an annual review, where their performance, skills, motivation and expectations will be discussed. Annual reviews will be recorded, and copies made available to staff member.
- Other members of staff (e.g. freelance consultants) have a named member of full-time staff at Cycling Scotland who can provide feedback and support as and when necessary. These staff can attend Safeguarding CPD or training on a 3-yearly basis.

## Retrospective checks

As of July 2022, there are no implications for current Cycling Scotland staff whose roles are not listed unless they undertake a job role change. Currently it is not necessary for them to be PVG checked. However, if future job roles change and there is a requirement to do so, they need to be informed that this may be the case. (Refer to Recruitment of Ex-Offenders and Appendices 2 & 3 for policy on dealing with Disclosure Information).

## Recruitment of ex-offenders

Cycling Scotland will treat any applicant for any position (paid or voluntary) within our organisation fairly and not discriminate unfairly against the subject of a PVG based on a conviction or other information revealed.

- We will request the appropriate level of PVG only where it is necessary and relevant to the position sought.
- Where a position requires a PVG, we will make this clear on the application form, job advert and any other information provided about the post.
- At interview, we will ensure that open and measured discussions can take place about offences.
- Failure to reveal information at interview, that is directly relevant to the position sought, could lead to the withdrawal of an offer of employment.
- At interview, or when receiving a PVG which indicates a conviction, we will take into consideration the following: -
  - Whether the conviction is relevant to the position being offered
  - The seriousness of the offence revealed
  - The length of time since the offence took place
  - Whether the applicant has a pattern of offending behaviour
  - Whether the applicant's circumstances have changed since offending took place.

(Refer to Appendices 3,4 & 5)

We will ensure that all our staff members involved in the recruitment process are aware of the PVG Policy (Appendix 6) and have received relevant training and support. See also Scotland Works For You Guidance:

<https://www.mygov.scot/scotland-works-for-you>

Cycling Scotland has a secure handling of disclosure policy (See Appendix 7).

## **Board endorsement**

The Board acknowledges and endorses these policies and procedures are in place to promote, support and safeguard children's wellbeing within the organisation. This commitment acknowledges the Boards accountability for the implementation of the child protection policy and procedures.

## **Review**

Cycling Scotland is committed to reviewing our policy, procedures and good practice annually or in the following circumstances:

- Changes in legislation and/or government guidance
- As a result of any other significant change or event.

Any significant changes will be passed to the HR sub-committee in the first instance. If further review is required, then this will be passed to the Board. This policy was last reviewed on February 3<sup>rd</sup>, 2026.

Signed 

Designated Child Protection Officer (DCPO)

## **Agreement of understanding**

Cycling Scotland expects staff, freelance consultants and volunteers to follow the behaviours and information set out in this document. If anyone behaves in a way which contradicts any of these points, we will address the problem straight away and aim to resolve the issues. Continued issues and breaches of this code may result in the organisation taking disciplinary action (Refer to Disciplinary Policy in the Cycling Scotland Staff Handbook).

## Appendix 1 - Cycling Scotland report form

**CONFIDENTIAL**

<b>Name of child:</b>	<b>Gender:</b>
<b>DOB:</b>	<b>Ethnicity &amp; language:</b>
<b>Address &amp; postcode:</b>	<b>Phone number:</b>
<b>Name of main carer:</b>	<b>Relationship to child:</b>
<b>Address &amp; postcode of main carer</b>	<b>Phone number of main carer:</b>
<b>Is the main carer aware of this referral?</b>	<b>Please state reason:</b>
<b>Yes/No</b>	
<b>Does the child know that a referral is being made?</b>	<b>Please state reason:</b>
<b>Any other relevant information?</b>	
<p><b>Reason for concern:</b> <i>(state briefly what the child said or what you observed that caused concern. Include the date, time and event).</i></p>	
<p><b>Areas of risk:</b> Physical / Neglect / Emotional / Sexual parental / Substance misuse / Parental mental health / Child placing themselves at risk / Domestic abuse / non-engaging family / Child exploitation / Other concern (please note here):</p>	
<b>State what action has been taken and when:</b>	
<b>Name of staff member:</b>	<b>Signed:</b>
<b>Date &amp; time:</b>	<b>Position:</b>
<b>DCPO Actions</b>	
<b>Name:</b>	<b>Signed:</b>
<b>Date &amp; time:</b>	<b>Position:</b>

## Appendix 2

### Making a referral policy

#### Introduction

As a provider of regulated roles, as defined by Schedules 2 and 3 of the Protection of Vulnerable Groups (Scotland) Act 2007, Cycling Scotland has to refer individuals to Disclosure Scotland in certain circumstances. This legal duty to refer is included in section 9 of the Protection of Vulnerable Groups (Scotland) Act 2007.

The duty to refer to Disclosure Scotland exists regardless of the involvement of other agencies, for example the police, regulatory bodies or local authorities.

#### Types of conduct

The duty to refer exists when an individual in a regulated role is responsible for one of the following:

- harming a child or protected adult
- placing a child or protected adult at risk of harm
- inappropriate behaviour involving pornography
- inappropriate behaviour of a sexual nature involving a child or protected adult
- giving inappropriate medical treatment to a child or protected adult.

#### Harm

'Harm' can include:

- physical harm (including assault or inappropriate restraints)
- psychological/emotional harm (for example, placing a child/protected adults in a state of fear, alarm or distress)
- damage to property, rights or interests, such as theft, fraud, embezzlement or extortion
- attempts to harm
- trying to make others cause harm
- encouraging someone to self-harm.

These lists are not exhaustive.

Placing at 'risk of harm' is a wide-ranging category but may include behaviour or incompetence that may cause someone to be harmed (even if unintentional and/or where harm does not actually occur). The conduct does not need to have happened in the workplace. But it must be something the organisation becomes aware of, that then leads to one of the actions below.

#### When to refer to Disclosure Scotland

A referral to Disclosure Scotland about a person's conduct only needs to be made if the behaviour meant that the employee or volunteer involved:

- was dismissed as a result
- would have been dismissed but left before they could be. For example, they resigned from the organisation immediately after the incident(s) or before a disciplinary process is complete, or when an individual's probation or fixed term contract is not extended because of their conduct

- was transferred permanently away from work with children or protected adults. For example, being moved to another role in the organisation that does not involve a regulated role with those groups.

The referral must be made within 3 months of the decision of Cycling Scotland to either dismiss/permanently remove the individual from regulated work, or within 3 months of the date that the individual would have been permanently removed had they not left.

The 3-month period to submit referrals to Disclosure Scotland is a legal requirement, regardless of any dismissal appeals or appeal periods etc. Even where an individual appeals against a decision to permanently remove from regulated work, the 3-month period begins on the date of the decision to either dismiss or permanently remove them from a regulated role.

The type of conduct committed by the individual must be in relation to the group that the individual is in regulated role with, whether that regulated role is for Cycling Scotland or another organisation. For example, if an individual is permanently removed from a position due to assaulting a child, but they are only in a regulated role with protected adults, it is not possible under current legislation for the organisation to refer that individual to Disclosure Scotland.

### **How to refer an individual to Disclosure Scotland**

An [employer referral form](#) is available on the Disclosure Scotland website. This asks for:

- proof of the person's identity
- details of the type of regulated role they're employed to do
- the person's PVG scheme number, if they have one
- information on the harmful behaviour
- details and documentation of the employer's investigation and outcome.

The referral should not identify any children or protected adults by name (for example, victims and witnesses). You should use a coded reference (e.g. child A, age 12).

When the details have been filled in, email the form and any supporting documents to [pvgreferrals@assured.systems.gov.scot](mailto:pvgreferrals@assured.systems.gov.scot). or print it out and post it to the address provided on the form.

### **Help**

There's more information on the [Disclosure Scotland website](#), including the [form used to submit a referral](#).

Disclosure Scotland can provide advice on whether a specific situation means a referral must be submitted. You can contact them for help:

- phone: 0300 020 0040
- email: [response@disclosurescotland.gov.scot](mailto:response@disclosurescotland.gov.scot)

## Appendix 3

### Recruitment of ex-offenders' policy

This policy is for Cycling Scotland to refer to when accessing Disclosure Records for the purpose of assessing an individual's suitability for paid and/or unpaid work.

The purpose of this policy is to ensure consistent and fair practices are implemented for the recruitment of staff, contractors or volunteers who have a criminal record or those who work (paid or unpaid) in a regulated role at Cycling Scotland.

Cycling Scotland undertakes to treat all applicants for positions within the organisation fairly and not to discriminate unfairly against an applicant based on conviction information revealed. Having a criminal record will not necessarily debar an individual from working/volunteering in positions within the organisation.

Cycling Scotland implements a fair recruitment policy that ensures individuals have the opportunity to disclose any convictions or conviction information in a way that allows for a clear risk assessment to be carried out that will determine whether or not the conviction or conviction information is relevant to the position applied for, by taking account of the following:

- Whether the conviction is relevant to the position being offered
- The seriousness of the offence revealed
- The length of time since the offence took place
- Whether the applicant has a pattern of offending behaviour
- Whether the applicant's circumstances have changed since the offence took place.

To ensure the correct applicant is appointed and to enable Cycling Scotland to determine the relevance of any convictions Cycling Scotland will use the following recruitment tools:

- Application form and/or CV
- Self-declaration form or letter
- References
- Interviews
- Appropriate level of disclosure.

As part of our recruitment policy, we request the appropriate level of disclosure record at the final part of the recruitment stage, when a position has been offered. Should the organisation decide that the information disclosed is relevant to the post applied for, the applicant will be deemed to be unsuccessful, and this information will be fed back to the applicant in a written format.

It is an offence for an individual who is barred to undertake work in a regulated role from which they are barred. It is also an offence to make an application to be considered for such work. All adverts for vacancies relating to regulated roles will make it clear that the position is eligible for a disclosure check.

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

## Appendix 4

### Barred and under consideration for listing – guidance and policy

Cycling Scotland aims to ensure that all children and/or protected adults are kept safe from harm while they are with our staff/contractors and volunteers.

Those who will undertake regulated work with children and/or protected adults within Cycling Scotland will be asked to complete a PVG disclosure application. Disclosure Scotland will continually monitor scheme members suitability to carry out regulated work and will notify Cycling Scotland if someone is barred as they have become unsuitable to do that type of regulated work or if someone is moved to consideration for listing. This can happen either at the time that someone applies to join the PVG Scheme or throughout the period that they are doing regulated work.

The PVG Scheme provides for decisions to be made about a person's suitability to carry out certain types of regulated work. As part of this determination process, those not considered suitable will be barred from doing regulated work with children or protected adults or both.

Individuals can also be placed under consideration for listing where there is information which needs further investigation to determine if the person is suitable for regulated work.

#### Barring from regulated work

Barring or being considered for listing can happen at the time that the applicant applies to join the PVG Scheme or throughout the period that they are a scheme member. Disclosure Scotland will notify Cycling Scotland when someone we are recruiting or have recruited into regulated work becomes barred or under consideration for listing in relation to the regulated work for the organisation.

If notified that someone is barred from regulated work with children and/or protected adults, the person **must be** removed from the relevant type of work. This is because it is an offence for an organisation to offer or fail to remove a person who is barred from regulated work after they have been notified.

#### Under consideration for listing

If notified that someone is under consideration for listing in relation to the regulated work type that they do for Cycling Scotland, the organisation will make its own decision about the action that it will take. Cycling Scotland will: detail their considerations, risk to services users, and action what is considered appropriate in a written format on a case-by-case basis. This provides clarity for those who have to make recruitment decisions and also lets those in regulated role(s) know what to expect in these circumstances.

Disclosure Scotland may place a scheme member 'under consideration for listing' if they have information that they need to take time to review. During this time, the member is not barred from regulated work. If Cycling Scotland are notified by Disclosure Scotland that an individual is under consideration for listing, the organisation will take the following action:

- At recruitment stage - a decision will be made on a case-by-case basis.
- As a result of on-going monitoring - a decision will be made on a case-by-case basis.

Any decision will be fully explained to the individual member of staff/contractor/volunteer. 

## Appendix 5 Declaring Convictions

### The Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Amendment Order 2018

The post that you have applied for is one where your normal duties are part of a regulated role for Cycling Scotland and is exempt from the provision of the Rehabilitation of Offenders Act 1974, by virtue of the Rehabilitation of Offenders Act 1974 - Exemptions Order 1975. We therefore require a PVG check in accordance with at least one of the following pieces of legislation:

- Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended)
- Exclusions and Exceptions (Scotland) Order 2013 (as amended)
- Protection of Vulnerable Groups (Scotland) Act 2007 (as amended)
- Police Act 1997 (as amended)
- [Disclosure \(Scotland\) Act 2020](#).

You are therefore required to disclose certain convictions or admonishments together with any other relevant non conviction information as requested below. Having a criminal record will not necessarily be a bar to working or volunteering with us. We will consider any information disclosed fairly and in accordance with the requirements of Rehabilitation of Offenders Act 1974.

This guidance relates to convictions or admonishments in Scotland. If you have any vetting information from England, Wales or Northern Ireland, you should refer to that country's guidance on what to disclose.

### UK GDPR and Data Protection Act 2018

The information given in this form will be treated in strict confidence. When completed, documents containing personal data as defined by the UK GDPR and Data Protection Act 2018 will be used only for the purpose it was requested and handled in accordance with the Cycling Scotland privacy policy.

### Unspent convictions

You must complete this section.

Do you have any unspent convictions?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If you have answered yes, please provide details of any unspent convictions and admonishments below. All unspent convictions and

admonishments must be disclosed.

Date	Court	Offence	Disposal

### Spent convictions

This section should only be completed if you will be applying for a job that is considered a regulated role with Cycling Scotland.

The 2018 amendment order gives 2 lists of spent convictions.

Full information can be found here:

<https://www.mygov.scot/spent-and-unspent-convictions>

If you have any convictions for offences detailed in these lists which have passed the timescales detailed in the information issued by mygov.scot, you should not disclose these on this form. However, please be aware that if you are applying for a job that is considered a regulated role at Cycling Scotland, this information can be released on your certificate for longer than the normal rehabilitation period.

If you have any convictions for offences detailed in these lists, you must provide this information here.

Date	Court	Offence	Disposal

Please provide the details of any other relevant information here:

### Barred Lists

I understand that my role involves regulated work and confirm that I am not barred from the relevant regulated work group(s).	
Signed	Date

### Declaration

I certify that the information contained in this form is true and complete to the best of my knowledge and belief. I understand that any false information or omission in the information I have given may lead to the immediate suspension or termination of my volunteering or employment with the organisation.

I confirm that I have read and understood this declaration.

Full name	
Address	
Signed	
Date	

## Appendix 6

### PVG disclosure policy

<b>Policy lead</b>	Nina Saunders, Cycle Training Manager
<b>Working group (if applicable)</b>	Christopher Johnson (Head & Training and Education), Clare Farquhar (Corporate Services Manager).
<b>Date submitted for review</b>	11 <sup>th</sup> November 2025
<b>Date ratified</b>	
<b>Signature and designation of ratifier 1</b>	
<b>Signature and designation of ratifier 2</b>	
<b>Date of issue:</b>	
<b>Frequency of review</b>	Every 3 years or as legislation requires

#### Policy

Through having a position of responsibility, employment or volunteering with Cycling Scotland, individuals may be involved in working with children and young people. It is, therefore, Cycling Scotland's policy to carry out disclosure checks on all individuals whose role will involve contact with children and, young people.

Disclosure information is required as a preventative measure against abuse of vulnerable groups and will not be used for other purposes. It is treated in the strictest of confidence and is not used to discriminate against applicants unfairly.

Disclosure information is accessed only for the purposes of assessing applicants' suitability for positions of trust.

This policy aims to set out clear procedures and processes for the processing, handling, storage and destruction of disclosure information.

#### Responsibility/accountability

Ultimate responsibility: Chief Executive Officer  
 Line responsibility: Corporate Services / Line Managers  
 Individual responsibility: All relevant staff/Contractors/Volunteers

#### Related policies

The Staff Handbook should be referred to with regards to related policies, including data protection and the privacy policy, which is available on the Cycling Scotland website.

#### Procedures

For the purposes of this policy; PVG Scheme Records, PVG Scheme Record Updates, and regulated roles will be referred to as Disclosure Records.

## Code of practice

Cycling Scotland will ensure the following practices are adhered to in line with the Disclosure Scotland Code of Practice, for registered persons and other recipients of disclosure information:

### Processing

- Disclosures will only be requested when necessary and relevant to a particular post and the information provided on a disclosure certificate will only be used for recruitment or retention purposes.
- Disclosures will be carried out by registered signatories using the approved disclosure application form.
- Cycling Scotland will seek the consent of each individual before seeking a disclosure.
- Cycling Scotland will ensure that identity checks which comply with Disclosure Scotland guidance are carried out when processing disclosures to confirm the identity of the applicant.

### Handling

- Disclosure information will only be shared with those authorised to see it in the course of their duties.

### Retention

- Cycling Scotland will ensure that all personal information will always be managed confidentially by those involved in the disclosure process in line with our data protection and privacy policies.
- Administrative disclosure information is only be retained on a password protected spreadsheet and will be removed when an individual leaves our employment or stops volunteering with us.
- The system is managed by the Cycle Training Manager and the Administrator.
- No image or photocopy of the disclosure information will be made; however, the following details will be recorded:
  1. Date of issue of disclosure record
  2. Name of individual
  3. Disclosure type/position for which disclosure was requested
  4. Unique reference number of disclosure
  5. Recruitment decision taken.
  6. Protecting Vulnerable Groups Scheme membership number and category.

### Destruction

- Disclosure Scotland will be informed using the relevant form and the information will be deleted from the password protected spreadsheet.

### General

- Cycling Scotland will ensure that all staff with access to disclosure information are aware of this policy and have received relevant training and support.
- Cycling Scotland will make a copy of this policy available, on request, to any applicant who apply for a post with Cycling Scotland that requires a disclosure check.

### Consideration of information contained in disclosures

- Cycling Scotland will consider the following factors when considering disclosure information:

- Whether the conviction or other matter(s) revealed on the Disclosure is relevant to the position in question
- The nature of any offence or other matter(s) revealed
- Whether the person is barred from working with vulnerable groups
- The length of the time since the offence or other related matter(s) occurred
- Whether the individual has a pattern of offending behaviour or other relevant matters; and
- Whether the individual's circumstances have changed since the offending behaviour or the other relevant matters.

## Levels of Disclosure

Cycling Scotland has considered the level of contact of all staff and volunteer roles.

Staff/volunteer roles identified below are subject to disclosure checks:

- Chief Executive Officer
- Trustee
- Head of Education & Training
- Development Officer (only if specific role involves regulated work)
- Tutor
- Counsellor
- Events Activities worker/volunteer
- Play on Pedals Instructor
- Play on Pedals Instructor Trainer
- Quality Assurance Associate
- Cycle Training Instructor.

For staff already in post, Cycling Scotland may undertake retrospective disclosure checks for staff employed in relevant roles.

## Compliance with policy

Cycling Scotland will participate with any requests from Disclosure Scotland to undertake an audit of their processing, handling, retention and destruction of disclosure information.

The Cycle Training Manager will carry out a compliance check annually to ensure that no disclosure information is retained in staff/volunteer files.

The Cycle Training Manager will carry out annual checks to ensure information is reviewed timeously in line with this policy and that relevant details are retained.

This policy will be reviewed every 3 years or as legislation requires.

## References

- <https://www.mygov.scot/disclosure-scotland-code-of-practice/using-disclosure-information>
- See also Cycling Scotland's - Secure handling of disclosure information policy.

## Appendix 7

### Secure handling of disclosure information policy

Cycling Scotland handles disclosure information, and this is done responsibly and lawfully in line with the organisation [privacy policy](#). The organisation does not keep information for longer than it needs to, and it is only used for the purpose required. For example, if a disclosure was used for recruitment for a particular job, then it should only be used for the recruitment decision. It should not be used or kept for another purpose.

#### Storing and disposing information

Cycling Scotland is responsible for the disclosure information provided to the organisation.

Cycling Scotland will ensure that unauthorised viewing, copying, transmission, storage, printing or fraudulent manipulation of disclosure information does not take place.

The disclosure checking process is completed entirely online, therefore no paper records will be produced or stored in relation to the checks being carried out.

Cycling Scotland must not keep a photocopy or other image of the disclosure information. This should be deleted.

Registered bodies must comply with the [UK General Data Protection Regulations](#) and the [Data Protection Act 2018](#). Cycling Scotland also has a Data Protection Policy and Procedure on the handling of disclosure information.

Umbrella bodies must also take steps to ensure that third-party organisations, for whom they countersign or make disclosure applications, have relevant policies in place. More information about privacy is on the [Information Commissioner Office's website](#).

Disclosure information is only used if the officer is entitled to do so as part of their duties. It's an offence to:

- Disclose disclosure information to anybody who is not an employee, officer or member of the accredited body (unless you've requested it on behalf of another organisation)
- Disclose disclosure information to any employee, officer or member when it's not related to their duties
- Knowingly make a false statement to obtain disclosure information
- Enable someone to falsely obtain disclosure information
- Countersign an application with another person's counter signatory code.

If Disclosure Scotland thinks an offence has been committed, then it will decide whether information should be passed to the police.

#### Report to Disclosure Scotland

Under the code, Cycling Scotland must:

- Report any failures to follow the code
- Report any suspicions that an offence has been committed
- Audit your disclosure practices if Disclosure Scotland asks you to
- Send information to Disclosure Scotland about your disclosure practices.

Email: [customerengagement@disclosurescotland.gov.scot](mailto:customerengagement@disclosurescotland.gov.scot) to report to Disclosure Scotland.

## Useful links

[Using disclosure information](#)

<https://www.mygov.scot/disclosure-code-of-practice>

More information about privacy is on the [Information Commissioner Office's website](#)