



Scottish
Swimming

Wellbeing &
Protection Policy:
Adults

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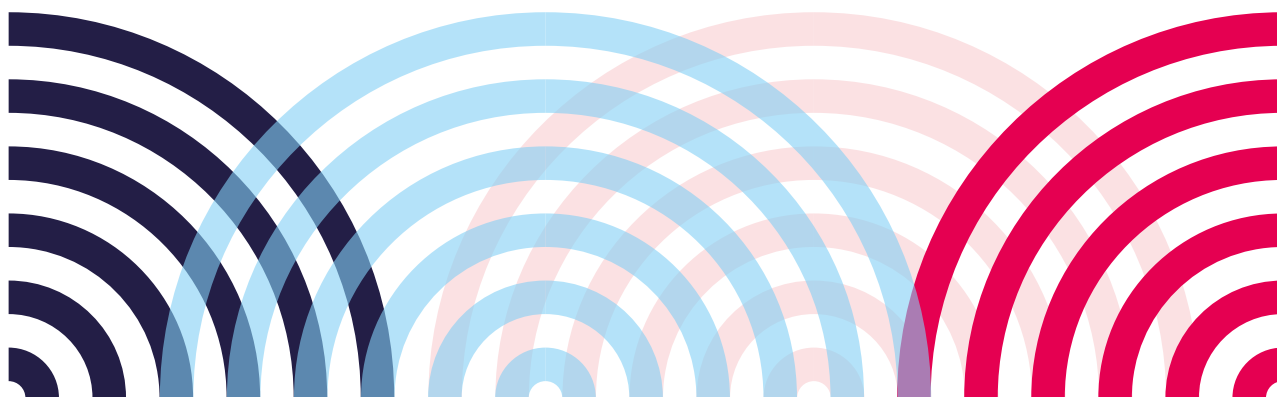
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1. Policy Statement

Scottish Swimming is committed to ensuring every member who takes part in the sports of swimming, diving, high diving, artistic swimming and water polo should be able to participate in an enjoyable and safe environment which promotes inclusion and protects them from harm, poor practice, exploitation, bullying and abuse. While this policy provides for all adult members it is acknowledged that there are certain groups within our adult membership that have higher risk factors. Scottish Swimming recognises our responsibility to promote safe practice and to protect all members, especially adults at risk from harm, poor practice, exploitation and abuse.

Scottish Swimming is fully committed to a rights-based approach within our sport. To that end we recognise and implement the general principals of the UN Convention on Human Rights and the UN Convention on the Rights of Persons with Disabilities. Our Wellbeing & Protection Policy also takes into account principals from the Adult Support (Scotland) Act 2007. Staff and volunteers will work together to embrace difference and diversity and respect the rights of all persons within our sport.

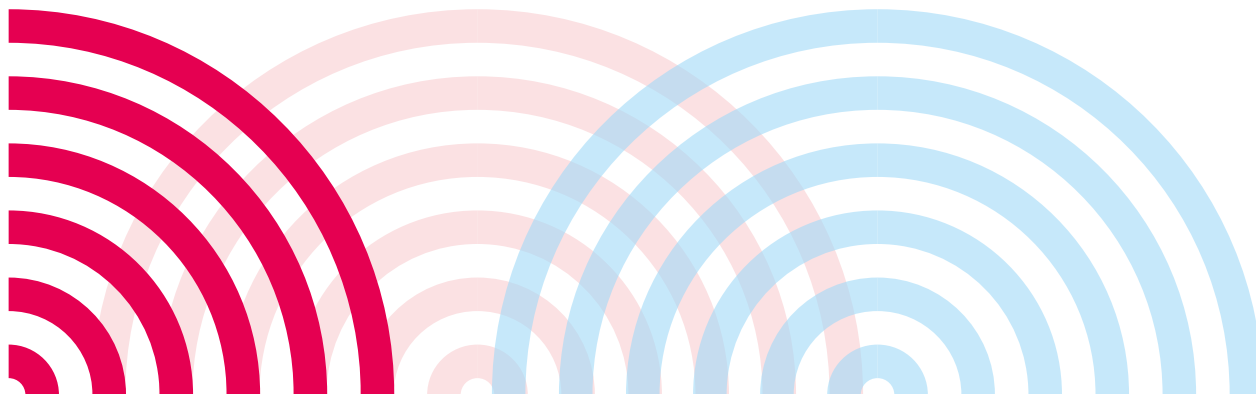
This document outlines Scottish Swimming's commitment to protecting adults and encompasses an Adult Protection Policy for all members of Scottish Swimming. A separate Wellbeing & Protection Policy for Children & Young People is also available covering members under the age of 18.



2. Key Principles

This policy is based on the key principles:

- The wellbeing and dignity of adults is the primary concern
- All adults, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identity have the right to protection from all forms of harm, poor practice, exploitation, bullying and abuse
- All adults and particularly adults at risk have the right to express views on all matters which affect them, should they wish to do so
- Safeguarding and adult protection is everyone's responsibility
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- Staff and volunteers working with adults, particularly adults at risk are provided with opportunities for education and training to ensure best practice becomes the norm
- Working in partnership with adults at risk and their families/carers is essential for the promotion of an inclusive sport and a safe enjoyable environment



3. Definitions

“Safeguarding Adults” Definition:

Adults at risk refers to individuals who have health or social care needs (irrespective of whether or not those needs are being met by social care) and who are unable to safeguard themselves as a result. Some adults are considered to be Adults at Risk due to their learning disability or mental health needs there are also those adults who are at risk due to a specific circumstance they may find themselves in, for example: domestic abuse, forced marriage, sexual or commercial exploitation (this is not an exhaustive list).

In sport this may look like:

- An elite athlete being groomed for sexual abuse by his or her coach
- A member of a disability sports club being financially exploited by another club member
- A young woman confiding in her coach about a forthcoming holiday where she believes she will be married against her will
- A club which insists on receiving a parental consent form before taking a 20 year old participant with a mild learning disability on an away day trip
- A coach who regularly neglects the individual needs of disabled participants when training
- The mother of a junior athlete being pressured into a sexual relationship with their child’s coach or their child will not be selected
- A coach encouraging athletes to “Man Up” and push through injury or return to training/competition before proper rehabilitation has happened
- Initiation or hazing ceremonies which include degradation, humiliation, forced drinking or other risky activities in order for individuals to become members of a sports club

“Adult” Definition:

A person aged 16 years or above

NB 16 and 17 year olds participating in ‘youth activity’ are also provided for in the Scottish Swimming Wellbeing & Protection Policy for Children & Young People.

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3. Definitions **Continued**

“Adult at Risk” Definition:

The Adult Support (Scotland) Act 2007 defines an adult at risk as someone who: can't safeguard themselves, their wellbeing, their property or their rights; is at risk of harm; and is experiencing:

- A disability
- A mental disorder
- Illness
- Physical or mental infirmity

An Adult is at Risk of HARM if:

- The conduct of another person is causing (or likely to cause) the adult to be harmed
- The adult themselves engages in conduct that is causing (or likely to cause) self-harm

The term **“adult at risk”** replaces the previously used terms of **“protected adult”** and **“vulnerable adult”**

A disabled/older person is not necessarily an adult at risk, and an adult at risk may not have an impairment.

The vulnerability of an adult at risk is related to how able they are to make and exercise their own informed choices free from duress, pressure or undue influence of any sort, and to protect themselves from abuse, neglect and exploitation. It is not a given that by being in one of the above categories an adult is automatically considered to be at risk.

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3. Definitions Continued

“Capacity” Definition:

Capacity relates to the ability of an individual to make a decision at a particular time. Under the Mental Capacity Act 2005 an individual may be considered to ‘lack capacity’ if they cannot:

- Understand information given to them to make a particular decision
- Retain that information long enough to make the decision
- Use or weigh up the information to make the decision
- Communicate their decision

The above might be as a consequence of illness or impairment, such as mental health problems, dementia or learning disability (intellectual impairment). The law focuses on the principle that everyone has capacity to make a decision if given sufficient support, time, and information; and will not treat individuals as ‘lacking capacity’ just because a decision appears to be unwise or ill-judged. Whilst it is important to have an appreciation of capacity in order to appropriately support adults at risk it **WILL NOT** be your role to make a decision about whether an adult ‘lacks capacity’ or not.

Scottish Swimming encourages all staff and volunteers to:

- Assume that all **adults at risk** have capacity, and therefore the ability to make decisions
- Support communication in such a way that the **adult at risk** can understand information being given, and be understood when giving information back
- Treat decisions made by an **adult at risk** with respect, even if it is felt that a decision is unwise
- Work with the **adult at risk** and their advocates (and Independent Mental Capacity Advocate (IMCA) if relevant) to ensure that they are appropriately supported, and capacity continues to be effectively assessed

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3. Definitions Continued

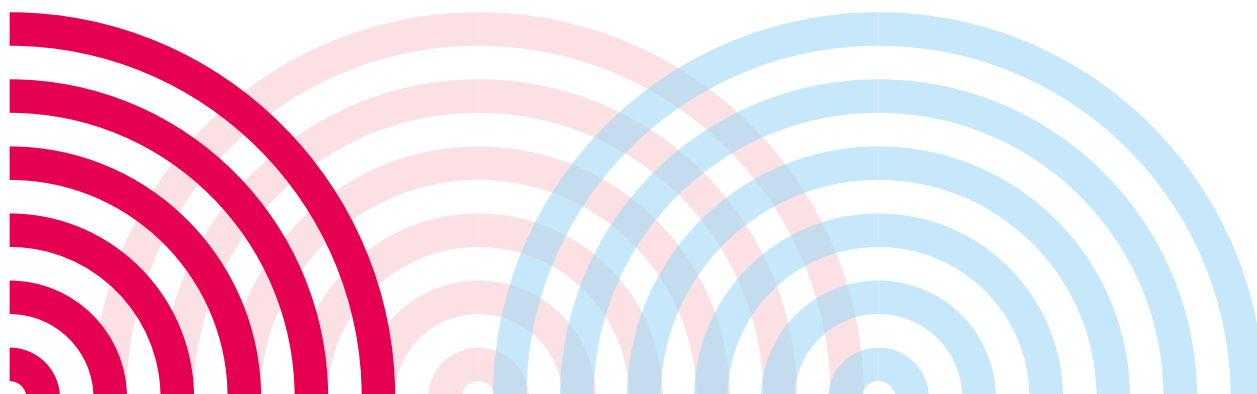
“Protected Characteristics” Definition:

Adults can experience vulnerability and risk of harm at different points in their lives and due to circumstances, one factor that can place an adult at risk of harm or make them is if they have a **“Protected Characteristic”**.

Protected Characteristics, identified by the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Race
- Religion and belief
- Pregnancy and maternity
- Marriage and civil partnership
- Sex
- Sexual orientation

Scottish Swimming has a separate Equality Policy and recognises when dealing with adult protection issues that there may be instances where concerns arise as a result of an equality issue. In those circumstances both this policy and the [Scottish Swimming Equality Policy](#) will apply.



4. Roles & Responsibilities to Safeguard Wellbeing & Protection

4.1 Scottish Swimming:

- Promote the health and wellbeing of adults by providing opportunities for them to take part in aquatics safely
- Respect and promote the rights, wishes and feelings of adults
- Appoint a Lead Safeguarding Officer to provide guidance on adult wellbeing and safeguarding
- Promote and implement appropriate procedures, support and guidance to safeguard the wellbeing of adults and protect them from poor practice, exploitation, bullying and abuse
- Recruit, train, support and supervise staff and volunteers to adopt best practice to safeguard and protect adults from abuse and to reduce risk to themselves
- Require staff, affiliated clubs and volunteers to adopt and abide by this Wellbeing & Adult Protection Policy
- Respond to any allegations of misconduct or abuse of adults in line with this policy and these procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures as per the Association's Constitution ([R12.0](#))
- Maintain confidential records of all complaints, concerns and sanctions against clubs and individuals
- Ensure best practice is extensively promoted, and clubs, coaches/teachers, officials and all members are encouraged to follow guidelines set down by Scottish Swimming
- Provide a suitable programme of training via the inclusion and integration of safeguarding, wellbeing and adult protection issues within Scottish Swimming's coach education programmes as well as specific training opportunities for club members to attend workshops:
 - WPO Networking sessions
 - Other relevant training on contemporary issues
- Maintain registration as an Intermediary Body with Volunteer Scotland Disclosure Service (VSDS) to facilitate a Protecting Vulnerable Groups (PVG) service on behalf of clubs to prevent unsuitable people from working within sport
- Require all member Clubs and Districts to adhere to Scottish Swimming's Safe Recruitment Guidance
- Regularly monitor and evaluate the implementation of this policy and these procedures

4.2 Affiliated Clubs:

- Adopt the Club Wellbeing & Adult Protection Policy ([Appendix 6](#))
- Adhere to the guidelines and procedures contained within this policy
- Appoint a Wellbeing Officer in accordance with Scottish Swimming requirements for club affiliation ([Appendices 1–5](#))
- Accept that all office bearers and committee members have a responsibility for safeguarding, wellbeing and adult protection and be prepared to respond to any indication of abuse or poor practice
- Safely recruit club volunteers/staff in accordance with the recruitment policy ([Appendices 4–5](#))
- Champion best practice and implement Scottish Swimming guidelines on key areas – minimum coach to athlete ratios, transport, accident reporting, behaviour management, consent forms, social media, overnight trips/accommodation, safe use of public facilities ([Appendices 6–21](#))
- Have all volunteers, coaches, swimmers and parents agree to and sign the club's code of conduct ([Appendices 9](#))
- Be prepared to challenge and alter poor practice
- Implement any recommendations of Scottish Swimming relating to this area
- Promote an environment where all legitimate concerns can be raised without fear of victimisation or reprisal
- Require all those working with adults at risk to attend relevant training and have a satisfactory PVG check

4.3 The Club Wellbeing & Protection Officer:

- Ensure all persons working either paid or unpaid with adults and adults at risk at the club are fully aware of what is required of them within the guidelines of their club, the [Wellbeing & Adult Protection Policy and Codes of Conduct](#)
- Conduct the administrative work associated with processing of information on volunteers/staff PVG scheme applications, self-declarations ([see Appendices 4–5](#))
- Liaise closely with club volunteers/staff ensuring that agreed procedures for the prevention of risk are followed
- Counsel/advise the club committee on matters of policy relating to adult wellbeing, safeguarding and protection
- Act as the contact person for coaches/teachers, helpers, club volunteers, parents and participants on any issues concerning the wellbeing of adults within the club, (poor practice or alleged abuse) as well as matters relating to adult protection at the club
- Ensure all incidents are correctly recorded and reported in accordance with Scottish Swimming policy and procedures
- Work with Scottish Swimming Lead Safeguarding Officer on education, training and case management for the club

5. Monitoring & Review

This policy and these procedures will be regularly monitored and reviewed, with a full review being carried out every 2 years. The policy and procedures will also be reviewed in the following circumstances:

- In accordance with changes in legislation
- Changes in Scottish Swimming or its governance
- Following any issues or concerns raised about the protection of adults within Scottish Swimming
- On advice from Safeguarding in Sport/**sport**scotland/Scottish Disability Sport etc

This policy will be monitored by:

- Keeping records of cases brought and their outcomes
- Accepting comments from clubs on the ease of implementation and effect of the policy
- At least once per year the Board will receive a report which details any changes required to the policy and a summary of cases managed

6. Protecting Adults

Wellbeing concerns, poor practice and abuse can occur in many situations including the home and the affiliated club. We know that some individuals will actively seek access to adults through sport in order to harm them.

Harm: Harm is defined as all harmful conduct:

- a) Wellbeing concerns
- b) Poor practice
- c) Abuse

6.1 Wellbeing concerns

Wellbeing concerns Definition:

A wellbeing concern is if an adult's wellbeing, is – or is at risk of – being adversely affected in any matter, some examples are:

Negative Discrimination (including racism):

Adults may experience harassment or negative discrimination because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs. Although not in itself a category of abuse, it may be necessary for the purposes of the Adult Protection Policy for negative discriminatory behaviour to be categorised as emotional abuse.

Abuse of Position of Trust:

A relationship of trust can be described as one in which one party is in a position of power or influence over another by virtue of their position – such as a coach, staff member, club official or other appointed volunteer. A genuine relationship can start between two people within a relationship of trust, however it is important to recognise that relationships where an unequal power dynamic exists can become exploitative and lead to abuse.

Abuse of Trust:

Abusive Practice – Where a person is indoctrinated with attitudes to training, drugs and cheating, or social, political and religious views (radicalisation) which are unacceptable to the community or rules of the sport.

Abuse of trust and sexual activity:

Any sexual activity, which is not freely consenting, is criminal. The sexual activity covered by abuse of trust may be ostensibly consensual, but rendered unacceptable because of the relative positions of the parties concerned. It is acknowledged that in some situations a shared attraction may develop between two people within a relationship of trust. In such circumstances, it is essential that the individual who holds the position of trust behaves in an open manner, makes the Club Wellbeing & Protection Officer aware of the situation, and resigns from this position of trust if the parties involved wish the relationship to develop beyond the existing professional one. This will ensure that the previous power differential is not a factor in any future relationship. It is the responsibility of the person in the position of trust to ensure that his or her conduct is fully in line with the Scottish Swimming and the affiliated club's Wellbeing and Adult Protection Policy and any other relevant policy.

Conduct on sexual activity between individuals in a relationship of trust aims to:

- Protect the individual from an unequal and potentially damaging relationship
- Protect the person in a position of trust by preventing him/her from entering into such a relationship deliberately or accidentally by providing clear and enforceable guidance on what behaviour is acceptable

6.2 Poor Practice

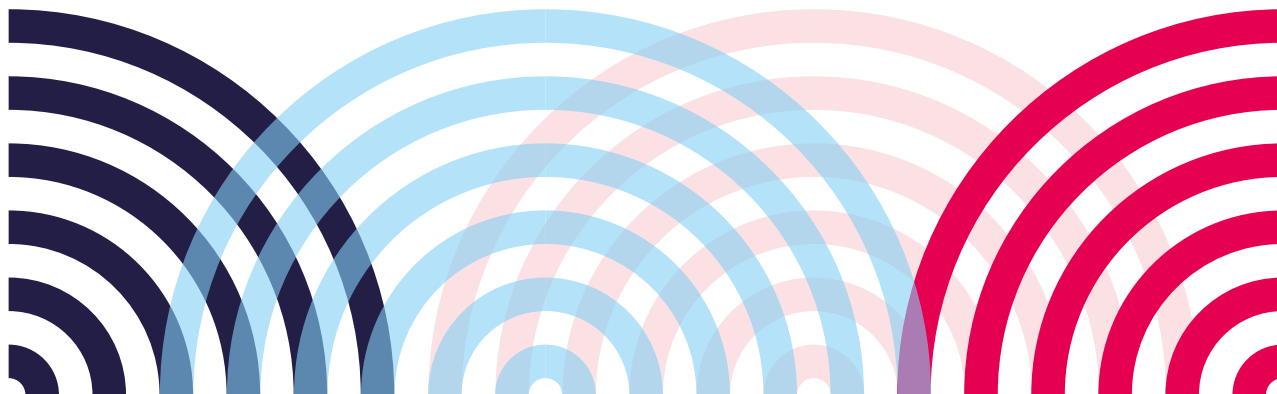
Poor Practice Definition:

Poor practice includes any behaviour that contravenes the Adult Protection Policy or any procedures and guidelines that accompany it or any behaviour that does not respect an adult's rights, an adult at risk's rights or that of their carers/family/support workers. This is behaviour that falls short of abuse but is still considered unacceptable.

The following definitions set out common areas within sport where poor practice can occur:

- Breaches of the Scottish Swimming/Club's Wellbeing & Protection Policy and Procedures
- Breaches of recognised best practice in coaching/teaching
- Practices that may be carried out with the best intentions but fall into a category of behaviours that are used by people who sexually abuse or 'groom' adults/adults at risk

(Further details for each heading and specific examples are contained in Appendix 17)



6.3 Abuse

Abuse Definition:

Abuse and neglect are forms of maltreatment of an adult. Somebody may abuse or neglect an adult by inflicting, or by failing to act to prevent, significant harm to the adult. Adults may be abused in a family or in an institutional setting by those known to them or, more rarely, by a stranger.

This definition includes placing an adult at risk through something a person has done to them or something a person is failing to do for them.

- **Physical:** hitting, slapping, pushing, shaking, locking them in a room, tying them to a chair, restricting their freedom
- **Psychological:** threats of harm, being left alone, humiliation, intimidation, causing distress, verbal abuse, bullying, blaming, constant criticism, controlling, depriving contact with others
- **Neglect:** failure to provide medical or physical care, access to a doctor or other services, or denying someone medication, food or heating, privacy or dignity, self neglect
- **Financial:** stealing, fraud, pressure to hand over or sign over property or money, misuse of property or welfare benefits, or stopping someone getting their money or possessions
- **Sexual:** any sexual activity that a person doesn't understand or want, photographing, sexual harassment, voyeurism, exhibitionism, grooming
- **Information:** withholding information or advice about rights or entitlements
- **Discrimination:** because of age, colour, disability, gender, race, religion, cultural background or sexual orientation
- **Institutional:** isolated or persistent and frequent ill treatment, poor or unsatisfactory professional practice, or gross misconduct, perpetrated by an individual or number of individuals within environments where an adult at risk would receive professional 'care'

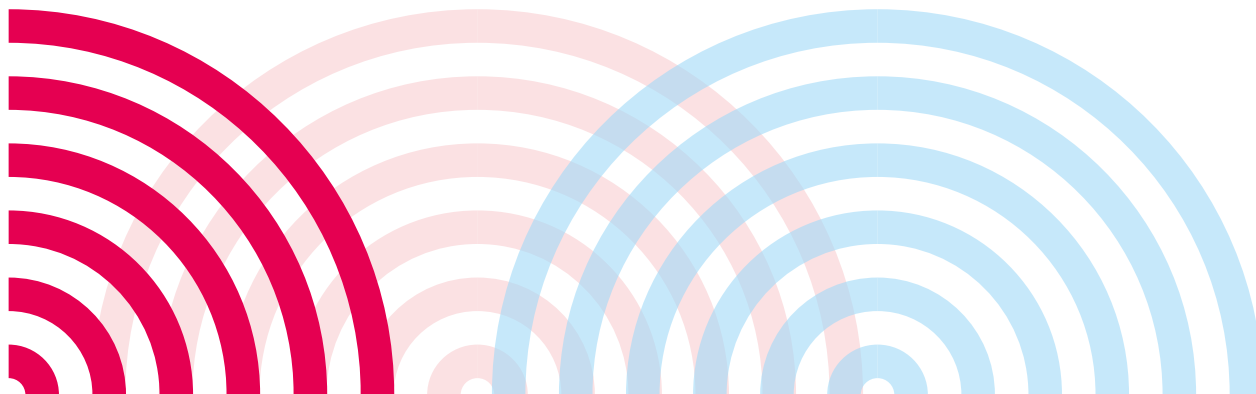
These categories are not mutually exclusive, for example, an adult experiencing physical abuse will undoubtedly be experiencing emotional abuse as well. The definitions show the different ways in which abuse may be experienced by an adult but are not exhaustive, as the individual circumstances of abuse will vary from adult to adult.

All definitions taken from the Scottish Government's information sheet: 'Adult Support and Protection: Ensuring Support and Preventing Harm'

6.4 Bullying

Bullying Definition:

Bullying is identified as a form of psychological abuse and can be experienced by any adult when someone abuses their position of authority or relationship of trust or between adult members within a club – you do not have to be an adult at risk to experience this form of abuse. Scottish Swimming recognises that bullying is something which may be more frequently experienced by adults at risk, and therefore have an Anti-Bullying Policy to ensure that bullying is not tolerated and does not persist.



7. Identifying Adult Abuse

Although the physical and behavioural signs listed may be symptomatic of abuse, they may not always be an indicator and, conversely, adults experiencing abuse may not demonstrate any of these signs.

**There are many indicators that an adult may be suffering abuse, some general signs are included in the following list:
(Please note that this list is not exhaustive)**

- Unexplained or unusual injuries
- A delay in seeking treatment for injuries or illness
- Sudden increase in confusion
- Unexplained deterioration of health or appearance
- People being anxious or afraid
- Misuse of medication, e.g. not giving medicines properly
- Unexplained changes of behaviour, e.g. becoming anxious and withdrawn, fear of another person
- Pressure by family or professional(s) to have someone moved into or taken out of care
- Hostile or unkind behaviour by a person
- Unexplained debt, not paying bills for services
- Not having their basic needs met, such as adequate food or heating
- Not being provided with adequate information about their rights or entitlements, or being misinformed
- Prejudicial actions or remarks to the adult at risk about age, gender, disability, race, colour, sexual or religious orientation
- Another person using the adult's possessions, bank account or property without his or her informed consent
- The adult at risk not receiving appropriate care, which would protect them from harm; adult abuse is often difficult to recognise

It is not the responsibility of anyone involved in sport to decide whether or not an adult has been abused. This is the role of trained professionals. We all have a duty to act on any concerns about abuse.

All definitions taken from the Scottish Government's information sheet: 'Adult Support and Protection: Ensuring Support and Preventing Harm'

7.1 Adults and Young People who are deaf, disabled or have a learning disability

Adults and young people who have a learning or physical disability are more vulnerable to abuse. This is because:

- They are often dependent on a number of people for care and handling, some of which can be of an intimate nature
- They may be unable to understand the inappropriateness of the actions or unable to communicate to others that something is wrong
- Signs of abuse can be misinterpreted as a symptom of the disability
- Like other adults, they are fearful of the consequences of disclosing abuse
- Attitudes and assumptions that adults with disabilities are not abused
- They may be unable to resist abuse due to physical impairment
- They are worried about negative attitudes towards adults with disabilities
- The individual needs support with personal care (certain personal care needs may present more opportunity for abuse)
- They are depended on by someone else
- There may have been a change in lifestyle which has resulted in unemployment, employment, or illness
- They are emotionally or socially isolated
- There is an absence of local support networks
- There is alcohol/substance misuse present (either by the adult at risk or someone else around them)
- They are financially dependent on another individual
- There are communication, and speech and language differences

Volunteers/staff should be aware of the additional vulnerabilities that may affect adults at risk and be mindful of this when working with them.

8. Responding to Concerns

A complaint, concern or allegation may come from a number of sources: the adult, one of their friends, their coach, a family member, a carer or someone else within your organisation. It may involve the behaviour of a volunteer/employee, or something that has happened to the adult outside the sport e.g. at home or in the community. Adults may confide in club volunteers they trust, in a place where they feel safe.

8.1 Responsibilities

A report/concern may range from mild verbal bullying to physical or sexual abuse. If you are concerned that an adult may be being abused, it is NOT your responsibility to investigate further BUT it is your responsibility to:

- Reassure the person making the report they have done the right thing in raising a concern
- Listen openly without judgment
- Record anything that is said
- Report it to the appropriate statutory authorities and Scottish Swimming

Following set and published procedures when dealing with concerns and discourses helps:

- To avoid those receiving information from engaging in 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

8.2 Responding to a Direct Disclosure

It takes considerable courage for an adult to disclose abuse. Allegations of abuse must always be taken seriously. False allegations are very rare. Disclosures need to be handled sensitively to avoid causing further distress to the adult. If an adult says or indicates they are being abused or information is obtained which gives concern that an adult is being abused the information must be responded to on the same day in line with the following procedure:

Always

- Stay calm – ensure that the adult is safe and feels safe
- Show and tell the adult that you are taking what they say seriously
- Reassure them and stress that they are not to blame
- Be aware of interpreting what an adult says, especially if they have learning or physical disabilities which affect their ability to communicate or English is not their first language
- Keep questions to a minimum so that there is a clear and accurate understanding of what has been said. Only ask questions to clarify
- Be careful about physical contact, it may not be what they want
- Be honest, explain to the adult at risk that you HAVE to let other people know about what they have told you, reassure them that this is to help stop the abuse continuing and to keep them safe
- The safety of the individual is paramount. If the adult at risk needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is potentially linked to abuse. If there is an immediate risk to the adult, then call the police
- Make a record of what the individual has said as soon as possible after the event ([Incident Report Form Appendix 26](#))
- Follow Scottish Swimming's Wellbeing & Protection procedures
- Report the incident to the Scottish Swimming Safeguarding Officer, the Club Wellbeing & Protection Officer or directly to the Adults Social Care team in your Local Authority if necessary

Never:

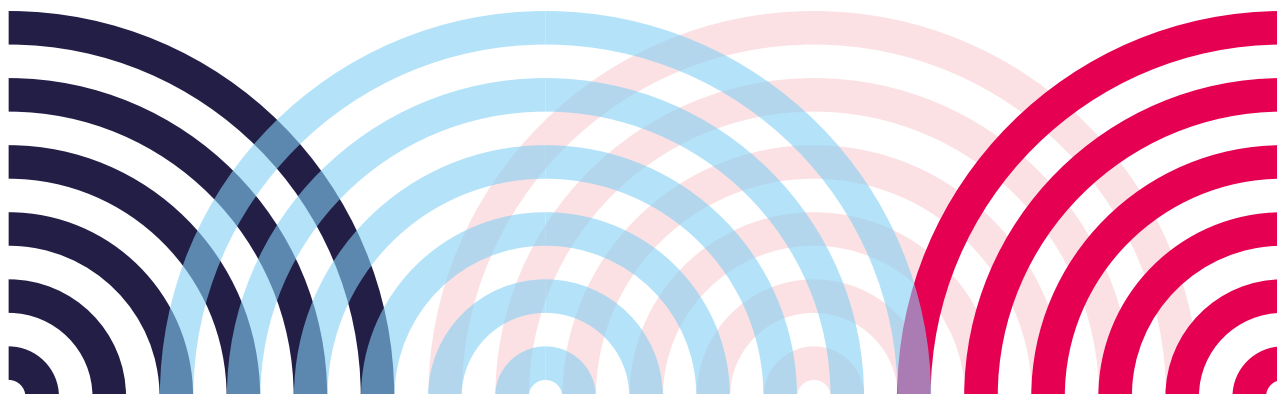
- Rush into actions that may be inappropriate
- Make promises you cannot keep (e.g. you won't tell anyone)
- Ask more questions than are necessary for you to be sure that you need to act
- Take sole responsibility – consult someone else (ideally Scottish Swimming Safeguarding Officer or the person in charge or someone you can trust) so that you can begin to protect the adult and gain support for yourself

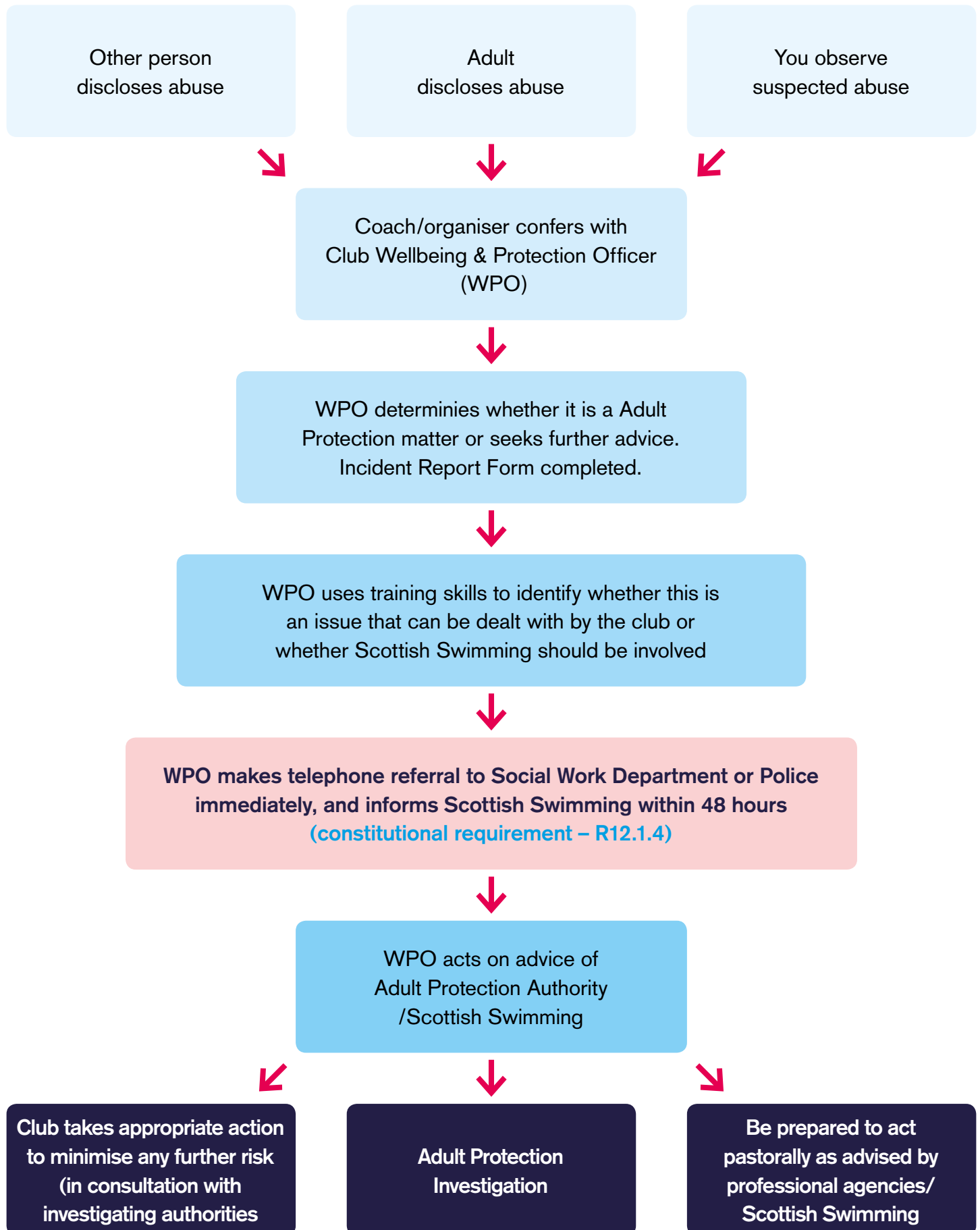
If you have any doubt – report it! If you receive a disclosure – report it!

8.3 Historical Allegations of Abuse

Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by someone who was (or still is) involved in aquatics.

- If somebody raises a child/adult protection concern in relation to a coach/teacher/volunteer who is currently practicing then you should follow the 'Responding to Concerns' procedure within this policy
- If it is a historical allegation then you should follow the same 'Responding to Concerns' procedure within this policy, record the information using the [Incident Report Form Appendix 26](#), and signpost the individual to Police Scotland on '101'
- If you have a concern about a child's or adult's immediate safety then this should be passed on to Police or Social Work and after the child/adult has been secured, record and report as normal to Scottish Swimming





10. Reporting the Concern

The discovery that someone you know may be abusing an adult will raise feelings and concerns at your club. Although it can be difficult to report such matters, you must remember that:

- The welfare of the adult is paramount
- Being vigilant helps to protect others
- Everyone has a duty of care to report any concerns they have immediately
- A good reporting structure ensures that concerns are dealt with fairly

Scottish Swimming Whistle Blowing Policy assures all members, staff, and volunteers that it will fully support and protect anyone who, in good faith, reports a concern that a colleague is or may be abusing an adult.

10.1 Consent: When to Report if Consent is Withheld

An adult may not wish their personal circumstances to be disclosed, that should be respected as every adult has the right to make decisions over their own lives (unless they are deemed to not have capacity, see definition at the start of this policy), this includes when adults make decisions that we disagree with or believe to be using poor judgment.

However there are times when a report should be made even if the adult has withheld consent, these circumstances are:

- All disclosures that suggest an offence or criminal act has or is happening
- If not reporting a disclosure puts other people (adults or children) at risk
- If failing to report would result in the person to whom the disclosure is made failing to carry out their duty of care, towards the person who is disclosing or other adults who may be at risk of harm
- Instances of self-harm that pose a serious risk to the adult's health and wellbeing

10.2 Circumstances Where Reporting to the Club WPO is Not Possible

- If the club WPO is unavailable or is implicated, talk directly to a senior club officer or go directly to Scottish Swimming's Safeguarding Officer for advice
- When on an away trip, inform the person who has responsibility for safeguarding. This may be the team manager or head coach

10.3 Involving Scottish Swimming

The Scottish Swimming Safeguarding Officer must be informed of all allegations of abuse and persistent poor practice as soon as possible in order to decide the following:

- What further action should be taken by the club or Scottish Swimming
- Whether further action, advice or investigation is needed by/from the Police, Adult's Social Care Services

Passing on this information is important because the matter may be just one of a series of other instances which together cause concern. It enables Scottish Swimming to act appropriately to support/deal with the concern and to analyse trends and improve existing policy and guidance.

10.4 Involving Statutory Agencies

In any case of physical or sexual abuse or where an adult at risk's safety is at risk, you should contact one of the following statutory agencies immediately:

- Your local Police Adult Protection Team or in an emergency dial 999.
- The police should be involved if the apparent abuse is of a criminal nature or if the incident involves a person outside the adult's family. A record should be made of the crime reference number
- Local Authority's Adult Social Services
- In an emergency the Samaritans (08457 909 090) will hold the duty officer's contact number

Continues over...

10.4 Involving Statutory Agencies Continued

All telephone referrals to the above bodies should be confirmed in writing by you within 24 hours to that agency. You should record the following:

- Name and job title of the member of staff to whom the concerns were passed
- The time and date of the call
- A summary of the information shared and the response received

10.5 Requests for Information from Statutory Authorities

Scottish Swimming

Scottish Swimming Safeguarding Officer or CEO will deal with any enquires if the organisation is contacted by the Police or Social Services concerning information received or a complaint made by or about a member, volunteer or employee.

Member clubs

If a member club receives a request of this nature they are advised to contact the Scottish Swimming Safeguarding Officer for guidance and support. Clubs should co-operate fully with official requests for factual information, but do not express any personal opinions on the person's conduct.

11. Recording Information: Confidentiality & Information Sharing

All concerns that you may receive should be recorded, ideally using the Scottish Swimming form ([Incident Report Form Appendix 26](#))

You are recording this information for:

- Yourself, so you have a record of what happened
- The WPO or other designated safeguarding person within your club, who will co-ordinate any action that needs to be taken
- The Scottish Swimming Safeguarding Officer so that they can advise you
- The Police/Social Services if appropriate

[Continues over...](#)

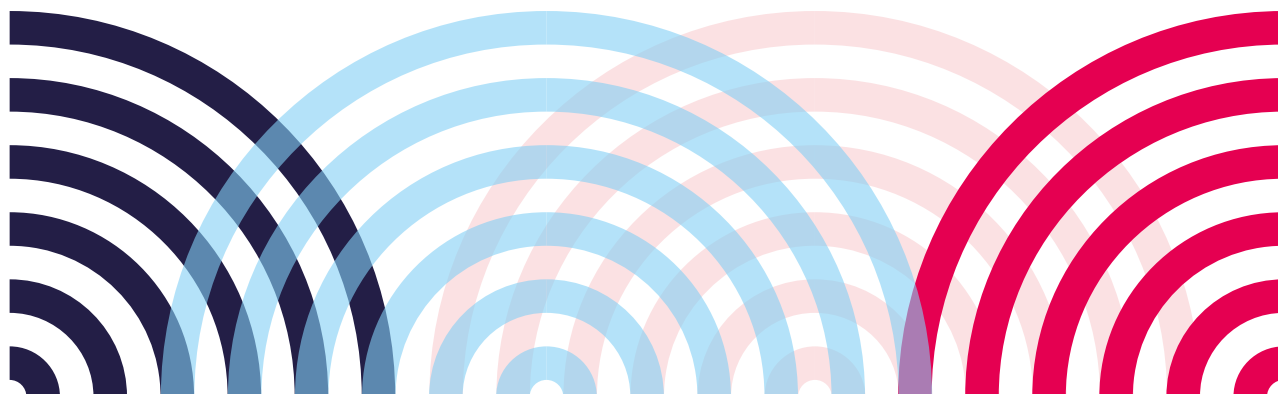
11. Recording Information: Confidentiality & Information Sharing Continued

It is **NOT** appropriate to share sensitive and confidential information with other people, e.g.:

- Your club committee
- Members of your club
- Other acquaintances outside aquatics
- Any information relating to adult protection should be held under secure conditions and made available on a need-to-know basis only

11.1 When Recording Information on the Incident Report Form you should:

- Confine yourself to the facts – what you have observed/seen, heard or had reported to you
- Distinguish between what is your own personal knowledge and what you have been told by other people
- Not include your own opinions on the matter. Be clear where you are giving either your own or others' interpretation of events and the reasons for this (e.g. context, individual's response to challenge)



12. Procedures for Managing Cases of Abuse & Poor Practice

After receiving an incident report Scottish Swimming Safeguarding Officer will consider the initial report and decide whether this is a case which can be dealt with by the club, i.e. a case of **POOR PRACTICE** or for cases of **ABUSE, SUSPECTED ABUSE, and SERIOUS INCIDENT**, whether it should be dealt with in partnership with the club and Scottish Swimming or centrally by Scottish Swimming/statutory authorities.

For all cases dealt with by Scottish Swimming, a disciplinary procedure is set out in [Appendix 19](#) of this Wellbeing & Protection Policy for Scottish Swimming staff and volunteers and it must be read and applied in conjunction with the Scottish Swimming Information Guide and standard disciplinary policy and constitution

A procedure for clubs to deal internally with instances of poor practice is set out in the Scottish Swimming complaints procedure and guidance clubs will receive support and guidance from the Scottish Swimming to implement this process.

It is not the job of anyone within Scottish Swimming to decide whether or not an adult has been abused. It is however, everyone's responsibility to report concerns.

13. Disclosure & Barring Service or Voluntary Scotland Disclosure Service

Voluntary Scotland Disclosure Service (VSDS) maintains the lists of people barred from working with adults at risk or with vulnerable adults in Scotland. The Disclosure and Barring Service (DBS) fulfils this function in England and Wales and in Northern Ireland.

If Scottish Swimming or an affiliated club takes the following action because an individual within the club/sport has harmed an adult (or adult at risk) or placed them at risk of harm:

- Permanently dismisses or removed an individual from regulated activity/work
- Would have dismissed an individual if they had not resigned/retired
- Moved an individual to another role within the club/organisation which is not regulated activity/work

Scottish Swimming and clubs have a legal responsibility to make a referral in the above circumstances and it is a criminal offence not to make such a referral.

For guidance on the grounds and process for making a referral, contact the Scottish Swimming Safeguarding Officer.

14. Data Protection Act, Secure Storage & Fair Sharing Notice

Scottish Swimming will (in line with current data protection legislation) process personal information held. Information relating to employees or volunteers will form part of personnel records. The information may also be shared in certain limited circumstances in accordance with the Fair Processing Notice.

14.1 Fair Processing Notice — Adult Protection, Safeguarding & Wellbeing

The following information applies to Scottish Swimming staff, volunteer coaches and other volunteers conducting 'regulated work' in Scotland, and whom are members of (or applying for membership of) the Protecting Vulnerable Groups (PVG) Scheme.

Current data protection legislation requires that you are informed about how your personal information will be used. For the purposes of adult protection, safeguarding and wellbeing matters in Scotland, if an individual's club receives information of concern, the club may share information about them with the sport's Governing Bodies in Scotland (Scottish Swimming and on occasion British Swimming) and the appointed Scottish Swimming Wellbeing & Protection Officer and where necessary Wellbeing & Protection Officers for affiliated clubs.

This may be related to, but not exclusively restricted to, where it has been alerted to circumstances that might affect the individual's status as a member of the PVG scheme for regulated work with adults at risk or protected adults or their suitability to carry out the regulated work role for which they have applied for/been appointed to or already doing.

In the event such sharing is deemed necessary, it will normally only be carried out between the registered Safeguarding Officers in the Club, Governing Body, and those appointed representatives within the a relevant partner organisation.

- In the event such sharing is deemed necessary, it will normally only be carried out between the registered Wellbeing & Protection Officers in the Club, Governing Body, and those appointed representatives within the a relevant partner organisation
- All information must be treated as confidential, stored securely and only shared with those who need to know
- If the alleged abuse took place outside the sport, the Police or Social Work department will decide who else needs to be informed, including the adult's carers/family



Scottish
Swimming

scottishswimming.com



Registered Name and Office:

Scottish Amateur Swimming Association Limited
Airthrey Castle | Hermitage Road | University of Stirling
Stirling | FK9 4LA