



FAIR SHARING AGREEMENT CLUB POLICY DOCUMENT

Information Sharing The Relationship Between Scottish Swimming and UOAPS

Since the earliest days of Child Protection policies and procedures being introduced and implemented by Governing Bodies of Sport and their affiliated clubs, there has been a level of uncertainty, confusion and anxiety around the handling and sharing of Disclosure information. The uncertainty centred on the fact that it is illegal to share Disclosure information with a third party, and the need for confidentiality to be respected and protected, yet Club WPOs in both SGBs and clubs needed support.

We are now able to address this circumstance in a way which will make the recruitment, selection and Disclosure checking process clearer, more effective and fairer to everyone involved. It will also help ensure more thorough and objective management of any complaints and/or concerns of a child wellbeing or protection nature which might arise. This will include the referral to ministers procedure should it be necessary.

Safeguarding in Sport acknowledges the support, co-operation and expertise of Volunteer Scotland Disclosure Services and the Information Commissioner's Office in reaching this point. The solution is straightforward and lies within the Data Protection Policy processes of each SGB and each Club.

Our focus has been on information sharing as it relates to individuals in regulated work roles. However, by adding an appropriately worded **FAIR PROCESSING NOTICE** within the Privacy Notice of the organisation, every person who is/becomes a member and/or employee (paid or unpaid) of that organisation could, if the criteria are met, have their information shared between the recognised persons in the designated organisations.

It will be everyone's responsibility to ensure that the FPN process operates within the letter and spirit of the Law, but it does mean that designated and trained persons will, when the criteria are met, be able to discuss cases and circumstances directly which will assist towards fairer and more objective decisions being taken.

FAIR PROCESSING NOTICE RE CHILD WELLBEING/PROTECTION

"The GDPR requires that you are informed about how your personal information will be used. For the purposes of child wellbeing/child protection matters, the club may share information about you with Scottish Swimming where it has been alerted to circumstances that might affect your status as a member of the PVG scheme for regulated work with children and/or protected adults or your suitability to carry out the regulated work role for which you have applied/been appointed or already doing. In the event such sharing is deemed necessary, it will normally only be carried out between the registered Wellbeing and Protection Officers in the Club and Governing Body."

Points to note:

- It remains an offence to share disclosure information with a third party or for purposes for which it is not intended
- Confidentiality remains something which must be respected and protected
- The Disclosure Scotland/VSDS Code of Practice re the holding and storing of Disclosure Information remains in place



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- The efficacy of the FPN is dependent on:
 - The SGB being registered with VSDS as an Intermediary Organisation working on behalf of its clubs
 - A formal relationship between the SGB and its clubs as Secondary organisations, i.e. the SGB and VSDS/Disclosure Scotland will have a full list of the named contacts in each club who are trained to receive Disclosure information.
 - those in a WPO (or equivalent) position being appropriately trained
 - VSDS Signatory training
 - Child Wellbeing & Protection in Sport (CWPS)
 - Child Wellbeing & Protection in Sport Officer Training (CWPO)