



# MAKING A REFERRAL (TO DISCLOSURE SCOTLAND)

Date that this document was last reviewed and updated if appropriate:
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3 November 2024
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## **Introduction**

1. Glenearn Badminton Club (“the Club”) has adopted this making a referral policy.
2. This policy is relevant to all those involved in making recruitment and/or disciplinary decisions in relation to the Club.
3. When an individual is permanently removed from regulated work, there are certain circumstances where either the Club or Badminton Scotland must notify the Protection Unit at Disclosure Scotland that this has happened. This is called “Making a Referral”. If the Club or Badminton Scotland would have permanently removed the individual from regulated work, the actions detailed in this policy will continue to apply even if the relevant individual leaves the Club prior to any action being taken and irrespective of the reason that they leave.

## **Conditions for making a referral**

4. The following two conditions must be met before the Club or Badminton Scotland lets Disclosure Scotland know that something has happened:
  - Condition 1 – A person has been permanently removed, or has removed themselves, from regulated work (this includes suspension which requires the person to reapply for their role when the suspension period has ended)
  - Condition 2 – The relevant individual has acted in at least one of the following five ways:
    - i. Caused harm to a child or protected adult
    - ii. Placed someone at risk of harm
    - iii. Engaged in inappropriate conduct involving pornography
    - iv. Engaged in inappropriate sexual conduct
    - v. Given inappropriate medical treatment
5. When both conditions specified in paragraph 4 have been met, it is a legal requirement that either the Club or Badminton Scotland notifies Disclosure Scotland by making a referral within three months of the permanent removal of the individual.

6. Where there is a historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work with the Club but which the Club and/or Badminton Scotland believes would, in all probability, have led to both conditions in paragraph 4 being met, the Club and/or Badminton Scotland will consider whether they want to make a referral but the legal responsibility applies only after 28 February 2011 when PVG was first introduced.
7. Where it is necessary for the Club to make a referral, this process will be carried out by the Safeguarding Officer. In their absence, the referral process will be carried out by the Club Secretary.
8. Where it is necessary for Badminton Scotland to make a referral, this process will be carried out by the Business Information Administrator. In their absence, the referral process will be carried out by the Head of Engagement.
9. Failure to make a referral where required, may result in the Club and/or Badminton Scotland being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify those responsible for making referrals when both conditions for making a referral have been met.

#### **Changes to this document**

10. Changes may be made to this document from time to time with the agreement of two or more of the Club President, the Club Secretary and the Club Treasurer.