

**Child Protection Legislation and
Volunteering in Scottish Sport:
Summary Report**
Research Digest no. 104

*A research study for **sportscotland***

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Summary

This research was commissioned to test whether child protection legislation – and in particular the need to complete disclosure checks – is having a detrimental effect of volunteering in Scottish sport. In addition it looked at:

- What impact does child protection legislation – specifically the Protection of Children (Scotland) Act 2003 and the forthcoming Protection of Vulnerable Groups (Scotland) Act 2007– have on those volunteering with children and young people in Scottish sport?
- What impact does the provision of recommended good practice by CHILDREN 1ST and **sportscotland** have on those volunteering with children and young people in sport in Scotland?
- Are disclosure check requirements discouraging potential and existing volunteers from volunteering with children and young people in sport?
- Are there any other issues relating to child protection which stop potential new and existing volunteers from volunteering with children and young people in sport.

The findings challenge the idea that disclosure checks create widespread threats and barriers to volunteers. In principle, support was high for both child protection generally and the need for disclosure checks specifically. There is a risk, however, that those with unrelated past criminal convictions will not put themselves forward to volunteer.

Interviews revealed a concern from agency representatives that clubs tend to do a minimum in relation to child protection. For example, volunteer recruitment may be based on availability and clean disclosure rather than including other aspects of suitability.

Some 86% of clubs had designated child protection officers in place, although only 75% of club representatives surveyed had seen best practice guidelines from **sportscotland** and CHILDREN 1ST regarding child protection officers.

Multiple disclosure checks for volunteers working across organisations were highlighted as a concern by 65% of volunteers and members in sports clubs (but this should be eliminated through the new legislation coming in to place in 2009).

Respondents were confused over best practice in areas such as when an individual should be disclosure checked and how to deploy volunteers during the disclosure process.

The research recommends information, guidance and shared practice being more readily accessible and volunteer-friendly to address many of the perceived negative impacts of child protection legislation. In addition the resource to provide such hands-on local level support is required.

1 Introduction

Following the introduction of the Protection of Children (Scotland) Act 2003, organisations running activities for children have been required to put in place procedures for child protection.

It has been suggested such measures have had a detrimental impact on attracting, retaining and organising volunteers working with children and young people in sport.

Working with CHILDREN 1ST and the Scottish Sports Association, **sportscotland** commissioned the Sport Industry Research Centre to investigate the effect of the child protection agenda on volunteering in sport through the more detailed aims of:

- exploring the impact, both positive and negative, of legislation – specifically the Protection of Children (Scotland) Act 2003 and the forthcoming Protection of Vulnerable Groups (Scotland) Act 2007 – on those volunteering with children and young people in sport in Scotland.
- exploring the impact, both positive and negative, of CHILDREN 1ST and **sportscotland**'s recommended good practice on those volunteering with children and young people in sport in Scotland.
- determining whether the requirements for disclosure checking are discouraging potential and existing volunteers from volunteering with children and young people in sport.
- determining whether any other issues relating to child protection prevent potential new and existing volunteers from volunteering with children and young people in sport.

The purpose of the research was to help **sportscotland**, the Scottish Sports Association and CHILDREN 1ST:

- provide better advice to clubs and Scottish governing bodies of sports (SGBs) in relation to any changes in relevant legislation;
- provide appropriate support and training to SGBs, clubs and volunteers in this area; and
- inform the distribution of resources to support SGBs, clubs and volunteers, including helping identify how child protection can be incorporated positively into the recruitment process for volunteers working with children and young people.

Research Approach

The research methods for this project included:

- Interviews with 14 representatives of stakeholder agencies¹.
- An online survey of volunteers and sports club members which attracted responses from nearly 750 volunteers (of whom 85% helped with children or young people), 65 disengaged volunteers and 170 potential volunteers.
- A survey of 52 club representatives covering 15 sports.
- Interviews with 15 club child protection officers; and
- Interviews with 19 Active Schools Coordinators covering clusters in four local authorities².

The interviews were undertaken by telephone in January 2008.

The survey was advertised through posting a link to it on relevant websites and by disseminating via mailings to contacts held by CHILDREN 1ST, the Scottish Sports Association, **sportscotland** and the Scottish Association of Local Sports Councils requesting that they pass the link to their clubs to forward to volunteers and members.

Whilst every effort was taken to circulate the survey as widely as possible, it is likely that the sample of volunteers is biased towards those with more active child protection procedures.

Club representatives and child protection officers were recruited through governing bodies of sport. Again there is likely to be a higher response from those who are implementing child protection procedures.

¹ The agencies were Aberdeenshire Council, Central Registered Body in Scotland, CHILDREN 1st, Scottish Council for Voluntary Organisations, Scottish Gymnastics, Scottish Sports Association, **sportscotland**, Volunteer Centre Angus, Voluntary Development Scotland and West Dunbartonshire Council.

² Aberdeen City Council, Aberdeenshire Council, Midlothian Council and Moray Council.

2 Literature Review

A literature review was undertaken to assess existing evidence in relation to child protection and volunteering and help inform the questionnaire and interview design.

Threats and barriers to volunteering

Research on sports volunteers for Sport England in 2002 (1) found the main motives given for stopping volunteering were 'not enough time' and 'paid job demands'. In addition volunteers were frustrated by 'lack of others willing to volunteer' and 'work being left to fewer people'.

Scotland's Commissioner for Children and Young People (SCCYP) (2007) (6) surveyed the general public's attitudes towards contact with children and young people. Nearly half of all respondents (48%) gave a fear of false accusation of harming children as a barrier to volunteering, with 34% citing a fear of teenagers in general. It should be noted that a very low proportion (5%) of respondents currently volunteered with children and young people, which is likely to have had a bearing on the findings.

Issues to do with child protection – such as bureaucracy, lack of understanding and legislative issues were also identified as barriers but by a minority of respondents. Willingness to engage with children and young people declined with age and men were less willing than women to consider volunteering.

Awareness of child protection legislation

The SCCYP research (6) found 70% of respondents had heard of disclosure checking and 62% of the Protection of Children (Scotland) Act 2003.

Impact of child protection legislation

A survey of individuals by Volunteer Development Scotland in 2006 (2) concluded that disclosure requirements were not problematic to volunteers, although 20% of respondents believed that society was becoming too sensitive to potential risks.

Research in England in 2005 for Volunteering England and the Institute of Volunteering (3) found that the organisations surveyed found disclosure checking time consuming and complicated, which reinforced findings by Rochester in 2001 (4). Smaller organisations felt that the process deterred new volunteers. Lack of transferability of disclosure checks was problematic for those who volunteered for several organisations. In addition there was a feeling that the system was a barrier for some sectors of society, for example gay men with sex offences due to unequal age of consent or people who were unable to produce the required documentation.

The Scottish Executive's research into the sustainability of local sports clubs in 2006 (5) similarly found clubs to be frustrated by the administration caused by

multiple disclosure checks and highlighted child protection issues as a concern to 13% of clubs surveyed. In addition:

- Local authorities and local sports councils surveyed raised concerns over child protection, particularly in relation to clubs' administration and their ability to recruit volunteers.
- A minority of clubs raised concerns about the child protection legislation and its application but the vast majority were supportive of the principle and practice of child protection.
- Clubs identified difficulties in obtaining definitive views and advice on child protection issues including disclosure checking and many were unaware of the 'Child Protection in Sport' service provided by **sportscotland** and CHILDREN 1ST.

One in a series of 12 case studies on risk management, for Volunteering England and the Institute of Volunteering in 2006 (7) showed four volunteer-run sports organisations that felt that they had not been well supported by their governing bodies in developing good child protection procedures. This research also concluded that volunteers were being put off by a fear of risk and its consequence but that sharing of good practice can help minimise this.

A 2006/07 survey of English volunteering and charitable giving by the Cabinet Office (9) found that 18% of those who volunteer at least once a year (41% for those in education roles) had been asked to undergo a disclosure check, which suggested appropriate use of checks. Only 55% of respondents answered questions on disclosure checks, but 96% of them said they would not mind revealing details of previous convictions and 97% would not mind a disclosure check.

Volunteering England published guidance on screening and disclosure checks (2006) (11) which highlighted there are very few specified crimes which preclude individuals from working with children. It advised voluntary organisations not to write off potential volunteers on their criminal record or past imprisonment alone.

The report of the Commission on the Future of Volunteering; 'Manifesto for Change' (2008) (12) commented that child protection legislative requirements are probably disproportionate in relation to actual risks and can deter potential volunteers, especially those who lack confidence.

Overview of existing research

Previous research has found:

- people are generally supportive of child protection legislation.
- volunteers are deterred by lack of time and demands of their paid job rather than by disclosure checks.

- the need to carry out separate checks for each organisation the volunteer works with – under the 2003 legislation – is frustrating and time consuming for organisations and volunteers.
- disclosure checking can lead to discrimination against those non-related offences.

Little research has been carried out which looks specifically at the impact of child protection on volunteering with children and young people in sport, especially within a Scottish context. The present research has asked the following key questions:

- Do volunteers, club officials, and Active Schools Coordinators think child protection legislation and in particular disclosure checks are deterring volunteers from working with children and young people in sport?
- How do volunteers rate disclosure checks as a deterrent in comparison to other pressures on volunteers?
- Do people working in child protection roles or volunteering with children and young people feel informed enough in relation to child protection?

The following sections provide the main findings.

3 The Impact of Child Protection Legislation

Legislative Overview

The Protection of Children (Scotland) Act 2003 came into effect in 2005. It was developed to safeguard children by preventing unsuitable people from working with them. A list of people disqualified from working with children is now kept and it is an offence to knowingly employ such a person.

The Protection of Vulnerable Groups (Scotland) Act 2007 will come into force in 2009. This aims to safeguard vulnerable adults as well as children. It will also deliver a central vetting and barring system – linked to other UK systems – thus alleviating a major criticism of the current system whereby volunteers have to undergo a disclosure check for every new organisation they volunteer with. This system will keep records up to date and should be quicker and simpler for volunteers and clubs, as well as reducing bureaucracy and the costs of implementing checks on new volunteers.

The legislation places a duty on clubs and SGBs to report any concerns and allegations to the Scottish Government, but it is not clear to what extent this occurs or indeed if individuals are aware of how they would make any such report.

The interviews with key agencies suggested there is little evidence of child protection legislation deterring potential volunteers. They did note an overemphasis on disclosure checking at the risk of losing sight of good volunteer recruitment procedures and they raised a concern that clubs generally lack the capacity to manage child protection and disclosure policies effectively.

Child protection in clubs

Child protection officers – from a range of sports clubs – identified five main benefits of child protection legislation:

- Parents and volunteers feel safer and reassured by the application of child protection legislation.
- Legislation has raised the priority of child protection in clubs and increased awareness.
- There is now regulation and control in the form of disclosure checks.
- There is a code/framework through policies and procedures.
- Clubs are better protected by having appropriate policies and procedures.

Issues with the implementation were also noted:

- Child protection officer roles can be difficult to fill at clubs due to the administrative requirements and time consuming nature of these roles, and the difficult interpersonal issues that may arise with club members and volunteers.
- Pressure on volunteer child protection officers and general lack of volunteer capacity in clubs means that the bare minimum of procedures to safeguard children may be put in place.
- Child protection officers note difficulties in finding out what needs to be done, obtaining training, producing a policy document as well as difficulties identified in the following chapter regarding disclosure checks.
- Another issue related to where legislative requirements end and good practice guidelines begin – for example, it isn't always feasible to ask all parents who may or may not be required to drive junior members to away competitions to undertake disclosure checks.

A survey returned by 52 clubs explored the implementation of child protection procedures. As shown in the Table 1, most clubs had at least one extra procedure in place beyond disclosure checking new volunteers, with a designated child protection officer the most common.

Table 1: Type of child protection measure clubs have in place

Child protection measure	Clubs implementing
Designated child protection officer	44 (85%)
Written child protection code of conduct	29 (56%)
Training for working with children	22 (42%)
Taking up references for new volunteers	18 (35%)
Disciplinary measures	15 (29%)
Interviews for potential volunteers	8 (15%)
Selection and assessment process	1 (2%)

Club representatives (of whom 21 were child protection officers) were asked to select the statement which best matched how their club was affected by child protection legislation. The main results are given in Table 2 with respondents indicating strong support for the need and application of child protection.

Table 2: Application of child protection in clubs

Statement	Clubs agreeing
It is essential to do child protection properly, as it protects children although involves work for our club	25
Child protection is a good idea in principle, and it is a legal requirement, so we need to do our best to implement it in our club.	19
Child protection is generally a good idea, but practical problems of implementing mean we can't apply it completely	4
Child protection legislation raises so many practical problems that it is too difficult for the club to implement.	1
Base: 49 clubs	

Responses to a question on awareness of child protection responsibilities showed that current volunteers were well aware of their responsibilities with respect to child protection (94% of respondents) with only 2% saying they were unaware of their responsibilities.

Child Protection and Active Schools

Unsurprisingly, given they are employed to coordinate activity sessions for children within a school environment, Active Schools Coordinators were unanimous in their support for the legislation.

Several Coordinators highlighted that their local authority led by example in applying child protection legislation and ensuring it became integrated and accepted practice. Interviews with Coordinators revealed good practice in volunteer recruitment of which compliance with legislation formed only one part.

It was also suggested that younger people entering sports volunteering have grown up with the child protection culture which meant they had fewer issues with it.

4 The Impact of Disclosure Checking

The disclosure check process

Clubs

The most noticeable impact of child protection legislation is that new volunteers are asked to undergo a disclosure check.

The normal process for disclosure checking for clubs as follows:

- A volunteer new to a club – who will be volunteering with children or young people – is asked to complete an enhanced disclosure check.
- The person responsible for administering the disclosure check ('the administrator') can be – depending on local level administration – a representative of the club, the governing body or even the local sports council or local authority. This administrator will send the volunteer the form to complete.
- The volunteer is asked for personal information sufficient to verify their identity including their passport or driving license and a set of other recognised documents which state their name and address – for example a bank statement or TV licence.
- Once the identity of the volunteer is confirmed the administrator sends the forms to Disclosure Scotland.
- If there are any errors noted in the form it will be returned and resubmission is required. The interview with the Central Registered Body in Scotland revealed a 25% error rate in forms submitted.
- A record of offences (or clarification of no offences) is sent to both the volunteer and the administrator. According to the Central Registered Body in Scotland 6.5% to 10% of disclosure checks reveal offences which need to be considered.
- Formal disqualification from working with children is the only automatic exclusion from volunteering with children and young people, therefore, it is up to the administrator to follow local level procedures if any other offence is noted on the disclosure.
- Local level procedures on deciding the suitability of volunteers with offences vary from sport to sport. In some sports the club's child protection officer decides, in others the SGB decides using an expert panel or through consultation with CHILDREN 1ST.
- Where the club and sport have good volunteer recruitment procedures in place, decisions on suitability will be made on the overall suitability of the

volunteer rather than solely on the disclosure check. This should apply to both volunteers with clean disclosure checks and those with offences.

- CHILDREN 1ST recommend a right to appeal against local level decisions where volunteers have been rejected on the basis of disclosed offences.

The disclosure check process was understood by current volunteers with 91% saying they were aware of what disclosure checks involve and only 4% saying they were unaware.

Of the 52 clubs surveyed, 16 clubs had undertaken no checks over the previous two years. Of the 427 checks that had been carried out 70% had been undertaken by one responding club. It was estimated that on average checks had taken two hours for clubs and volunteers to process. The process had resulted in one check having required a decision and one volunteer having been excluded from working with children.

However, 61 potential volunteers had been lost due to their failure to return forms. As 50 of these forms had been handed out by two clubs this may be an indication of poor volunteer recruitment (and support) procedures.

Active Schools

The procedures for Active Schools Coordinators varied by local authority. In many cases the Coordinators check completed forms for errors and check the ID before passing on responsibility for administration to the local authority.

Decisions on offences were often made by the local authority, but more usually by discussion between the coordinator, their Active Schools Manager, the volunteer and a representative from the school where the volunteer would be deployed in order to assess their suitability.

Attitudes towards disclosure checking

Active Schools Coordinators identified benefits such as the development of a quality standard for those working with children and providing peace of mind to parents. As Coordinators are unable to attend all sessions being run, it is essential that they have complete confidence in the volunteer to run a session for children safely in an unsupervised capacity.

Whilst 71% of clubs did not think there had been any problems with volunteers, there were 10% of clubs who thought that the need to have disclosure check had prevented volunteers from coming forward and had reduced the number of volunteers.

The most negative impact of disclosure checking was deemed to be the need for multiple checks for individuals working across organisations which will be removed by the new legislation.

The other common complaint against disclosure checking related to confusion over the deployment of volunteers during the disclosure process. Organisations were found to be over-applying measures on un-disclosed volunteers by misinterpreting the legislation and barring them from any involvement in the club during the disclosure process. In fact clubs are free to utilise the volunteer but the legislation warns against 'regular unsupervised access' to children and young people while the check is being processed.

This implies that misguidance on procedures is leading to poor volunteer management.

For child protection officers, child protection legislation and disclosure checks are time consuming and respondents felt that their post was difficult to recruit for. Other negative impacts felt included:

- the creation of awkward personal relationships caused by nagging friends to complete their disclosure forms;
- the frustration of collecting separated disclosure forms when you know someone is working under a clean disclosure at another organisation;
- a difficulty in implementing legislation due to being unclear of policies and procedures, for example how to obtain training and understanding who needed to be disclosure checked.

Active Schools Coordinators echoed the issues above and some also suspected that administrative issues posed a barrier in areas of low adult literacy.

Few clubs or Coordinators had experience in having to make a decision on disclosure checks, so views were varied and specific to personal experience.

The most worrying impact of disclosure checks, identified by five respondents to the volunteer survey, was that legislative burdens had led to clubs they knew of disbanding junior sections.

The implication of the finding that few respondents have had to make decision on disclosure checks is that those with a criminal record may not be applying; either because they think that they will be ruled out or because they do not wish to disclose offences of any kind.³ It is also possible that the higher concentration of those with criminal records – including imprisonment – are in areas of multiple deprivation where the propensity to participate and volunteer in sport is lower.

³ Volunteering England (11) estimated that at least 20% of the working population has a criminal record and that one in three men under the age of 30 have criminal convictions.

Volunteers and disclosure checking

Around two thirds of the current volunteers who participated in the survey had undergone a disclosure check. Of those who considered they may in future consider volunteering at a sports club, only 5% said that they had been put off doing so by the prospect of having to have a disclosure check. Disclosure checks being off-putting to volunteers, especially for the role of child protection officer, was identified by 25 respondents.

However, 62% of current volunteers agreed that repeat disclosure checks required for each organisation volunteered for discourage people from volunteering. A further comment on this was made by 168 responses to open questions.

Whilst 29% of volunteers disagreed, 42% of volunteers thought that disclosure checks discourage people from volunteering because of the paper work and private details required.

The online survey tested how current volunteers viewed the impact of disclosure checks by asking them to rate their agreement to eight statements (Table 3).

Table 3: How volunteers rate disclosure checks⁴

Statement	Agree/ Strongly agree	Disagree/ Strongly disagree
Disclosure checks give me confidence that the club has met its legal requirements	79%	7%
They help to give parents confidence in volunteers	77%	8%
They are an important procedure in ensuring the safety of children	75%	8%
They help to remove unsuitable volunteers	62%	16%
They help to give children and young people confidence in volunteers	53%	19%
Base: 744		

- At least three quarters of current volunteers felt that disclosure checks give confidence that the club meets legal requirements; provide parents with confidence in volunteers and help to ensure the safety of children. This was further supported by 63 answers to open questions which expressed the opinion that the disclosure process is essential.

⁴ Respondents were also allowed to tick 'neither agreed nor disagreed' hence the rows not summing to 100%.

- 62% of volunteers agreed that disclosure checks help remove unsuitable volunteers, although 16% believed they did not. 38 respondents expanded that inappropriate behaviour is missed by the system, making it insufficient as a check of suitability.
- 53% of volunteers thought that children and young people had confidence in volunteers due to disclosure checks, but 19% did not.
- When responses were broken down further, male volunteers and volunteer coaches were more likely to agree with negative statements and disagree with positive statements. Male volunteers were also identified by one Active Schools Coordinator as being more reluctant to volunteer due to the threat of false accusation of harming a child.

Disclosure checking as a threat to volunteering

When respondents were asked to rate the importance of potential threats to their personal willingness to volunteer with children or young people, 'not enough time' and 'paid job demands dwarfed any other threat. In addition, potential volunteers highlighted 'do not have the right skills/experience'.

Disclosure checking was found to be of importance to few disengaged volunteers, (4%) and overall it was rated as very or fairly unimportant as a threat to volunteering.

Other threats given were:

- Current volunteers said not enough help (4%), child protection issues (4%) and too much administration and bureaucracy (4%).
- 37% of disengaged volunteers responded with other important reasons why they had stopped volunteering of which two-thirds related to either moving location or taking on full-time employment.

Only eight potential volunteers responding (out of 166) felt that the prospect of a disclosure check had put them off volunteering.

The findings (Table 4 on next page) suggest that while the system has its complaints, disclosure checking is a low level threat to volunteering by comparison.

Table 4: Threats to volunteering

	Current volunteers		Disengaged volunteers		Potential volunteers	
	VI/FI %	VU/FU %	VI/FI %	VU/FU %	VI/FI %	VU/FU %
Not enough time to spare	63	20	62	22	77	12
Demands of paid job	56	28	55	21	29	22
Do not have the right skills/experience	30	48	16	54	49	29
Too formal/too much paperwork	30	43	14	54	25	47
My efforts as a volunteer are not appreciated	26	51	22	57	15	56
Family/partner complained about it	23	51	8	60	14	58
My children are no longer involved with the club	20	58	27	52	13	56
The club is too disorganised	19	55	10	60	15	58
I do not fit in with the other people involved	15	63	8	60	13	55
Requirement for disclosure check	15	66	4	75	12	67
Prefer just to play sport	15	53	17	51	31	35
Starting a family	11	67	13	54	20	48
Any reason involving money	11	66	11	60	11	64
I am too old	8	66	10	66	9	65
	Base: 745		Base: 63		Base: 163	

Note: VI/FI indicates the percentage of respondents who rated the threat as 'very important' or 'fairly important' and VU/FU is where they rated the threat 'very unimportant' or 'fairly unimportant'

Forthcoming legislation

Only five Active Schools Coordinators had heard of the new legislation which comes into place in 2009.

In general respondents felt positively towards the new legislation as it provided the transferability of disclosures and the central register. It was felt that this would speed up volunteer recruitment and reduce the burden of work associated with administering disclosure forms. It is important that this is noted in the wider context of volunteer recruitment and retention, of which child protection and disclosure checks are only a part.

There is a need to effectively communicate information about the new legislation to all stakeholders, especially in relation to how automatic bans will be determined. The extension of the legislation to cover vulnerable adults as well as children will have to be well defined to SGBs and clubs, so as to help them understand who the legislation safeguards.

The management of retrospective disclosure checking will have to be handled sensitively. That said, it should be noted that some SGBs have already voluntarily implemented this change and there may be lessons to learn from their experience.

5 Impact of Recommended Good Practice

sportscotland and CHILDREN 1ST produced a second edition of guidelines aimed at Scottish governing bodies of sport in 2006⁵ entitled 'Creating a safe environment for children in sport' (8). The guidelines were pulled together to help governing bodies to develop and implement their own policies and procedures for child protection.

Given the relatively low number of clubs surveyed, it is difficult to draw strong conclusions on how well good practice is filtering down to clubs. However, both the individuals and clubs surveyed in this research claimed high levels of satisfaction with the advice and information they had received about child protection:

- 75% of club representatives had seen good practice guidelines.
- Two thirds of current sports club volunteers agreed that they had received good advice on child protection from their clubs, whilst 11% disagreed.
- Only two clubs said that they had received insufficient information about child protection and disclosure.
- 80% of child protection officers valued the support that they had received in implementing child protection procedures.

Two thirds of the child protection officers interviewed sought advice from their SGB. Half of the club representatives also looked to their governing body for information (see Table 5), with **sportscotland** and CHILDREN 1ST also being important sources.

Table 5: Sources of information for child protection information used by clubs

Source of information ⁶	Clubs using them
Governing body of sport	26
sportscotland	14
CHILDREN 1 ST	12
Local government development officer	5
Base: 52 clubs	

⁵ The first edition was prepared in 2002.

⁶ Clubs also identified a Volunteer Centre, Disclosure Scotland, their employer, an education authority, a local sports council and Safer Scotland.

Where smaller governing bodies are operating child protection support in a voluntary capacity, the support of the Child Protection in Sport Service was deemed extremely valuable.

Interviews with Active Schools Coordinators revealed a feeling that not enough information on child protection legislation could be accessed, with one effect of this appearing to be an over-cautious approach to recruiting volunteers. Independently to SGB guidelines, Active Schools Coordinators were able cite good practice that they as individuals were employing in recruiting volunteers:

- One coordinator interviews each volunteer after the disclosure check before the volunteer can commence work.
- Another coordinator carries out a risk assessment with new volunteers.
- A third coordinator gives new volunteers a volunteer handbook and offers training in areas such as child protection.
- One coordinator discusses child protection regulations and issues with volunteers before they start work.

More than half of the interviewed child protection officers also felt that additional support would be helpful, particularly if offered through forums and websites.

The survey results conflicted with key agency interviews in that they showed a high level of information awareness, whereas the interviewees believed the knowledge of legislation to be patchy and adoption of best practice inconsistent. This could be due to sample and response bias in favour of those with more experience of disclosure procedures.

The objectives of informing sport about child protection and promoting best practice are compatible and require further sustained action from lead bodies such as **sportscotland** and CHILDREN 1ST. This is especially the case with new legislation about to take effect.

6 Recommendations

The majority of volunteers are in favour of child legislation and disclosure checking and child protection appeared as a low level threat to an individual's likelihood to volunteer. In general the principle of child protection is met with approval, but the practice poses problems.

The issue of multiple checks for volunteers working with more than one organisation and its associated administrative time will be helped by the introduction of Protection of Vulnerable Groups (Scotland) Act 2007.

The research concludes that a focus on information, guidance and shared practice being more readily accessible and volunteer-friendly will address many of the perceived negative impacts of child protection legislation. In addition the resource to provide such support is required.

Information related recommendations

Further information/advice needs

The research has revealed a number of issues on which there is lack of clarity at best and confusion at worst, for example:

- Clear advice is needed on how to respond to information about past offences.
- Clear advice on the types of roles and activities suitable for volunteers pending disclosure should be available.
- Clear definitions are required on the type of volunteer duties which would demand disclosure by law as opposed to those for which disclosure is advisable. Types of duties for which disclosure is unnecessary should also be defined.
- There is no clear and simple guidance on how you should report concerns or allegations raised.

RECOMMENDATION 1: sportscotland and CHILDREN 1ST need to provide clear and consistent information and advice. This must be easily accessible by volunteers, clubs, Active Schools Coordinators and governing bodies. The Child Protection in Sport website could provide a portal for this.

Clear guidance

The practical implications of child protection legislation are unclear at all levels of sports administration. Actions detrimental to volunteering; such as potential volunteers being prevented from coming forward and disclosures being requested unnecessarily; arise from misinterpretations. Misinterpretations in the media could also discourage volunteering.

RECOMMENDATION 2: A clear guide (a 'legislation made simple') to the implications of the legislation for volunteers in sport, with a set of FAQs, should be published for clubs to hand to volunteers.

RECOMMENDATION 3: A clear practical guide needs to be produced for child protection officers in clubs and SGBs.

Models of good practice

Some clubs and SGBs that have successfully incorporated meeting the requirements of child protection legislation into a broader approach of developing good practice working with children.

RECOMMENDATION 4: The approach of these clubs should be presented as case studies on the appropriate websites. These should include the full range of size of club and SGB, so others can see what it is practical for a club or SGB of their own size to do.

Promotion and public relations

There is a need for lead bodies to actively promote both the purpose and benefits of the legislation and to position it positively as part of more comprehensive procedures for the development of volunteers. This should cover:

- The dissenting minority of volunteers
- Potential volunteers and clubs.

Despite the positive findings of the primary research, there is a suspicion among key stakeholders that a great many clubs, whilst fine with the principle of child protection, are doing the minimum to implement it. For those less enthusiastic clubs and for the vocal minority of dissenters, it is necessary for sustained public relations and promotional effort, as well as support and guidance, to attempt to win them over.

RECOMMENDATION 5: Education and awareness raising will be vital in helping to ensure that forthcoming changes in child protection legislation are successful. Promotional efforts need to broadcast the fact that disclosure checking is getting easier; but also warn that the new process does not mean that clubs are going to be relieved of important decisions and procedures.

Support with implementing child protection legislation

Sport now operates in a tighter administrative framework than in the past. Whilst this offers the opportunity for new volunteers with different skills to become involved in clubs, there may be the need for existing volunteers to take on an additional administrative child protection role. In addition, **sportscotland**

has made funding to SGBs conditional on implementing child protection policies.

RECOMMENDATION 6: It is recommended that additional funding is channelled through sportscotland, to employ staff to support local level implementation of the legislation. The remit of these staff should be, within the context of volunteer recruitment and support, to:

- **advise on good practice in working with children, and also;**
- **specifically to support implementation of child protection legislation.**

This funding should be distributed to the umbrella organisations that presently support the sports clubs in proportion to the support they give, for example, governing bodies and local sports councils. This recommendation is contingent on improvements in guidance being implemented as suggested above.

Support for clubs needs to include help in succession planning for child protection officer posts, which the research evidence suggests are, or may become, difficult to fill. If the fear expressed earlier is correct - about the lack of capacity at club level to cope fully with child protection responsibilities - then even excellent support from SGBs will not be sufficient. More specific support may be needed.

sportscotland should advise SGBs on the most effective way they can offer a combined umbrella disclosure check service. Large SGBs will be able to offer their own but smaller ones will need to combine.

Further research

Potential further research in this area was identified, including:

- Case studies of clubs to examine practical difficulties faced by clubs in implementing disclosure checks and the work of CPOs.
- The support role provided by SGBs to CPOs, especially where SGB staff are themselves volunteers.
- Annual monitoring of disclosure checks undertaken by umbrella organisations – on behalf of sports clubs – and the outcomes of these, to assist in determining the extent to which people might be discouraged from volunteering.

Final conclusions

Sport has widely accepted the introduction of child protection legislation and there is no evidence that volunteers feel that it is a major barrier to volunteering when compared with other issues.

Better provision of information and accessibility of guidance on child protection in sport contribute to child protection becoming an accepted and integrated part of good volunteer recruitment and retention.

Volunteers – especially those in a child protection officer role – need continued dedicated support in order that child protection is applied effectively and does not detract from a club's ability to develop their sport.

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Appendix 1: Organisations

sportscotland is the national agency for sport in Scotland with the aim of increasing participation and improving performance. <http://www.sportscotland.org.uk/>

Scottish Sports Association (SSA) is the independent voice of sports governing bodies in Scotland. <http://www.scottishsportsassociation.org.uk/>

Scottish governing bodies of sport (SGBs) exist to provide a formal structure for amateur and professional sports clubs in Scotland. They have a duty to promote their sport, develop coaching resources and provide competitive opportunities at all levels. <http://www.sportscotland.org.uk/ChannelNavigation/Resource+Library/Publications/Governing+Bodies+of+Sport+in+Scotland.htm>

The Scottish Association of Local Sports Councils (SALSC) leads the way in promoting interest and participation in sport at local level with the support of a host of member local Sports Councils and other agencies located throughout the length and breadth of Scotland. <http://www.salsc.org.uk/>

CHILDREN 1ST (the Royal Scottish Society for Prevention of Cruelty to Children) has a mission to give every child in Scotland a safe and secure childhood. <http://www.children1st.org.uk/>

Child Protection in Sport Service (CPiS) is a partnership between CHILDREN 1ST and **sportscotland** which helps sporting organisations put safeguards in place to keep children and young people safe. They provide advice, consultancy and training on the development and implementation of child protection policies and procedures. <http://www.childprotectioninsport.org.uk/>

Volunteer Development Scotland (VDS) is Scotland's Centre for Excellence in volunteer development and provides a point of contact for all volunteering matters, encouraging and supporting best practice. <http://www.vds.org.uk/>

Central Registered Body in Scotland (CRBS) is a service operated by Volunteer Development Scotland which is the national clearing house for free disclosures for volunteers in the voluntary sector in Scotland. <http://www.crbs.org.uk/>

Scottish Council for Voluntary Organisations (SCVO) is the national body which represents some 45,000 voluntary organisations in Scotland. <http://www.scvo.org.uk/scvo/Home/Home.aspx>

Scotland's Commissioner for Children and Young People (SCCYP) (Kathleen Marshall) is responsible for meeting Scotland's responsibilities to promote and safeguard the rights of children and young people living in Scotland under the United Nations Convention of the Rights of the Child. <http://www.sccyp.org.uk/>

Active Schools is a term given to all schools in Scotland that provide pupils with sufficient opportunities to get active to the extent that it makes a positive contribution to their health. Instrumental to delivering Active Schools is the development of a staffing network of 630 Co-ordinators and 32 Managers. <http://www.sportscotland.org.uk/ChannelNavigation/What+we+do/TopicNavigation/Active+Schools+Network/Active+Schools+Network.htm>

Disclosure Scotland manages and operates the Disclosure Service in Scotland on behalf of the Scottish Government and is responsible for planning, managing and operating the new central and barring service as provided in the Protection of Vulnerable Groups (Scotland) Act 2007. <http://www.disclosurescotland.co.uk/>

Volunteer Centre Network Scotland, made up of 32 Volunteer Centres aims to create a Scotland where everyone who wants to volunteer can do so. <http://www.volunteerscotland.org.uk/default.aspx>

Appendix 2: Sports involved

Which sport are you involved with (main sport)?

Sport	Online Survey	Club Survey
Athletics	73	9
Badminton	4	-
Basketball	14	-
Cricket	7	-
Curling	12	-
Cycling	31	-
Disability Sport	2	-
Equestrian	3	3
Football	8	1
Golf	13	4
Gymnastics	8	-
Hockey	50	2
Judo	4	-
Karate	30	2
Mountaineering	6	-
Netball	12	8
Orienteering	35	-
Rowing	2	-
Rugby	242	3
Sailing	46	4
Shinty	25	4
Snowsports	21	1
Squash	12	2
Swimming	125	6
Table Tennis	2	-
Tennis	42	3
Volleyball	8	-
Other	140	-
Not specified	2	-
Total	979	52