

Child protection legislation & volunteering in Scottish sport

A research fact sheet produced by sportscotland

Introduction

We often hear that increased requirements relating to child protection and increased awareness of child protection issues has a detrimental effect on attracting, retaining and organising volunteers in sport; however, this has tended to be based on assumption rather than fact. This paper reports on research commissioned by **sportscotland** in partnership with CHILDREN 1ST and the Scottish Sports Association to investigate the effects of child protection issues on volunteering with children and young people in sport and examine the following questions:

- 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?

Over the course of two months the Sport Industry Research Centre surveyed nearly 750 volunteers, 65 disengaged volunteers and 170 potential volunteers. In addition interviews took place with 14 stakeholder agency representatives (including Central Registered Body in Scotland, Scottish Council for Voluntary Organisations, Volunteer Development Scotland and CHILDREN 1ST), 52 club representatives (covering 15 sports), 15 club child protection officers and 19 Active Schools Coordinators. It should be noted that the respondents to the survey are likely to be from those who are more aware of child protection issues.

Key research findings:

- 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.
- 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.
- There is a risk that those with non-related past criminal convictions will not put themselves forward to volunteer with children and young people.
- 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. However, the new legislation coming in to place in 2009 should help eliminate this concern.

Child protection legislation

- 93% of sports club volunteers/members surveyed said they were aware of their child protection responsibilities.
- 90% of club representatives interviewed agreed with the statements that child protection is essential or they needed to do their best to implement child protection.
- 55% of clubs surveyed had a written child protection code of conduct.
- Male volunteers and coaches were found to be more likely to be negative towards child protection

Aside from criticism of the need for multiple disclosure checks, other negative impacts of legislation identified included:

- Compliance is time-consuming.
- A feeling of excessive bureaucracy which is diverting organisations' energies away from their core purpose of sport provision and development.
- A risk that disclosure checks are getting all the attention, when wider child protection and good volunteer recruitment methods are needed.
- A lack of awareness at club level of which offences preclude individuals from working with children and young people and a lack of guidance on good practice in this area.

Good practice

- Half the clubs surveyed had received information on child protection from their governing body (SGB). Half had received information from either CHILDREN 1ST or sportscotland.
- 94% of the clubs surveyed stated they had sufficient information about child protection and disclosure checking.
- Two-thirds of current sports clubs volunteers considered that they had good advice on child protection from their clubs.
- 80% of child protection officers interviewed valued the support they had received for child protection.

However:

- 11% of current sports clubs volunteers disagreed that they had good advice on child protection from their clubs.
- 57% of child protection officers interviewed would like further support including a clearly defined process, appropriate forums and websites.

Disclosure checking

- 91% of volunteers/members were aware of what disclosure checks involve.
- 75% of volunteers/members agreed that disclosure checks give confidence that the club has met its legal requirements, boost parents' confidence and are an important procedure to ensure children's safety.
- Over 60% believe that checks help to remove unsuitable volunteers.
- Disclosure checking was a relatively unimportant barrier for current volunteers and sports club members.
- Volunteers were more likely to be deterred from volunteering by 'not enough time' and 'paid job demands'. Potential volunteers were also put off feeling they lacked skills and/or experience
- Only one research respondent suggested that potential volunteers are deterred from volunteering by the threat of false accusations. This compares with 48% of those interviewed in a recent national survey for the Scottish Commissioner for Children and Young People. This may imply that sport is a less threatening environment than others in which to volunteer.

Disclosure checking (cont'd)

But:

- Just under 15% of current volunteers rate disclosure checks as either fairly or very important as threats to their continued volunteering. Equivalent figures for disengaged and potential volunteers are 5% and 12%.
- 10% of club representatives felt that disclosure checks had prevented volunteers from coming forward.
- Some respondents felt the long administration time for disclosure checks may be off-putting to potential volunteers.
- The error rate in completing the disclosure application form is 25%.
- The requirement of completing a disclosure form may be off-putting to some potential volunteers, for example those with literacy problems.
- There is a risk that some people with criminal records may avoid volunteering because they assume that any criminal offence precludes them from working with children, or they do not wish to reveal previous offences even when unrelated.
- Key agencies' interviewees were concerned that at club level there are overly risk-averse decisions made – rejecting potential volunteers with past criminal convictions.

Recommendations

Further information/advice needs

The research showed that clear and consistent information and advice on child protection issues needs to be more easily accessible. Respondents were not clear on issues such as:

- What offences are relevant?
- Can prospective volunteers contribute during the time their disclosure checks are being processed?
- Which checks, standard or enhanced, are required for which volunteer roles?
- Who needs to have disclosure checks, by law and by good practice?
- What is the duty to report concerns / allegations / incidents and to whom?

Clear guidance

The practical implications of child protection legislation are unclear at all levels of sports administration. Confused application of legislation could be damaging to volunteering – for example many respondents lacked understanding on how to use volunteers when awaiting their disclosure checks.

The report recommended a 'legislation made simple' guide with frequently asked questions published for clubs to hand to volunteers. In addition, a 'how to do it' guide should be considered for club and SGB child protection officers to make it as easy as possible for these volunteers to do their work.

Models of good practice

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 should be presented as case studies on the appropriate web sites. These should include small, medium and large club and SGBs, so others can see what it is practical for a club or SGB of their own size to do.

Promotion and public relations

Despite the positive findings of the primary research, key stakeholders suspected that many clubs, whilst fine with the principle of child protection, can only do a minimum to implement it due to capacity. For those less enthusiastic clubs and for a vocal minority of dissenters, it is necessary for sustained public relations and promotional effort, as well as effective support and guidance, to attempt to win them over.

Support with implementing the 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** have made funding to SGBs conditional on implementing child protection policies.

The research recommended that these legislative requirements and conditions be accompanied by additional local level resources to help organisations cope with them.

The report recommended funding should be distributed to the umbrella organisations that presently support the sports clubs in proportion to the support they give. This will include SGBs and local sports councils. This recommendation is contingent on improvements in guidance being implemented, as suggested above.

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 may need to combine.

How will the recommendations be taken forward?

sportscotland, CHILDREN IST and the Scottish Sports Association intend to use the report in several ways:

- to better advise on and respond to changes in relevant legislation;
- to provide appropriate support to SGBs, clubs and volunteers in this area; and
- inform the distribution of resources to support SGBs, clubs and volunteers.

Enhancing the Child Protection in Sport Service

With respect to child protection, all SGBs in receipt of **sportscotland** investment are now signed up to the 2006 Accord for the Protection of Children in Scottish Sport which sets out the commitment of SGBs to fulfil their responsibilities to protect children in sport. All but three SGBs have developed a child protection policy.

CHILDREN IST benefited from an additional award in 2007 of £150,000 from **sportscotland** which will help them to develop better guidance, training and resources for SGBs. This funding will also be used to set up a pilot centralised SGB Disclosure Administration and Advice Service (DAAS).

Promoting and sharing information, guidance and practice

The main source for information and advice should be the Child Protection in Sport website: <http://www.childprotectioninsport.org.uk/>

The research has shown that SGBs and **sportscotland** are currently the best known sources of information so there is a clear need to raise awareness of the Child Protection in Sport service and its website. The website content will be assessed in response to the findings of the report.

Volunteer development

sportscotland sees it as important that child protection issues are not cited as the key barrier to organising volunteering in sport effectively. Disclosure checking and child protection issues should be seen rather as an important part of a robust sports volunteer recruitment, selection and retention process.

The main barriers to volunteering in sport have been identified as a lack of time, the competing demands of paid employment and uncertainty about the level of skills and confidence required to volunteer.

For **sportscotland** addressing these barriers means the provision of general information, good practice guidance, training and practical support in the area of sports volunteer management.