

# General FAQs

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## What is the definition of a child?

A child can be defined differently in different legal contexts. The individual young person's circumstances and age will dictate what legal measures can be applied.

To ensure compliance with legislation, and moral obligations towards the welfare of young people, a child should be regarded as being a person under 18 years of age.

More information can be found on pages 8-9 of the **National Guidance for Child Protection in Scotland 2014** (link to <http://www.scotland.gov.uk/Resource/0045/00450733.pdf>)

## Why should sports organisations be concerned with child protection?

Children have so much to gain from sport, particularly children whose lives may be affected by the adverse circumstances in which they live. The majority of children who take part in sport every year have a positive and empowering experience, however, there is evidence to show that some people use sport to access children in order to harm them. There is also evidence to show that poor coaching practice can be harmful to children and it is therefore important that sports organisations promote children's wellbeing through good practice. All children have a right to be safe whilst taking part in sport.

Consequently, it is necessary for sports organisations to put in place appropriate safeguards to protect children and promote their wellbeing, for example, a recruitment and selection procedure, a code of conduct, training for volunteers and so on. It is also important to acknowledge that staff and volunteers are well placed to take appropriate action to protect a child who may need help. For example, if they have a concern about a child or if a child tells them something that's happened to them in the community or within the family.

## Are the risks of abuse greater in some sports than others?

There is no evidence to suggest that children are at greater risk of abuse in particular sports, neither is there evidence to suggest that girls are at any greater risk than boys. Any sports club or organisation will be vulnerable if it does not take the precautions needed to safeguard the welfare of the children in its care.

Some studies have shown that the risk of abuse to young people may be increased in elite level sport. Elite athletes are often involved in intensive training regimes and competitions that take them away from home for long periods of time, and they are often highly dependent on a single adult for physical and psychological support. Elite athletes might also be

considered to be in a situation where it is very difficult to speak out about what is happening to them for fear of losing the opportunity to succeed in their sport.

### What can organisations do to safeguard children in sport?

Every organisation involved with children and young people has a duty of care to safeguard and promote their well-being. 10 Steps to safeguard children in sport and help your organisation fulfil its duty of care to children include:

1. Appoint a named contact (i.e. a Child Protection Officer) to co-ordinate child protection within your organisation who has attended 'Safeguarding & Protecting Children' or other basic child protection awareness training and 'In Safe Hands – Club Child Protection Officer' workshop.
2. Adopt a Child Protection Policy at management/committee/board level within your organisation.
3. Identify any risks to children participating in your activities.
4. Get all adults working with children in your organisation to sign up to a Code of Conduct for working with children.
5. Support all adults working with children in your organisation to attend 'Safeguarding & Protecting Children' or other basic child protection awareness workshop.
6. Adopt and use an effective 'recruitment and selection' procedure to make sure new staff/volunteers have been carefully considered and vetted to do regulated work with children.
7. Adopt 'responding to concerns' procedures to ensure that staff/volunteers get the appropriate help for a child or challenge the inappropriate conduct of any adults within your organisation.
8. Adopt a 'disciplinary' procedure to ensure your organisation can deal with any inappropriate conduct or child abuse and if necessary refer any individual to Disclosure Scotland for consideration on the Children's List.
9. Adopt a procedure to review any child protection concerns which have arisen to ensure procedures are followed and appropriate action taken in the best interests of the child.
10. Adopt 'Safe in Care' guidelines that are appropriate to your organisation's activities, e.g. trips away from home, physical contact, adult to child ratios, ICT and social media.

Remember to communicate all of the above to the children in your organisation and to their parents/carers so that everyone recognises and understands the important safeguards put in place to help keep children safe.

**For guidance, template policies, procedures and paperwork. See Safeguarding in Sport's [10 Steps to Safeguard Children in Sport](#)**

## Is the club's Child Protection Officer (CPO) ultimately responsible if someone at the club harms a child?

Remember, keeping children safe in clubs is everyone's responsibility and not the job of one person in the club. While the role of the CPO is to co-ordinate the implementation of child protection procedures, it is those who are responsible for running the club to ensure that this is done effectively.

Firstly, if someone in the organisation harms a child in any way, the individual is responsible for their actions and will be accountable for them through the process of criminal justice and, where appropriate, the child protection system. Questions may be asked however as to what the organisation did to prevent such an incident from occurring. The organisation would then have to demonstrate that it did "everything that was reasonable in all the circumstances to safeguard the welfare" of the child. This would include, but is not limited to, practical things such as following a safe recruitment and selection procedure, ensuring those who work/volunteer with children have appropriate qualifications and training to do so, and that they receive management support. If the organisation failed to take reasonable action to prevent such an incident, the question of who in the organisation is liable will depend on the structure and governance or management of the organisation. This would be decided by courts if legal action was raised. Ultimately it must be agreed as to who is accountable, be it an individual or group of individuals, for ensuring that there are appropriate structures in place for the safe running of a club.

## Can we take and use children's photographs in publishing material or on the web/social media?

There have been concerns about the risks posed directly and indirectly to children and young people through the use of photographs on the web and other publications. Photographs can be used as a means of identifying children when they are accompanied with personal information or the content of the photo can be used or adapted for inappropriate use. Sports organisations should develop a policy relating to the use of images of children and young people on their websites, Social Networking sites and in other publications. Parents and children should be informed what pictures will be taken and what they will be used for. Parental permission must be obtained for under 16s in writing. See Step 9 in [10 Steps to Safeguard Children in Sport](#) for some guidance.