



Referrals Policy of Abundant Borders

This policy is relevant to all those involved in making recruitment/disciplinary decisions in our organisation.

When a volunteer or member of staff is permanently removed from a regulated role, there are certain circumstances where our organisation must notify Disclosure Scotland that this has happened. This is called “Making a Referral”. If we would have permanently removed the individual, the actions detailed in this policy will continue to apply (even if a member of staff or volunteer leaves their regulated role prior to any action being taken, irrespective of the reason that they leave).

2 conditions must be met before we let Disclosure Scotland know that something has happened.

Condition 1 – A person has been permanently removed/removed themselves from a regulated role

Condition 2 – At least 1 of the following 5 grounds apply:

- Caused harm to a child or protected adult
- Placed someone at risk of harm
- Engaged in inappropriate conduct involving pornography
- Engaged in inappropriate sexual conduct
- Given inappropriate medical treatment

When both of these conditions have been met, it is a legal requirement that we must let Disclosure Scotland know by making a referral within 3 months of the permanent removal of the individual.

Where there is an historical allegation of harm or inappropriate behaviour about someone who is no longer in a regulated role with us but which we believe would, in all probability, have led to the 2 conditions being met, we will consider whether we want to make a referral but the legal responsibility applies only after 28 February 2011 when PVG was first introduced.

Where it is necessary to make a referral, this process will be carried out by the Operations Manager

In their absence, the referral process will be carried out by the Trustee Responsible for Safeguarding .

Those who are in a position which may involve carrying out disciplinary action which may result in the removal from a regulated role or dismissal of someone in a regulated role, must ensure they notify the Operations Manager or, in their absence, the Trustee responsible for Safeguarding of the legal requirement to make a referral where the conditions above have been met.

Failure to make a referral where required, may result in our organisation being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify the Operations Manager or the Trustee Responsible for Safeguarding when both conditions for making a referral have been met.