
Making a Referral – Guidance and Policy

Referrals Policy of Burnside Primary Parent Council

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 **Lyndsey Shakespeare**.

In their absence, the referral process will be carried out by **Fraser Bedwell**.

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 **Lyndsey Shakespeare** or, in their absence, **Fraser Bedwell** 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 **Lyndsey Shakespeare** or **Fraser Bedwell** when both conditions for making a referral have been met.