



## Referrals Policy

# Version History

Version	Date	Responsible	Changes
2020/01	Jan 2020	JMB	Initial

# Cambusbarron Village Nursery

## Referrals Policy

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 work position, there are certain circumstances where our organisation must notify the Protection Unit at 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 work position 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 regulated work

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. The form for making a referral can be found on Disclosure Scotland's website, along with instructions for completing the form and the Protection Unit can be contacted on [03000 2000 40](tel:03000200040) for any additional information.

Where there is an historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work 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 Jane Bain. In their absence, the referral process will be carried out by Suzanne Wynne-Griffiths. Those who are in a position which may involve carrying out disciplinary action which may result in the removal from regulated work or dismissal of someone in regulated work must ensure they notify Jane Bain or, in their absence, Suzanne Wynne-Griffiths 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 Jane Bain or Suzanne Wynne-Griffiths when both conditions for making a referral have been met.