

**Guide to Undertaking Wellbeing and Protection Investigations**

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**Notes on update:**

The first Guide to Undertaking Wellbeing and Protection Investigations was published in April 2024. The guide sought to introduce standardisation in the investigative process and provide tools to assist in ensuring investigations were robust, transparent and would withhold scrutiny should an appeal or decision challenge be submitted. The tools sought to help manage the investigation itself and help investigators show how they obtained evidence and reached their decision at the conclusion of an investigation. Whilst delivering training, based on the previous guide over 2024, several areas have been discussed at length with training participants which has led to the development of this updated version.

This guide will seek to provide further information and guidance as to:

1. The role of each person within the investigation and how each must be treated as an individual.
2. The need for each person within the investigation to be treated fairly and equally, mindful of any additional support needs they may require.
3. Through use of additional tools, help investigators, manage their workload and clearly display how they have certain rationale at the conclusion of the investigation report.
4. Compiling the investigative report via new template.

It is hoped the above will assist in bringing the investigators within sport together through commonality of language and approach.

# **Introduction**

This guidance document has been created for Scottish governing bodies of sport (SGBs) to support existing wellbeing and protection in sport procedures in **Responding to a Concern about an Adult’s Conduct**. The guidance and associated templates will demonstrate best practice to confidently undertake a wellbeing and protection investigation in a timely and appropriate manner.

This guidance can be complemented and used alongside the [Guide for Managing Disciplinary and Appeal for Wellbeing and Protection Concerns in Sport](https://children1stscotland.sharepoint.com/teams/CaseManagementSupportService/Shared%20Documents/General/Learning%20and%20Development/Resources/Guides/Draft%2025%20Guide%20to%20Managing%20Disciplinary%20and%20Appeal%20Processes.docx). For consistency in language in all documents and for ease of reading, the following words will be used to cover the description of the text shown:

* Concern - any issue raised about an adult’s conduct or behaviour.
  + Person raising the concern - a person who is raising the issue about actions of an adult towards them or other people.
  + Investigator – the person appointed to carry out the investigation
  + Person subject of the concern (PSOC) - the adult whose conduct is being questioned, challenged or reported against.
  + Witness - any person of any age who is considered to have witnessed, observed or experienced the alleged concerning conduct.
  + Disciplinary Manager - is the person within the SGB who agrees terms of reference with the WPO or Investigator, then takes formal disciplinary action when required.

The investigation process is designed to establish as far as possible what has actually happened in response to a concern raised directly about the conduct of an adult, receipt of information causing sufficient concern that warrants further investigation or in response to an escalation procedure, i.e. after a number of low-level concerns. The purpose of an investigation is to gather, assess and present evidence to allow for a decision to be made.

Having a documented investigation is very important particularly as the decisions may lead to formal disciplinary proceedings. The investigation report details the investigation process and the findings, and the Terms of Reference set out how the investigation should be undertaken. The resulting report should be clear and unbiased. The investigator should be able to clearly show the rationale as to how they have come to their conclusions and recommendations.

**Flowchart**

Contact police or social work if someone is at **immediate** risk of harm or in need of protection.

**Wellbeing or protection concern reported to WPO.**

Initial assessment of concern against code of conduct.

**Take no action**

Facts do not substantiate concern raised.

WPO records and updates person raising the concern that the issue is resolved.

Possible breach of code of conduct identified. WPO and Disciplinary Manager agree **Terms of Reference** for an investigation.

Take **advice** from police or social work on next steps to be taken by WPO.

Investigator or WPO completes **investigation** providing report to Disciplinary Manager.

**Take informal action**

Wherever possible and appropriate for poor practice or inappropriate behaviour.

Complete agreement with PSOC to record informal action taken and completed.

**Take formal action**

Investigation establishes facts of concern raised with potential serious poor practice, misconduct or gross misconduct by PSOC or informal/formal action unsuccessful.

Disciplinary Manager arranges **hearing.**

**Issue resolved:**

WPO update policies and procedures from any learning. Record low-level concern.

PSOC practice fails to improve sufficiently.

Hold hearing.

Adjourn hearing.

Decide disciplinary outcome.

Inform PSOC the outcome of hearing:

* No penalty
* First written warning
* Final written warning
* Action short of dismissal
* Dismissal /removal of membership

Review low-level concerns to decide if threshold reached to require formal action.

If agreed, hold hearing.

Adjourn hearing.

Decide any change to outcome and inform PSOC.

Provide opportunity to **appeal**.

PSOC conduct improves then **issue resolved**.

PSOC conduct fails to improve sufficiently.

If PSOC dismissed or removed, consider **referral to PVG** if criteria met.

Hold hearing.

Adjourn hearing.

Decide disciplinary action.

# **Establishing the Terms of Reference for an Investigation**

After the decision has been taken that there is need for an investigation, the Terms of Reference (ToR) for such an investigation will need to be set. This in most cases will be done jointly between the WPO who will have received the concern and the Disciplinary Manager. It will then be the WPO or appointed investigator who becomes responsible for the investigation.

The ToR outlines the matter/s to be investigated and should be clearly laid out. Where possible, reference should be made to specific sections within codes of conduct or policy suspected to have been breached.

**Example**

**ToR 1**

*A. Smith breached section 2 of the Coach Code of Conduct, which provides that a child or young person’s parent should be included in all communications.*

**ToR 2**

*A. Smith breached section 4 of the Travelling for Competition with Children & Young People guidelines and failed to identify and have present a recognised chaperone.*

**ToR 3**

*A. Smith breached section 6 of the Travelling for Competition with Children & Young People guidelines by consuming alcohol whilst having children and young people in his charge.*

As the investigation progresses there may be a need to review or add to the ToR.

The PSOC should have clear intimation of the ToR of the investigation at the time they are informed the investigation is being undertaken and ahead of their interview, and prior to any disciplinary process unless there is risk to disclosure.

# **Conducting the Investigation**

**The Investigator**

The investigation should be led by the investigator who takes ownership of the investigation from start to finish, drawing conclusions and making recommendations based on the evidence. These are set out in a final investigation report. They should be able to carry out the investigation freely and without influence. If working alone it is recommended to have a suitable lone working policy and risk assessment.

The investigator chairs all the meetings and interviews as part of the investigation and deals with any queries or enquiries regarding the investigation itself. Accountability for the investigation rests with the investigator. They should ensure that the investigation process is conducted professionally and fairly.

The investigator may be supported in the investigation by a colleague in certain circumstances, including for interviews with a subject of concern. Both people must be impartial and not connected to anyone named in the concern.

A template Investigation Plan can be found on [Appendix 1](#_Appendix_1_-). The supporting colleague will be taking notes of investigation meetings and interviews and assisting with administrative support.

**Person Centred and Rights Based**

Investigations can cause anxiety and uncertainty for anyone involved. Everyone should be treated kindly, fairly and in accordance with their human rights. All actions undertaken during an investigation and possible disciplinary process should be conducted with the rights and wellbeing of all involved to the fore. Any need for support or referral to statutory body identified during the course for the investigation should be raised and submitted without delay.

**Example**

A child may feel unable to engage, where an investigator may have offered measures that may assist with them participating but they are unable, or it is inappropriate due to age for them to engage formally. The child’s right not to agree to participation should be fully respected. Alternative ways in which the child’s voice and opinions can be heard should considered. Their opinion in respect of matters that involve them should be sought and given due weight, where appropriate. (UNCRC Article12).

**Confidentiality**

Investigations into a concern raised about an adult need to be conducted in a confidential and discreet fashion. Maintaining the privacy and confidentiality of all involved parties is of paramount importance. All records created, documents gathered, and notes taken must be stored securely. Appropriate measures can include the use of an online electronic recording system, password protecting documents and files to maintain privacy and confidentiality and reducing the number of individuals with access to the investigation file. Any witnesses or other people interviewed as part of the investigation should have their obligations in respect of confidentiality explained to them from the outset.

**Anonymity**

The person(s) raising the concern or witness may request that their identity is not made known to the PSOC at any stage of the investigation. Redaction and adoption of a naming convention prior to sharing or submitting the investigation report should be considered. However, it is imperative that the investigator is transparent and honest. It should be made clear that, because of the nature of the content of the account provided by them, their identity could become known by the PSOC. It must be noted that should an investigation involve an employee there is a possibility that an individual’s request for anonymity may be overturned should an Employment Tribunal judge to decide.

**Proportionality**

The need for investigation should have already been established prior to the deployment of an investigator. It is incumbent, however, upon the investigator to determine on the balance of probability if the concern or breach of code of conduct, as outlined in the ToR has been factually identified or not. This should not negatively impact upon the PSOC, or the person(s) raising the concern should there be a belief that there is remaining evidence source(s) that may influence outcome either way. Every action, particularly in respect of vulnerable witnesses, should be assessed to ensure the intended course of action is proportionate, necessary and justified.

**Fairness and Impartiality**

The investigation process is to be conducted fairly and impartially. It is not an opportunity for the person(s) raising the concern to build up a case against an adult. Instead, the investigator needs to establish ‘both sides of the story’ and be impartial and fair in how they draw conclusions from the facts. There should be no bias towards a particular party.

**Timescales**

Investigations can prove to be an anxious time for all involved. There is potential for this to increase and may lead to a threat of reputational risk should the process be unnecessarily drawn out. The amount of time taken to investigate can be impacted upon several factors such as:

* Volume of documentation or evidential items.
* Readily accessible and appropriately listed relevant codes of conduct, employment contracts or child and adult wellbeing and protection policies and procedures.
* The number of witnesses to be interviewed and their availability.
* Timing and outcome of statutory processes involving police and social work.

The integrity of the investigation and its findings should not, however, be impacted by the above and rushed. The investigator should document when there has been cause for delay, seek assistance where appropriate and communicate with all parties to inform them of any delays.

Delays to the investigation process may prejudice both the investigation itself and any further actions that may occur because of the findings of the investigation. As time passes, people’s recollections may change and/or be influenced by subsequent events, so it is important to gather information as close to the disclosure or event taking place.

**Matters Under Investigation**

The investigator should consider the raised concern in relation to and in comparison, with expected behaviours as stated within relevant codes of conduct*.* They should be defined and set out in the ToR. Should other concerns be identified during the ongoing investigation, consideration should be given to review and amendment of the original ToR prior to communication of such changes to both the PSOC and the person(s) raising the concern. Any change to the anticipated timescale of the investigation should also be stated. Additional concerns may not relate specifically to matters under investigation or the PSOC, for example, a concerning aspect of the culture within the organisation comes to light. It may be best that this is highlighted within the report however is subject to a separate process of investigation.

## **Evidence**

Evidence is an overarching term for any information or material gathered during the investigation. The evidence can either support, refute or be neutral. Each piece of evidence must be considered in respect of its relevance to the investigation. Amendment to the original ToR should be considered for any new lines of enquiry that are identified. Certain details may need to be redacted when anonymity is a factor, whilst maintaining an original in line with agreed information retention policy.

Detailed record should be kept of:

* description;
* when it was taken;
* who it was taken from;
* who can speak to its relevance;
* who took possession of it; and,
* any reference number applied to it.

Types of evidence include (this is not an exhaustive list) -

* Witness evidence in the form of:
* Signed written statement or note taken by the investigator.
* Written evidence provided by the witness.
* Account provided in any other format.
* Physical evidence such as:
* Photographs.
* CCTV.
* Laptop.
* Mobile telephone.
* Clothing.
* Documentary:
* Copy data from electronic systems.
* Signed copy of SGB Code of Conduct.
* Relevant child or adult wellbeing and protection policies and procedures.
* Contract of Employment.
* Handwritten witness statements/notes.
* Expert or technical evidence:
* Sport or technique specific opinion from recognised authority.
* Medical evidence or opinion.
* Data extraction report (mobile telephone/device download).

All evidential material should be able to be traced back to its source and recorded in such a way that clearly identifies, what it is, where it came from, and which witness is to speak to its provenance and relevance.

**Evidential Log**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number | Description | Stored | Date & Time received | From |
| 001 | Scanned copy code of conduct signed by A. Smith | Electronic file | 12.00 13/11/24 | John Peters (WPL) |
| 002 | Emailed copy of Whatsapp messages | Electronic File | 14.20 25/11/24 | Witness A |
| 003 | CCTV footage Newark Sports centre | Electronic File | 12.30 26/11/24 | Witness H |

**Action Log**

It can be helpful for an investigator to record during the investigation which enquiry or actions were taken because of review of which piece of evidence. A list of completed and outstanding actions can help inform the progress of the investigation and identify where there has been difficulty in obtaining potentially relevant evidence.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No | Action | Source | Progress | Result |
| 5 | Note statement from A. Drum (TBR) Witness C states that they were present at the time the person raising the concern was struck by the PSOC | Statement Witness C | 10/11/24 – Email sent to witness A. Drum  14/11/24 – Email returned from witness A. Drum date set 17/11/24 – MS Teams meeting forwarded | Complete - Noted, now witness G |
| 6 | Note statement from reception staff, CCTV shows the PSOC at the desk and he appears to be gesticulating toward them. | CCTV (001/24) | 26/11/24 – Email centre manager to check roster and time to attend.  26/11/24 – Newark Sports Centre returned email and confirmed both employees on duty 28/11/24. | Complete - Staff identified and statements noted, Now witnesses H & I |

## **Witnesses**

Any person who has information thought to be relevant to the matter under investigation may be considered a witness. Witnesses can be separated into a number of categories and terms, and reference made to them may differ in varying environments i.e. criminal, civil or internal processes.

**Person (s) raising the concern**

This will usually be the person(s) who has suffered harm or have raised the concern in respect of the conduct of an adult who is the person subject of the concern. Their account will usually, but not always, form the basis of the scope of the investigation as laid out in the TOR.

**Direct Witness**

A person who is providing information in respect of what they actually saw or heard in relation to the specific facts under investigation.

**Indirect witness**

Likely to provide circumstantial evidence whereby they have not seen or heard the incident themselves. Although direct witnesses are usually given more evidential weight in proceedings, circumstantial evidence should not be immediately discounted as it may provide information in support of direct evidence or identify additional lines of enquiry in identifying the facts. An example being that they may have witnessed the actions of the PSOC, person raising the concern or other witness shortly before or after the reported incident.

**1st Disclosure Witness**

This is a particularly important witness when the investigation is in respect of physical or sexual abuse. They are the person to whom the person raising the concern has first disclosed. This witness can be called upon to speak to demeanour of the person raising the concern when they have first been able to describe what has happened.

**Expert witness**

Expert witness or professional witness can be called upon during the investigation and or asked to attend a disciplinary hearing. They will likely be specialist in an area that the investigator, or witnesses will not be able to provide a credible opinion or evidence of fact. This could be a technical expert in relation to a particular sport or professional person such as a doctor.

**Consent**

Investigators should have the informed consent of any witness. It should be clear why they are being spoken to and what might happen as a result of the information they have provided. The consent of a parent or carer should be sought prior to interviewing a child. In situations where the only parent or carer is the PSOC, alternative arrangements should be considered.  Great effort should be taken to ensure a child or young person is fully aware of why they are being spoken to and that they are able to properly agree to participate.

**Support**

Where appropriate, people who have become involved in investigations should be allowed to have a person present in support to them. The person in support should understand their role and the need for them not to interfere or hinder the investigation. Should a person attending in support, also be a witness i.e., parent or carer supporting a child witness, then their statement should be noted prior to them attending in support of their child.

**Additional Communication Needs Support**

Any person attending in support of an interviewee due to an additional communication need, may be required for interpretation purposes or for any person with a physical impairment, learning disability or sensory impairment. The investigation report should detail if witnesses, person(s) raising the concern or PSOC require such support should the matter progress to a disciplinary hearing.

**Planning**

An interview plan (see [appendix 2](#_Appendix_2_–)) will assist in determining the relevance of each witness and the order in which they should be approached. Each witness, regardless of how they are defined within the investigation should be considered as an individual. Their specific needs should be identified in their interview plan and what measures have been taken to support them.

# **Conducting Investigative Interviews: Adults**

## **Initial Considerations**

It is unlikely that any person involved in the investigation interviews will be completely at ease with the process. It is important that each person regardless of their role within the investigation are treated fairly and respectfully, and that your interaction with each of them is impartial as failure to do such may impact the integrity of the overall investigation.

Each person should be treated as an individual and their need for support considered. It is important that, prior to interview, you confirm you are aware of and have complied with any lawful protections they are afforded by virtue of their standing within the organisation i.e., protections afforded them as an [employee](https://www.acas.org.uk/), under the [Human Rights Act](https://www.scottishhumanrights.com/your-rights/human-rights-in-scotland/) 1998 or protections within the SGB’s own Code of Conduct.

There are different circumstances where an adult will be invited to an interview as part of an investigation. It may be that they are:

* the person who may have been harmed by the concerning behaviour or actions.
* a witness to the circumstances that have led to the concern being raised.
* a person in receipt of or have responsibility for material or documentation collated as potentially relevant information.
* the person reporting or raising it, could be WPO or parent/carer of child raising a concern.
* the person subject of the concern (PSOC).

The nature of the concern under investigation should be considered. The principles below are relevant to a wide range of concerns where there is either no crime, the person raising the concern does not wish to report the matter to the police or confirmation has been communicated from police that the investigation can be proceeded.

Should it become apparent during the interview and further discussion identifies a possible crime, then the person raising the concern should be advised of such and confirm if they wish to report the matter to police. Should they wish to, they should be informed that your investigation will be stopped at that time. The change in circumstances should be communicated to the SGB and the possible need for support or signposting to assist the person raising the concern in the formal reporting process. Further guidance is available in respect of receiving a report from an [adult who may have disclosed abuse](#_Interviewing_Adults_where).

## **Preparing for interview**

The following are general considerations when preparing for interview. A template letter to invite people to interview can be found on [appendix 3](#_Appendix_3_–).

**Location**

* Where will the interview take place?
* Can it be reached easily by the interviewee?
* Is there a cost associated with attendance there. i.e., parking, travel etc?
* Is it accessible to not only the interviewee but to any person who may be attending in support of them or assisting to facilitate the interview i.e., interpreter – or to support with a physical impairment, learning disability or sensory impairment?
* Are there sufficient facilities in respect of refreshment and toilet breaks etc?
* Is there space available to allow the interview space for a break?
* Is it possible that the interviewee could be seen by other colleagues/members that could impact the private and confidential nature of the investigation and interview?

## **Documents and Evidence**

* What do you need to take into the interview?
* Does the content of documentation need to be agreed during the interview?
* Do you need to show CCTV/Photographs?
* What equipment might you need?
* Are you intending to take any documentation or items from the interviewee as evidence and are they aware you are intending to do so?
* Ensure any reference to or collection of evidence is referred to in the interview notes.

## **Recording the Interview**

* Record the date, time, and interviewees name. A template interview note can be found on [appendix 4](#_Appendix_4_–).
* Name of the interviewer.
* Details of any other person present and their role.
* Noted as much as possible in the interviewee’s own words.
* Note any breaks taken.
* Read back or offer to all present to read and agree content.
* Request signature in agreeing to accurate record/content.
* Note if an agreement is not reached on accurate record/content.

## **Individual Interviewee**

* Be clear as to their status within the investigation.
* Research and prepare for each individual interviewee.
* Know where they feature in the investigation.
* Is there specific information you need from them?
* Ask them to be clear as to what they actually saw or heard.
* Ask that they tell you the source of any other information they provide.

## **Person raising the concern Interview**

* Should be contacted and informed that you are carrying out the investigation.
* Explain their rights and seek their consent to participate.
* Explain your role as the Investigator and the reason for interview.
* Make them aware that you are intending to interview a number of people, including them, in connection with the investigation as it is likely they will quickly become aware once your investigation begins.
* Be clear that you are impartial, but their concern will be taken seriously and investigated robustly.
* Do they want anyone with them during the interview or included in future communication with you?
* Confirm their preferred method of contact and how you intend to update them moving forward.
* Where will the interview take place?
* Is there anything else that need to be considered by way of access or their ability to participate fully?
* Be prepared to explain to person raising the concern where any interview identifying details of a crime, that support can be given for information to be reported to the police or referrals can be made on their behalf.

*Be mindful of an individual’s circumstances. As stated, there is further guidance in respect of investigations concerning* [*adult disclosures of abuse*](#_Interviewing_Adults_where)*.*

## **Witness Interview**

* Should be contacted and informed that you are carrying out the investigation.
* Explain their rights and seek their consent to participate.
* Explain your role as the investigator and the reason for interview.
* Be clear that you are impartial and are tasked with establishing the facts under investigation.
* Do they want anyone with them during the interview?
* Confirm their preferred method of contact and how you intend to engage/update them moving forward.
* Where will the interview take place?
* Is there anything else that needs to be considered by way of access or their ability to participate fully?

## **PSOC Interview**

* Should be conducted after the nature of the concern is clear and what evidence there is available. (Safety, wellbeing and fairness allowing)
* Explain their rights and seek their consent to participate.
* Be clear as to the reason for the interview and what might happen with any information gathered during it.
* Be clear on the PSOC’s status prior to contact:
  + Are they precautionary suspended or temporarily redeployed?
  + Are they employees or a volunteer?
  + What does that mean for you and your compliance with any protections afforded to them?
* Confirm if the PSOC is aware of the concern raised and being investigated.
* Should be conducted in person.
* Interviewer should have pre-populated an interview note detailing the Terms of Reference including what the breaches have been investigated.
* Re-assure the PSOC that you are impartial and are concerned only with establishing the truth as to what has been reported.
* Confirm your role within the investigation.
* Are they intending on bringing anyone with them and who are they?
* Confirm if they may need support as a result of the concern being raised.
* Ensure all action and interaction with the PSOC is fair.

## **Interview Phase**

The interview technique should be similar irrespective of the interviewees standing within the investigation. Each interview must be fair and impartial. The investigator must be mindful as to how the interviewee is responding to the situation and should be considerate of the need to stop or take a break. Example question types and questioning process can be found on [appendix 5](#_Appendix_5_-).

There may be a need to present certain information or evidence before the PSOC and ask that they respond specifically in respect to this. They do not have to answer questions put to them however their response, or lack of response, should be noted.

There may be a need to probe and clarify specific points of the interview notes or information that has been provided by other persons interviewed as part of the investigation.

The interviewer should remain calm and avoid responding emotionally to anything said or in a way that could be construed as judgemental of the interviewee.

Time should be taken to explain that the interviewee can say that they do not know the answer to or understand a question. They should feel free to correct you should you misunderstand something they have said.

For each person interviewed, they should be informed that information is only being recorded for the purpose of the investigation and anything stored will be kept safe and confidential, then deleted in line with appropriate data retention periods within SGB.

# **Special Considerations:**

# **Interviewing Children and Young People**

## **Introduction**

When it is necessary to interview a child or young person during an investigation, it is essential that SGBs aim for best practice. There is a responsibility to safeguard the child or young person and ensure the experience is trauma-informed, child-centred and rooted in children’s human rights.

By taking a rights-based approach to interviewing, we can ensure that the child or young person is respected and safe, that all their rights are upheld, and that they are protected from further harm. Children’s human rights are outlined in the [UN Convention on the Rights of the Child](https://www.unicef.org.uk/wp-content/uploads/2016/08/unicef-convention-rights-child-uncrc.pdf) (UNCRC). Children are *rights holders,* and the convention outlines all of the rights that children should have to keep them healthy, happy and safe in all areas of their lives. As adults in Scottish governing bodies of sport, we are duty bearers and we have obligations to make sure children and young people have their rights respected, protected, and fulfilled.

In 2024, the UNCRC was incorporated into Scots law through the [UNCRC (Incorporation) (Scotland) Act](https://www.legislation.gov.uk/asp/2024/1/contents/enacted), which means the rights outlined in the UNCRC are legally binding in Scotland, and public bodies have the obligation to act in compliance. This means that children’s human rights should be respected throughout the sporting experience and especially when an incident has occurred that requires an investigation.

While all 42 articles of the UNCRC are important, there are some that are particularly relevant to interviewing a child or young person in relation to a concern that has been raised. Articles to keep in mind include:

* Children have the right to be free from any **discrimination** (Article 2)
* Adults should think about children’s **best interests** when making decisions that will impact them (Article 3)
* Children have the right to **share their experiences, opinions and ideas** and be taken seriously (Article 12)
* Children have the right to **privacy** (Article 16)
* Children have the right to get **information**, as long as it’s safe (Article 17)
* Children should be **protected from being hurt** or treated badly (Article 19)
* Children should be **protected from sexual abuse** (Article 34)
* Children should be **protected from any form of exploitation** (Article 36)
* Children shouldn’t be **punished in a cruel or hurtful way** (Article 37)
* Children have the right to **get help and recover** if they’ve gone through something difficult (Article 39)

More information about children’s human rights can be found [here](https://www.childrenfirst.org.uk/campaigns/childrens-human-rights/).

## **The Interview Process**

The guidance below has been adapted from the [Scottish Child Interview Model](https://www.cosla.gov.uk/about-cosla/our-teams/children-and-young-people/joint-investigative-interviews-of-child-victims-and-witnesses) for local authorities and Police, and the Lundy Model of Participation ([see appendix 6](#_Appendix_6_–)).

## **Initial Considerations**

Where a concern has been raised about an adult’s conduct towards a child or young person, or if a child or young person has potentially witnessed the actions of the adult, the first question to consider - Is there a **need** to interview the child or young person? A flowchart showing the interview process for children and young people can be found on [appendix 7](#_Appendix_7_–).

They should be central to any processes concerning them or decision making that may have an impact on their safety or wellbeing. This may not be an easy or comfortable process for any child or young person.

See examples below and consider the information already available. Is the interview proportionate and/or in their best interest?

* If a crime has been disclosed within a concern raised, it should be reported to Police and Social Work Services.
* Is it necessary to establish what has happened or what the impact or severity of the circumstance were?
* Are there adult eyewitnesses who could provide a statement as to what had happened?
* Is there other evidence i.e., CCTV, communication, social media posts etc?
* Has the PSOC admitted they were responsible?
* Does available information suggest that the child or young person would be unlikely to cope well with the interview or it could be detrimental to their wellbeing?
* Could the child or young person provide evidence in writing without the need for an interview?

**Key Principles**

When conducting an interview with a child or young person, there are some key principles to reflect on to ensure that the process is well thought out and implemented.

**Agreement**

The child or young person should know why they are being interviewed and what the process involves before agreeing to take part. Permission should be sought from the child or young person. It should be explained how long it is thought the interview may take and should not conflict with any standing arrangements they have. The child or young person can choose someone to accompany them, or if they need an interpreter or support with communication, this should also be agreed.

**Space**

When deciding where the interview will be held, make sure the child or young person is comfortable in the location. Avoid conducting the interview where the incident took place, where the child or young person attends sports or school, or anywhere they might be seen by friends or peers. Local authorities may have community rooms available if an alternative venue is required. Also, consider what needs to be done to the space in order to make it more welcoming and comfortable. This may include the arrangement of furniture and the feeling it gives to children and young people (i.e., being across a table might feel adversarial). If possible have more than one room available to allow for breaks. Practical considerations include access to a toilet and provision of water and snacks. Some children and young people may prefer to meet outdoors, where consideration would need to be given to confidentiality.

**Voice**

By sharing their story of what happened, children and young people are exercising their right under Article 12 of the UNCRC. They should be listened to and taken seriously. It is important to think of how you engage a child during the interview – is it possible to provide a range of methods of expression for the child or young person to choose from that are age-appropriate and meet their needs? Reflect on the types of questions you are asking and consider how best to phrase them, what is appropriate to ask, etc.

**Engagement**

A rapport should be established with the child or young person from the beginning of the interview. There are various ways to do this, for example, perhaps ask about their day or something they have enjoyed doing recently. Demonstrate supportive non-verbal cues and let them speak. This will let them see how you intend to conduct yourself during the interview and should hopefully help them to relax. Remove any physical barriers, desks etc. and ensure you appear open. Avoid reactions of either a positive or negative nature to avoid leading the child or young person, ensuring no judgement given to anything said. Remain empathetic and respond to any cues suggesting a break might be needed.

**Support**

Is there anything that the child or young person may want you to do or remember during the process? Information could be gathered from parent/carer or any person who could help best prepare your approach to the interview. Consider any needs that may require planning. Because the interview can be such an intimidating and stressful experience, it is important to provide the child or young person with the appropriate support to participate. They might ask for someone to accompany them – this might be a parent/carer or another supporting adult. Provide items that may help the child or young person to focus, e.g., fidget spinners, drawing materials, calming exercises.

**Honesty**

Answer any questions you can honestly or explain why you cannot answer a particular question. Explain your role in the process and be clear they know why they are being interviewed and what might happen next. Explain the situation around breaking confidentiality, if they share information with you that suggests someone is not safe or at risk of harm, explain you will pass this on to get immediate help.

## **Preparing for Interview Checklist**

* Where will the interview take place?
* Is there breakout space to allow for breaks?
* Set aside adequate time for the interview.
* Other than the support person, is anyone else needed, i.e., interpreter or to support with a physical impairment, learning disability or sensory impairment?
* Is the location accessible for all?
* How is the interview to be recorded, note format or statement template?

## **Interview pre-plan**

* Review all available information relevant to the child or young person’s experience in the situation under investigation.
* What do you need to know to confirm the full nature of the concern?
* What do you hope to achieve through the interview?
* Has criminality been ruled out?
* Did the child or young person already know the PSOC?
* Who else may know about it or have witnessed it?
* Discussion with supporting person as to their role.
* With reference to the pre-interview gathering phase, what are your considerations for the specific child or young person?
* What suggestions/advice has been given in anticipation of any difficulty the child or young person may have in engaging?
* Discussion with any other person i.e., interpreter as to how the interview will be conducted.

## **Conducting Child Interviews**

Be mindful of the child or young person’s age or capacity and adapt your interview style accordingly however the general principal of having the child or young person provide as much free recall as possible, in their own words, is central to the process. The child or young person may be nervous to do the interview or unaware of the seriousness of the process. Types of interview questions can be found on [appendix 5](#_Appendix_5_-).

Take the time to create a calm environment and reassure the child or young person of what to expect:

* Explain who you are and your role and that of any other person present.
* Ask the child or young person to explain in their own words why they are there ensuring their informed agreement to participate in interview.
* Explain how long you anticipate they will be with you.
* Thank them for coming along and that you are there to try and understand what has happened.
* Let the child or young person know that they should say if they feel they need a break, use the toilet etc.
* Ask that they only share details of what they have seen and heard.
* Inform the child or young person that it is ok to say if they do not understand a question and it is ok to say they do not know the answer and they should not guess what the answer is.
* Explain that it is ok for them to correct you should you have misunderstood what they were saying.

*Consider taking time to practice this with the child if age appropriate. Prepare some statements or questions that will lead them to correct you/tell you they do not understand, or they do not know the answer – this should be unrelated to the matter under investigation and the child should know that you are practicing*.

* Use neutral non-verbal cues, show you are listening and do not react to anything they say that could make them feel embarrassment or shame.

*Ask if they can recount a recent experience, something they enjoyed or enjoy doing. Encourage free recall during this and use open questions when necessary*.

**Going into main topic of the interview:**

Bring the child or young person to the subject matter of the interview. Begin with an open question:

*“Do you know why you are here today?”*

This should encourage the child or young person to engage in the subject matter. Should they enter a free recall of their understanding of the situation, encourage them to continue with a use of a neutral cue or facilitative prompt such as:

*“Uh-Huh”* or *“tell me more”*

Should the child or young person respond “*yes*” to your opening question, use an open question such as:

*“Tell me everything you can remember about it”*

Should the child or young person struggle beyond opening, acknowledgement such as:

*“It’s about what happened at training last week”*

Consider:

*“Tell me what happened between when you got to training and when you got home”*

The child or young person should be encouraged to provide their account of events using as much free recall as possible. Cues such as “uh-huh”, nodding and or eye contact could be used to make them more comfortable and able to continue. Open ended prompts can be used to probe for clarity. Closed questions should be avoided unless specific detail cannot be elicited through other question types. Open ended questions should again be used to guide the child or young person back to as much of a free recall of events as possible.

**The record of the interview should include:**

* Date, start time, end time and when any breaks are taken.
* Should reflect, as far as possible the child or young person’s own words.
* Child or young person should have the opportunity to read over the statement or interview note or be supported to listen through or understand the content to agree or disagree with the record.
* The parent/carer and/or support person should also confirm the note accurately reflects the child or young person’s account.
* Ask if the child or young person can sign agreeing to content of the statement. The parent/carer should be asked to sign in accordance with the child or young person’s age.
* Any interpreter or other person providing support should also be asked to sign the statement agreeing it is a true reflection of the interview that has taken place.

## **Concluding the Interview**

After agreeing and signing their statement or interview note, thank the child or young person for attending and sharing the information with you. Explain what you intend to do with the information and what it may mean for them. Let them know what they should expect to happen next or when they may expect to hear an update from you. Re-orientate them by engaging in conversation not related to the interview subject matter.

## **Signposting/Referral**

Should the interview raise any concerns or issues for the child or young person, referral and/or signposting to appropriate support organisations should be discussed (see [appendix 8](#_Appendix_8_–)).

# **Special Considerations:**

# **Interviewing Adults where Abuse has been Disclosed**

## **Initial Considerations**

Sexual Assault and Domestic Abuse are amongst the most serious offences investigated by police. They can also be the most impactful upon those subject to it and can result in long lasting trauma after the event itself. It is imperative that the response to people disclosing such abuse is supportive and empathetic. People who do not feel believed or who have a bad experience of reporting abuse and the subsequent investigation can be left feeling re-traumatised.

Guidance on [interviewing adults](#_Conducting_Investigative_Interviews) and questioning style should broadly follow those listed in the guidance above, however the response to the person raising the concern does not. The following is additional guidance and considerations when investigating such incidents.

*Should a person raising a concern disclose they have recently been subjected to abuse, they should be asked if they wish the police to be contacted. They may have decided at that time not to do so, however, they should be in no doubt that they would be offered support to make such a report if not via SGB, then referred to an organisation that could help. Ask if they require any medical assistance as a result of the incident.*

**Disclosures**

The circumstances when an investigation may be instigated after a report of abuses such as sexual, domestic abuse or other significant wellbeing concerns may include:

* When the person raising the concern has chosen not to report the matter to the police however has agreed that the disclosure made can be investigated by the SGB.
* After the incident has been reported to the police, who have concluded the criminal investigation, and have indicated that the SGB can instruct their own investigation.
* There is information to suggest that there may have been harmed caused to an adult recognised as vulnerable however further information is required prior to determining need for report to police.

**Person raising the concern**

People making reports of abuse are usually interviewed by specially trained police officers. Should an adult choose not to make a report to police, or a criminal investigation has been deemed complete, all effort should be made to ensure their wellbeing and that they are offered support throughout the reporting process. The person raising the concern should be given an appointed contact person within the SGB who can be approached during the investigation for ongoing support. This person will also be responsible for providing updates and ongoing communication. SGBs and Investigators should be aware of the options open to people raising concerns of abuse by way of external support or advocacy services (see [appendix 8](#_Appendix_8_–)).

## **Contact**

Contact with the person raising a concern of abuse should be approached sensitively and mindful of their current living situation.

* Confirm if they have already stated their preferred method of contact.
* Be sure that you in no way jeopardise their safety.
* They should be asked where they would prefer to meet and if possible be able to say if they would prefer to speak with a male or female investigator.

## **Support**

Emphasise the SGB/your commitment to a fair and objective investigation. Ensure they know they will be given the opportunity to provide their side of the story and any relevant information that may assist in the investigation.

Offer information on available support services, counselling, or resources that they can access if needed. Ensure they are aware of avenues for seeking assistance beyond the organisation's internal processes. Share links to mental health resources, practical support, and supported reporting where appropriate. You could say, for example, "*If you feel the need to speak with a counsellor or seek additional support, we can provide you with information on available resources. Your wellbeing is very important to us*."

## **Pre-Interview**

* The investigator should be able to empathise with the person raising the concern, reassure them they are believed, and their concern will be taken seriously.
* Thank them for coming forward and that you understand if this is difficult for them.
* Sympathise with any distress they may be showing. It is ok to say that you are sorry about how this is making them feel or that they are in this position.
* Be certain that the person raising the concern has considered formal report to police and if an offer of support to do so would affect that decision.
* Has the matter been subject to police investigation and if so, did they supply a statement during that process?
* Ask if they have reached out to any organisation for support.
* Ask if they want to have someone with them during the interview process or at any other meeting.
* Confirm they are aware what will be involved in the investigation process via the SGB. What they can expect to happen, how they will be updated and how often.
* Ensure they are aware that if they provide information indicating that the PSOC currently poses a risk of harm you may be duty bound to report the matter to police.
* Ask if they are safe from threat of further harm?

**Interview**

* The person raising the concern should feel in control and able to go at their pace. The interviewer should be alive to any cues from them indicating that they may need a break or a moment to gather their thoughts during their recall of the incident.
* Ensure you react neutrally to anything said by them and do not show or voice your own discomfort in the situation.
* They should be aware that you will respect any request by them to stop or change the circumstances of the interview i.e., change of decision to have person there to support them.
* Avoiding unintentional blame inferring language. Use language that is neutral, non-judgmental, and avoids making assumptions about the individual's actions or choices. Instead of saying, "*Why did you not report this sooner*?" you can say, "*We appreciate you coming forward now, and we are committed to addressing your concerns*."
* Avoid accusatory statements and lines of questioning such as asking, "*Did you do anything to provoke it*?" This question implies that someone's actions may have caused the concerning conduct, contributing to victim-blaming.

Should you need to ask a question that could be perceived as judgemental, explain why you are asking these questions, they are often for legitimate reasons but can be misconstrued without clear explanation.

## **Example**

Q *What were you wearing*?

If you are asking this for the purpose of being able to identify the person raising the concern in descriptions provided by other witnesses or from CCTV etc then explain this.

**Concluding the interview**

Having completed the note of the interview and agreement has reached as to its content, offer the person raising the concern the opportunity to discuss the interview process with you and how the experience was for them.

* Confirm if they need anything/anyone.
* Ask if they have already sought out assistance or do they need some help doing so.
* Signpost to support services.
* Confirm how they would want to receive further contact from you and stick to this.

It is important that they are updated throughout the course of the investigation, particularly when you are carrying out significant actions i.e., interview of the PSOC or submission of your report.

# **Analysis of Evidence**

At the conclusion of the investigation, an analysis and opinion of evidence should be presented. This section outlines how the investigator has interpreted each piece of evidence and its value in the investigation. The information should clearly demonstrate how the investigator has come to their findings and should be reflected in the finding and concluding comments section of their report.

This process is made easier by continually referring to the ToR throughout the investigation and assessing whether each interview note or piece of evidence, as they are gathered, either strengthens the case in respect of the concern raised, is neutral or weakens it. This process also guides investigators as to where they may be lacking information and the potential need for further investigation prior to presentation of findings.

Each ToR should be shown as a heading with the evidence either in support or in conflict with the concern raised from the most compelling evidence to the least. Each investigator will have their own method and style of presentation.

An Evidence Analysis Worksheet, as shown below, can be used to gather and assess the strength of the evidence in relation to each point and assist in the development of the final draft of Analysis and Presentation of evidence within the investigation report.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Source** | **Name** | **TOR Point 1** | **TOR Point 2** | **TOR Point 3** |
| **Statement -** |  |  |  |  |
| **Statement -** |  |  |  |  |
| **Statement -** |  |  |  |  |
| **Statement -** |  |  |  |  |
| **Statement -** |  |  |  |  |
| **CCTV** |  |  |  |  |
| **Document** |  |  |  |  |

# **The Investigation Report**

The investigation report contains a record of the investigation process and sets out the facts and findings established during the investigation (see [appendix 9](#_Appendix_9_–) for template).

The report will record any delays to the process and summarise the interviews with any witnesses involved in the issues at hand.

The conclusion to the investigation report will set out the outcome of the investigation and/or recommendations in relation to the Terms of Reference as set out at the beginning of the report. The relevant test is whether on a ‘balance of probabilities, it is more likely than not that the concern raised has taken place.

Questions, comments, queries etc from the investigator will usually be considered with the supporting colleague. Further information from the individual who requested the investigation may also be necessary.

# **Presenting Findings at a Hearing**

**Introduction**

The investigator may be invited to attend the disciplinary hearing to clarify aspects of the investigation or answer any questions about the process they followed. However, where the investigation report is clear and comprehensive, their attendance is not always necessary.

**Purpose and Role**

The purpose of their attendance is to provide a summary of the outputs from their investigation, their recommendations and outcomes, and any further information that they feel is relevant to be shared to help set the context of the following parts of the conversation which will take place at the hearing.

This will usually take the following form:

* + Background and high-level summary of Terms of Reference
  + Methodology including who was interviewed and documents examined/referred to
  + Findings
  + Recommendations/Outcomes

The investigator will also be able to answer any points that the hearing manager or the PSOC (or their representative) wish to be clarified.

This does not mean that they are being subject to cross examination. They are there to answer points of fact and points of clarification around the processes and procedures followed including the reasoning behind any conclusions reached.

**Presence at Meeting**

The investigator does not need to be present beyond the point in the meeting at which they have provided any points of clarification. They may however be required to be available for the rest of the scheduled hearing to be recalled in providing any further information.

**APPENDICES**

# **Appendix 1 - Investigation Plan**

|  |  |
| --- | --- |
| **Investigator** |  |
| **Terms of reference** |  |
| **Provisional timeframe** |  |
| **Review of concern recording form to identify the issues that need to be explored/clarified** | Type of concern:  Who raised the concern?  Who is individual the concern has been raised against? And what role do they have? |
| **Is the concern against an employee or volunteer?** |  |
| **Is there a potential crime which has been reported to the police?** | If yes, what advice was given in relation to the investigation? |
| **Is there a notification of concern for child or adult protection shared with social work?** | If yes, what advice was given in relation to the investigation? |
| **Policies and procedures to review and follow** |  |
| **Existing sources of evidence**  Witnesses?  Documents?  Records? |  |
| **Sources of evidence to be collected**  Technical or digital evidence  Expert witnesses |  |
| **Persons to be interviewed**  (including planned order of interviews) |  |
| **Investigation interviews**  (When/where/notes to be taken by) |  |
| **People to supply own statement** |  |
| **Further considerations** |  |

# **Appendix 2 – Interview Planning**

|  |  |
| --- | --- |
| **PERSON RAISING THE CONCERN** | |
| Name |  |
| Age |  |
| Preferred method of contact |  |
| Contact Number | Adult |
| Email address | Adult |
| Association to [SGB] | Employee/Volunteer/Participant |
| Designation |  |
| Made aware of the investigation |  |
| Supporting person & relation to person raising the concern |  |
| Contact Number |  |
| Email address |  |
| SGB contact for person raising the concern Name and Contact Number |  |
| SGB contact email address |  |

|  |
| --- |
| **Person raising the concern Plan** |
| Capture full and detailed report from the person raising the concern by means of ……………...  Identify where evidence may be found, and any additional witnesses identified. The plan will consider any specific needs the person raising the concern may have and considerations that may need to be made in respect of support to them during and after the reporting process.  Any known vulnerability identified should be considered and appropriate measures adopted to ensure the person raising the concern is supported, protected and best able to provide a full account of what has happened.  Best effort will be made to assess the evidence that may be needed to be captured from the person raising the concern to reduce the need for further interview.  *Example*  *Considerations*  *The person raising the concern is a 10-year-old female. As such I will meet with the child and their parent or carer to ensure I have both of their informed agreement to take part in the interview. This will also allow for the identification of any additional needs or vulnerabilities that need to be supported. I will identify if there is a need to speak with any other person to better prepare for approach to and assist clear communication allowing for the child’s voice to be heard. The child will be central to this process.  I will consider their wellbeing and when at all possible, respond to their wishes in respect of how the interview or evidence gathering from them will take place.*     |  |  | | --- | --- | | Actions | Note | | Meet with child and carer |  | | Obtain consent from Parent/Carer |  | | Obtain consent form child |  | | Offer Children First pre-interview questionnaire |  | | Identify any additional consideration |  | | Location of interview |  | | Is the child at risk of harm |  | | Referral needed |  | | Interview date |  | | Interview completed |  | |

|  |  |
| --- | --- |
| **WITNESS** | |
| Name |  |
| Age |  |
| Preferred method of contact |  |
| Contact Number |  |
| Email |  |
| Association to [SGB] | Employee/Member/Volunteer/Participant |
| Designation |  |
| Made aware of the Investigation |  |
| Additional considerations |  |

|  |
| --- |
| **Witness Plan** |
| Identify people who are believed to have information that is pertinent to the investigation as detailed in the TOR. Persons who have either witnessed part of or the full incident or those who may be in possession of or have control of relevant documents, data or material. Evidence will be reviewed and where further potentially relevant witnesses are identified they will be considered within the witness plan in line with the TOR, whether it is believed their evidence will support or refute the concern raised under investigation.  *Consideration*  *People cannot be compelled to participate in an investigation as a witness however their reluctance should be discussed with them and find out if there is anything that may alleviate their concerns around participation, i.e. how their personal information will be handled. Every effort should be made to ensure any support necessary is in place. A conversation should take place with the witness, their parent or carer where appropriate, to make sure appropriate planning takes place.* |

|  |  |
| --- | --- |
| **PERSON SUBJECT OF THE CONCERN** | |
| Name |  |
| Age |  |
| Preferred method of contact |  |
| Contact Number |  |
| Email |  |
| Association to [SGB] | Employee/Member/Volunteer/Participant |
| Designation |  |
| Aware of concern |  |
| Made aware |  |
| Status | Currently In post/precautionary suspended/temporary redeployment |
| Support offered | Yes/No |
| Name of support person |  |
| Date of Interview |  |
| Accompanying person |  |

|  |
| --- |
| **Person Subject of the Concern Plan** |
| Identify witnesses and other evidential opportunities that will, when needed lead to the identification of the PSOC. Once identified consider what measures, if any, may have to be communicated to the SGB or other agency to prevent risk of harm or further harm. Ensure impartiality throughout the investigation and communicate, to the SGB any support needed as a result of the report made or in order for the PSOC to participate fully and fairly in the investigation. The PSOC’s rights as afforded by their standing within the organisation will be respected and the investigation will be conducted within the confines of protections afforded to the PSOC in law.    *Considerations*  *Be clear prior to instigating contact with the PSOC what their status is within the SGB. Confirm if they are an employee, member, volunteer or combination. Confirm what their designation was at the time of the circumstances given rise to the investigation. Their status should be confirmed within the TOR. Review the code of conduct and which sections are reported to have been breached (again this should be clarified with the representative of the SGB and reflected in the TOR). New information should be referred back should there be the need to review the agreed TOR.* |

|  |  |
| --- | --- |
| **EVIDENCE** | |
| Format | Document/Data/Images |
| Type | Example. Text message/Note/CCTV/Policy |
| Description | Example Messages from (A) to (B) sent on Date (--/--/----) |
| Original source | Example Witness .... Mobile telephone |
| Original/Copy/Download |  |
| Reviewing needs | Example software make or device |
| Source | Example Whatsapp |
| Taken from | Witness |
| Taken By – On (date) |  |
| **Evidence Plan** | |
| Identify sources of evidence that are relevant to the matter under investigation. The evidence should be as near to original source as possible. This will be proportionate and mindful of the level of access needed in respect of original source material. Evidence other than witness evidence will have reference made as to where the evidence has been sourced from and which witness will be able to confirm this. Each evidence source will be identified and referenced to allow for collation and presentation in any subsequent report and hearing.  ***Considerations***  *Evidence can come in a number of formats including witness, physical, electronic data, documents, CCTV. It should be clear as to what the evidential item came from, what type of material it is, who was last in possession or control of it, who took it from that witness and when. Any special handling considerations should also be noted i.e. software or device need to play CCTV. The seizure of original items should also be proportionate.*  *Consider using* [*evidential and action logs*](#_Evidence)*. This will assist in interview preparation and future reference in reports or hearings.*  ***Should the concern be serious and criminal, consideration should be given to immediate protection of evidence from interference.***  **Example**  *A report has been received of overbearing text messages from an SGB official to a participant and the matter is to be investigated within the SGB. Evidence of communication between two people can be gathered through copy messages from the person raising the concern's telephone or other device. The original should be seen by the investigator if possible. Any copies of messages should be labelled appropriately as above and again endorsed as a true copy by the witness in their interview. Should one of the devices have been issued by the SGB then a representative should be approached to confirm the telephone number and who the device was allocated to.* | |

*(Repeat as needed for additional people/evidence*)

# **Appendix 3 – Letters for inviting to interview (various people)**

Dear XXXX

**Invite to Investigatory Interview**

I have been appointed to investigate the following concerns raised:

- TOR 1

- TOR 2

- TOR 3 etc…

The purpose of inviting you to an interview is to allow me to gather the facts so that I can produce an investigation report in response to the concern(s) raised.

I would therefore invite you to attend at:  
- DATE (Ensure timescale meets SGB timeline)

- TIME

- LOCATION

You can be accompanied at this interview, if you would please let me know the details of who you would like to bring with you? Please also let me know of any arrangements that you require to be made to support any specific needs for participating in the interview.

Should you wish any further information, please let me know.

Yours sincerely

# **Appendix 4 – Interview Notes Template**

|  |  |
| --- | --- |
| **Person Being Interviewed** | |
| Name |  |
| Association to [SGB] | Employee/Volunteer/Participant |
| Designation |  |
| Reason for being interviewed | Complainant/Witness/Subject |
| Accompanying person |  |

|  |  |
| --- | --- |
| **Investigator and Note Taker** | |
| Name |  |
| Designation |  |
| Note Taker Name |  |
| Designation |  |

|  |  |
| --- | --- |
| **Interview Details** | |
| Date |  |
| Time (Start) |  |
| Time (End) |  |
| Location |  |

|  |  |
| --- | --- |
| **Interview** | |
| Q1) |  |
| A1) |  |
| Q2) |  |
| A2) |  |
| Q3) |  |
| A3) |  |
| Etc.. |  |
| Evidence/Document etc. Shown |  |
| Response |  |
| Adjournment | From TIME to TIME |

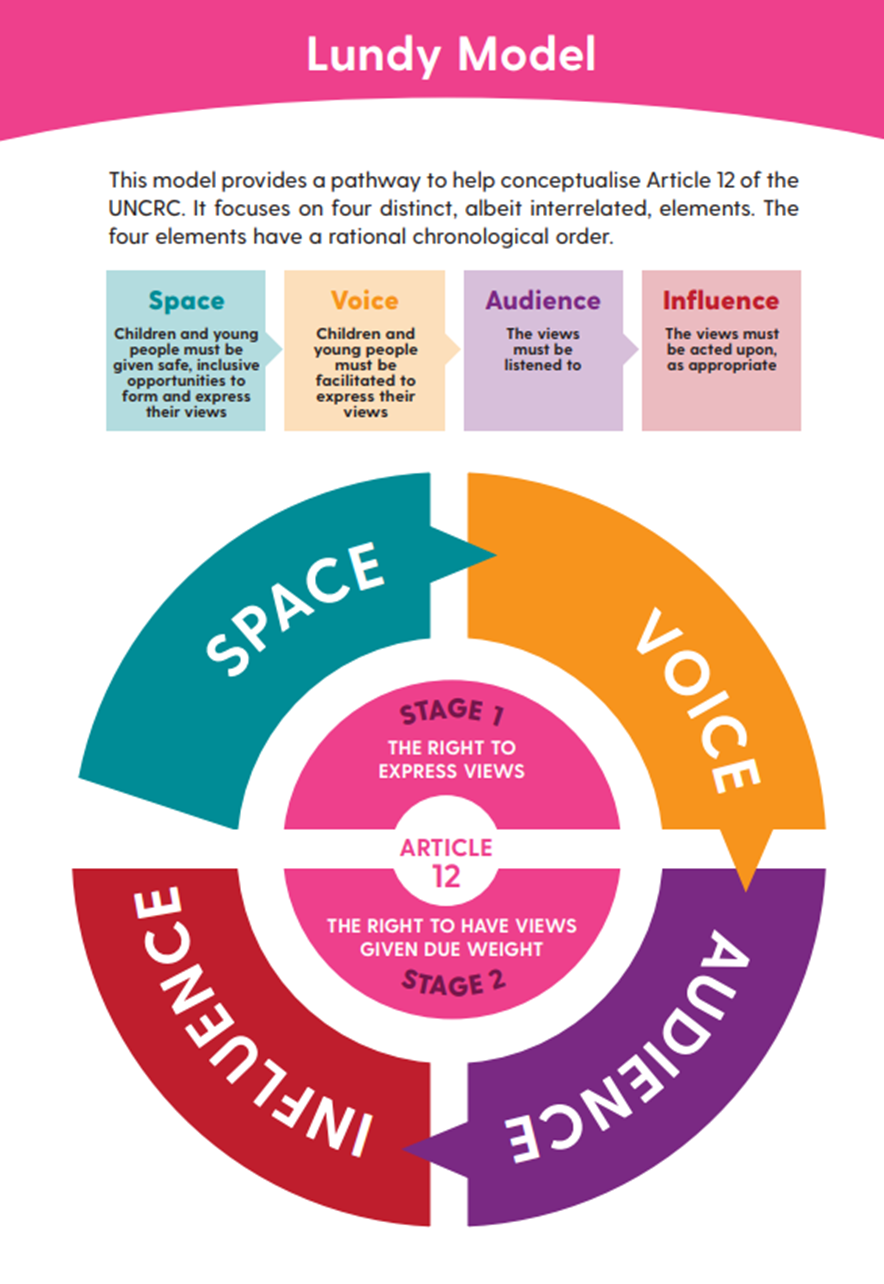
|  |  |
| --- | --- |
| **Sign off** | |
| I agree that this is an accurate reflection of the discussion which took place: | |
| Name |  |
| Signature |  |
| Person accompanying (If required) |  |
| Signature |  |

# **Appendix 5 - Example question types**

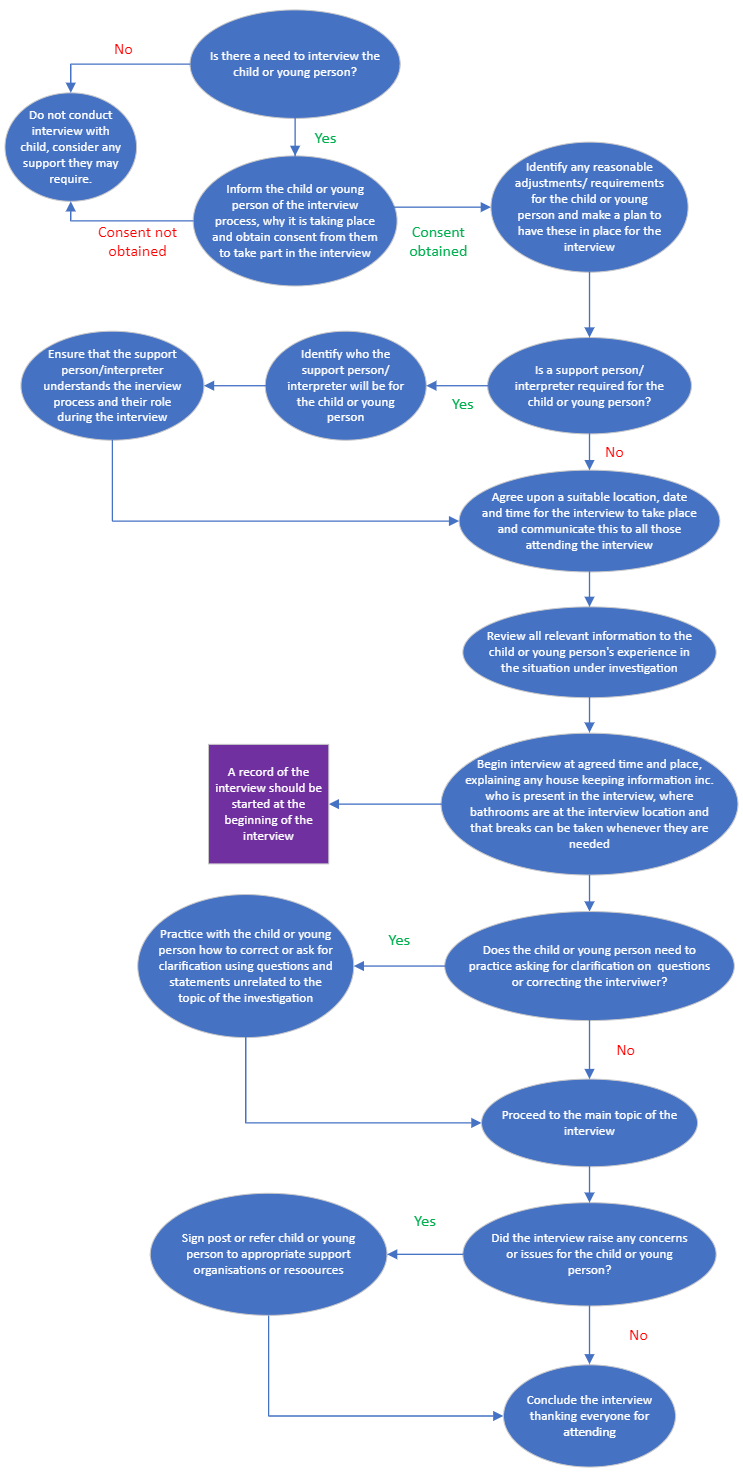
|  |  |  |  |
| --- | --- | --- | --- |
| **Question Type** | **Description** | **Good Practice** | **Suggestions** |
| Free Narrative | Encourages spontaneous response and should be a free uninterrupted account of the topic of concern. | Be an active listener.  Avoid seeking clarification and use minimal prompts. | “Can you tell me why you think you are here today?”.  “Tell me everything that happened” |
| Facilitative Prompts | Inobtrusive encouragement to assist continued free recall should the interviewer stop or struggle to continue | Offer neutral acknowledgement.  Repetition of the last comment. | “uh-Huh”  “Then what happened” |
| Reassurance | Helps to put the interviewee at ease. | Be empathetic.  Assure the interviewee you are listening and taking them seriously.  Confirm you understand. | “It’s ok”  “Take your time”.  “it’s interesting that you said….” “Can you tell me more about that?” |
| Open Ended Prompts | To help expand upon what has been said so far or clarify certain matters.  Should be related to what has been said in the free narrative.  Can be used to guide back to free narrative. | Reduce feeling that they must provide an answer.  Give time to think of the response.  Avoids yes or no answers | “Then what happened?” |
| General Questions | The interview should be approached and planned from an open style with the objective of encouraging as much free narrative from the interviewee as possible. However, questions can be considered when clarification is needed. | Should be based on something already said in the interview.  Consider the style and content of questions.  Phrase to encourage most detailed response.  Should not be leading toward influencing a particular response. |  |
| Specific Questions | Can be used, when needed to probe for clarification of a fuller account of something that has previously mentioned. | Should not be repeated if it is clearly not understood instead re-phrased before attempted again.  Responses should be followed by and open-ended prompt to encourage return to free recall. | “Where were you when that happened”.  You mentioned ….., was anyone else there”.  “Did that happen more than once” |
| Closed Questions | Provide limited number of responses i.e., “yes”, “no” or “don’t know” | Can result in less accurate information.  Repetition of closed questions could be taken as interrogative. | “Was anyone else there when this happened” |

**Questioning Process:**

# **Appendix 6 – Lundy Model of Participation**



# **Appendix 7 – Interview Process for Child or Young Person**



# **Appendix 8 – Resources and Signposting**

The section below provides a list of organisations that provide a variety of support and resources on key areas noted within this guidance document.

|  |  |
| --- | --- |
| **Resource** | **Contact Information** |
| Police - Emergency | 999 |
| Police - Non-emergency | 101 |
| Army of Survivors | [Home | The Army of Survivors](https://thearmyofsurvivors.org/) |
| Athlete Interactions | [Athlete Interactions](https://www.athleteinteractions.org/) |
| Care Information Scotland | [https://careinfoscotland.scot](https://careinfoscotland.scot/)  [0800 011 3200](tel:08000113200) |
| ChildLine | 0800 1111 |
| Children First Support Line | 08000 28 22 33 |
| Kyniska Advocacy | https://www.kyniskaadvocacy.com |
| Men’s Advice line | [https://mensadviceline.org.uk](https://mensadviceline.org.uk/)  0808 8010327 |
| Modern Slavery Helpline | [www.modernslaveryhelpline.org](https://www.modernslaveryhelpline.org/)  0300 0121 700 (24 hours) |
| National Lesbian, Gay, Bisexual, Trans+, Domestic Abuse Helpline | <http://www.galop.org.uk/domesticabuse/> 0800 999 5428 |
| Open Secret | [Wellbeing Scotland](https://www.wellbeingscotland.org/) |
| Refuge – National Domestic Abuse Helpline | [http://www.refuge.org.uk](http://www.refuge.org.uk/)  0808 2000 247 (24 hours) |
| Scottish Women’s Aid Helpline | <https://womensaid.scot/>  Helpline: 0800 027 1234 |
| Sporting Minds | [Raising Awareness For Positive Mental Health In Sport | Sporting Wellness](https://www.sportingwellness.org/?gad_source=1&gclid=CjwKCAiArfauBhApEiwAeoB7qOPTAzQfOVMKU8ZfE5lN3cEy91RDzEValivS8QkYuJloZVktS29nDBoCD9oQAvD_BwE) |
| The Defendant | <https://thedefendant.org.uk/> |
| Victim Support Scotland, Scottish Helpline | [victimsupport.scot](https://victimsupport.scot/)  0800 160 1985 |
| Who Cares? Scotland Helpline | [help@whocaresscotland.org](mailto:help@whocaresscotland.org)  0330 107 7540 |
| Respectme (Anti-bullying) | <https://respectme.org.uk/>  0344 800 8600 |

# **Appendix 9 – Template Investigation Report**

|  |  |
| --- | --- |
| Person Subject of Concern / Case Reference No. |  |
| Wellbeing and Protection Officer |  |
| Investigator |  |
| Date of Incident |  |
| Date Investigator Appointed |  |
| Date Investigation Report Submitted |  |

**Terms of Reference**

|  |
| --- |
| ToR should include detail as to what has been investigated and, where appropriate, include specific sections of Codes of Conduct or Policy. Use as many needed to ensure all aspects of the disclosure made is included.  ToR 1  ToR 2  ToR 3 |

**Person Subject of the Concern** (if more than one, duplicate table as required)

|  |  |
| --- | --- |
| Name |  |
| Age |  |
| Date of Birth |  |
| Role within the SGB |  |
| Employee, Member or Volunteer |  |
| Address |  |
| Contact telephone Number |  |
| Contact Email |  |
| Supporting person |  |
| SGB Point of Contact |  |
| Additional Support Needs |  |
| Precautionary Suspension History |  |

**Person Raising the Concern** (if more than one, duplicate table as required)

|  |  |
| --- | --- |
| Name | Use Witness Identifier if requested |
| Age |  |
| Supporting person | Use witness Identifier if appropriate |
| Additional support needs |  |
| SGB Point of Contact |  |

**Statutory Agency Involvement**

|  |  |  |
| --- | --- | --- |
| Has matter been reported to police? | If yes when and disposal. i.e. decided insufficient to proceed to police investigation/Procurator Fiscal/Court /If no, why not and who agreed this action.  Include any police reference number. | Provide dates of any report made and when returned to the SGB.  Advise of any changes to decision during the course of the investigation. |
| Has a referral been submitted to Local Authority Social Work Services? | If yes what type of referral i.e. child or adult if no, why not and who agreed this action. | Date made and detail of any action as a result |

**Background**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Summary of the nature of the concern raised**  *A brief outline of:*   * *what has been reported.* * *what else, if anything, has been taken into consideration.*   **1st Disclosure Information**   * *who first raised the concern.* * *to whom.* * *how was it recorded.* * *any relevant information as to demeanour of the person raising the concern at the time.* * *how was it recorded.* * *what happened with that disclosure.* * *What support was provided to the person raising the concern.*   **PSOC’s background information within the SGB**   * *Detail of any precautionary suspension or redeployment in respect of this investigation.* * *Position within the sport.* * *History at the SGB.* * *Previous experience.* * *Training history – Brief summary of content relevant to the concern(s) under investigation.* * *Attendance at any other input/activity relevant to the concern(s) being investigated.* * *Previous or ongoing investigations, low-level concerns and* *current status.* * *Previous or ongoing disciplinary action and status.* * *Previous sanctions if any.* * *What support was provided to the PSOC.*   **Witness Summary**  *Where anonymity needs to be maintained, the narrative should still make sense and the summary clear as to what has been reported. As guided, any risk identified through identification of any party should be highlighted prior to submission of report.*   |  |  | | --- | --- | | Witness | Relevance | | Witness A | Mother & person raising the concern | | Child Witness B | Child Athlete | | Child Witness C | Child Athlete | | Witness D | Coach | | Witness G | WPO |   **Description of the incident(s)**  *Include:*   * *Details of time, date, and place.* * *Who was present and reason i.e. training session, meet etc.*   *This section should draw from the witness’s accounts, identify the specific aspects of the report and who witnessed what. If more than one, duplicate as required.*  **PSOC Interview**  *This section should describe:*   * *Where the interview took place and who was present.* * *Any additional support considerations.*   *The summary provided here should focus on any admissions made by the PSOC or denials in respect of the Terms of Reference set. Should also include any other information that is of interest to the investigation. This may include details and information supplied in mitigation.* |

**Analysis of Evidence (as per ToR)**

*Outline the evidence that either supports or refutes the concern identified under each ToR.*

**Investigators Summary**

|  |
| --- |
| *This should outline the Investigator’s opinion as to the weight of evidence and confirm if they believe there are any outstanding lines of enquiry. Recommendations as to next steps and whether they are of the opinion there is sufficient concern or threat of risk to proceed to a disciplinary procedure.* |

**Risk**

|  |
| --- |
| *Are there currently any outstanding actions or information that must be considered in respect of remaining risk to any child or adult within this investigation or more widely. This could include:*   * *The person raising the concern.* * *Any witness.* * *Anyone else within the SGB.* * *Any family member or person in contact with the PSOC.* * *Any member of the public.* * *PSOC.*   *What measures could be taken to manage the risk and when was this communicated to relevant person.* |

**Any other information of note**

*The investigator should outline any information that became known during the investigation that might not come under any of the identified Terms of Reference however should be brought to the SGBs attention. This could include, for example, a bystander culture or a reluctance for members to engage in the investigatory process.*

**Investigator Signature: Date:**