

Hi, my name is Tim Kidd – Chief Commissioner of England. One of my responsibilities is for the suspension process that we use in Scouting and this short video gives some tips for commissioners who are about to suspend an adult from Scouting in a safeguarding situation.

When you have a bit more time, take a look at scouts.org.uk/managers and click on the “suspension” tab for further resources to help with the suspension process. There are documents that describe the suspension process and a recording of a webinar that covers the whole process.

This video covers the key items that you should consider when suspending someone due to a suspected safeguarding issue.

This is not going to be easy. It's best to be clear about that right from the start. You might know the person to be suspended very well. My advice is to remember that in safeguarding cases, suspension is vital to protect the young people in our care and also to protect the suspended individual to ensure that the issue can be properly investigated.

The **first** step is to tell the suspended person. This should be done in person (either face to face or on the telephone). In this case it might be that the person has already been told by a member of the safeguarding team and so you might not need to do it yourself. Obviously when someone is suspended because of a suspected safeguarding issue, it is important to put the suspension in place very quickly.

Whilst the protection of young people is the most important aspect to consider, we also need to consider the impact on the suspended person (remember that suspension is a neutral act). This will mean that the suspending Commissioner should consider how and when the suspended adult is told. For example, if it is necessary to suspend an adult whilst the adult is attending a Scout activity, it will be important to consider how that adult returns home (perhaps someone else should drive the person home if the person might not be in a good state to drive). There are no absolute rules here, just the need to remember to treat the suspended person with dignity and consider their wellbeing.

Throughout this process it is important to maintain confidentiality and therefore the suspended person should be told about the suspension in private.

Unfortunately there may be times when it isn't possible to tell the adult exactly why they are being suspended, other than that it's safeguarding related. This of course isn't ideal but sometimes the safeguarding team receive specific instructions from police or Children's Services and they just can't share any information at that stage. If that happens, the safeguarding team will advise you as to what you can and can't say.

The **second** step is to ensure that the person gets written confirmation of the suspension very quickly. In safeguarding cases, the safeguarding team will send a confidential letter to the suspended person and ensure you get a copy too. The letter will cover:

- a) the **date that the suspension started** – it is important to be clear from when the suspension was put in place;
- b) it will also explain **why the suspension is in place** – to the extent that it is possible to tell the suspended person the details;
- c) that **regular reviews** of the suspension will take place and the suspended person will be kept updated by the suspending Commissioner (or whoever is handling the suspension);
- d) the letter will make it clear that the suspension **is only considered revoked when informed in writing** by the person initiating the suspension – this is important because suspended people have, in the past, claimed that the suspension was lifted because someone told them verbally;
- e) the letter will also spell out **the limitations** that are imposed on the suspended person – the suspended person needs to understand what is not allowed, as breaking these limitations can lead to dismissal (these limitations are given in POR);

- f) the letter will also request the suspended person to forward their **appointment card to you** – this is allowed for in POR and ensures that the suspended person cannot pass off as a current member using the appointment card.

You may also need to ask for the return of keys to premises, equipment, etc. to ensure any planned activities can continue in the suspended person's absence.

Throughout the suspension period it is vital that you do not say anything you might later regret. You might know the suspended person very well and might believe that it is a truly temporary issue that will be resolved; however it might not be the case. So, for example, it is best to avoid saying anything that implies you believe the person is either innocent or guilty of some alleged offence e.g. "As you have given outstanding service to Scouting, I am sure that this confusion will be sorted out soon and I look forward to welcoming you back to Scouting." – avoid this sort of statement at all costs as an adverse outcome might then cause doubt to be cast on your own judgement.

The suspended person must also be provided with a copy of the information sheet "*Notes for a person under suspension*". This is available on the website, from the Information Centre or through the safeguarding team.

The **third** step is to consider the allocation of a supporter for the suspended person. The supporter's role is to be a listening ear for the suspended person and keep them linked into the day-to-day aspects of Scouting as the suspended person is not allowed to be involved in Scout activities and so on.

Remember that you as the commissioner will be managing the suspension process and the role of the supporter has nothing to do with this. In the past some supporters have thought that their role was to represent or champion the suspended person inside Scouting. This is not the case.

There is a fact sheet that describes the role of the supporter and gives guidance as to who this person can and can't be in terms of roles.

The supporter is allocated by the commissioner – NOT by the suspended person. This is very important as we have seen cases where an individual suspended for a serious safeguarding incident has personally gone to someone and confronted them and asked them to be the supporter. It is very difficult to say no in these circumstances.

Given that this is a safeguarding case, it is important to consult with the safeguarding team before allocating a supporter. Some safeguarding cases are particularly difficult and unpleasant especially when one considers the potential publicity. Being a supporter in these cases might well be very difficult.

The Commissioner should discuss the assignment of someone as a supporter with the suspended person as it will be unhelpful if the supporter is not appropriate for the suspended person.

The **fourth** step is to consider confidentiality.

In general, it is best to maintain confidentiality about the suspension; however there are some people who need to know what is happening in order to carry out their roles properly. It is important to keep to a minimum the number of people who are told about the suspension – the suspending Commissioner should maintain a review of who is to be informed and to what extent confidentiality can, or should, be maintained.

Clearly the line manager of the suspended person needs to know in confidence something about what is happening – the line manager may not need to know all the details of course (that will depend on the situation).

If the suspended person is a Group Scout Leader, District Commissioner or County/Area/Region(Scotland) Commissioner then the relevant Executive Committee Chair should be told of the suspension in confidence (even if details of WHY cannot be given). This is important as there is a strong working relationship between these two posts and there will need to be some interim arrangements put in place.

In all safeguarding cases, the safeguarding team will advise you as to what information can and should be shared, when and with whom.

The **fifth** step is all about keeping Scouting running for young people. The suspending Commissioner will need to consider what arrangements need to be put in place to cover the role that the suspended person was undertaking. In some cases this might not be too difficult (for example if it is an Assistant Leader from a team of four Leaders with sufficient help to run the Section). In other cases it may need someone assigned to cover some duties and relevant people informed of the new contact details and arrangements.

The **sixth** step is about what happens during the suspension. Given that this is a safeguarding case, the suspension is likely to be for quite some time. There will be investigations and possibly a court case involved. During the suspension there are some items for the Commissioner to consider.

- a) Keep the suspended person regularly informed of progress (even if, at points, there is nothing new to report as otherwise it can feel as if the suspended person is being ignored). This is very important; just imagine what it feels like for the suspended person.
- b) Ensure that the supporter is managing with the role – it can feel a lonely position at times.
- c) Ensure that Scouting is continuing for everyone else, that a focus remains on providing great Scouting for young people.
- d) Keep in contact with the safeguarding team – but remember that some things will move very slowly.

The **seventh** and final step is about what happens at the end of the suspension.

In some senses, the most straightforward outcome is if the suspended person is found guilty of some safeguarding offence and then exclusion from Scouting is unavoidable and a letter to confirm that is sent to the,. Again, the safeguarding team will do this.

The more complicated outcome is if the suspended individual is either found not guilty of a particular charge or the police, for whatever reason, do not to take any further action. Many people then think that it is obvious that the person should return to Scouting. But this might not be the case. Whilst there might be no law that has been broken, the person's behaviour might make them unsuitable to work with young people. In these cases, the local Appointments Advisory Committee may be asked to review the details and make recommendations to the Commissioner. In such cases, the Appointments Advisory's Committee's job is to do what they would normally do when they meet applicants – to assess their suitability to have a role in Scouting, and whether they are fit and proper. Their role isn't to investigate the safeguarding matter as that would have already been done, however they will have extra information to take into account which the Safeguarding Team will provide.

Throughout the incident, it is important to remember that the suspended person may respond broadly in one of two ways apart from, understandably, being upset about the suspension.

- a) Some suspended people keep quiet about the suspension and co-operate with a plausible public reason for not being able to attend Scouting (pressure of work or family reasons). This allows the suspension itself to not be broadcast and, if the suspension ends with the reinstatement of the person, then it is easier for them to reintegrate back into Scouting.
- b) Some suspended people tell everyone about the suspension (and its unfairness). This tends to make the situation very difficult and, apart from prompting complaints to the suspending Commissioner about the situation, it tends to make it very difficult for the person to easily reintegrate into Scouting if the person is reinstated.

Dealing with a suspension is never easy. In safeguarding cases it is even more difficult.

The safeguarding team will provide some support but it is also important for the Commissioner to be aware of the suspension process. Don't forget to look at the resources on scouts.org.uk/managers before you have an incident.