

7: CHILD WELFARE & PROTECTION PROCEDURES

The primary goal for all involved in children's sport is to provide a safe and positive environment where young people can develop as individuals.

Irish Gymnastics accepts that organisations which include young people among its members may be vulnerable to the occurrence of child abuse. Below are the procedures for dealing with any welfare or protection issues that may arise at any level of Irish Gymnastics. Child welfare and the protection of young people is the concern of all adults at all times, irrespective of their role within the organisation.

_____ (name of club) will adopt the following procedures.

Everyone involved in the promotion of youth sport should be familiar with the signs and behaviours that may prompt a concern for the safety of the young person. There are four categories of abuse types, neglect, emotional, physical and sexual. For more detailed information on these categories, (including the possible signs and behaviours) please refer to Children's First (National Guidelines for the Protection and Welfare of Children (ROI) and Co-operating to Safeguard Children (NI).

If there are grounds for concern about the safety or welfare of a young person in the Club you should discuss your concerns with the Designated Person who will contact the Duty Social Worker in the local Health Service Executive or Health and Social Care Trusts (HSCT) where they will receive advice. Grounds for concern include information from a child, a statement from a person who witnessed abuse or an illness, injury or behaviour consistent with abuse.

A report may be made by any member in the Club but should be passed on to the Club Designated Person/Children's Officer (name this person _____) who may in turn have to pass the concern to the local Statutory Authorities. It is not the responsibility of anyone working within IRISH GYMNASTICS, in a paid or voluntary capacity, to take responsibility or decide whether or not child abuse is taking place – that is the job of the local Statutory Authorities. However, there is a responsibility to protect children by assisting the appropriate agencies so that they can then make enquiries and take any necessary action to protect the young person.

Everyone should follow both procedures outlined below, firstly the procedure for responding to a child disclosing a potential or actual abuse concern and secondly the procedure for reporting the concern.

Anyone who has a concern about any child's welfare or safety outside of the club context can make a report directly to the local HSE Social Work Department/HSCT or Gardai/PSNI (note this is a different procedure than within the Club).

RESPONDING TO A DISCLOSURE

When a young person discloses information of actual or suspected abuse you should:

- Deal with any allegation of abuse in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened
- Stay calm and do not show any extreme reaction to what the child is saying. Listen compassionately and take what the child is saying seriously
- Understand that the child has decided to tell something very important and has taken a risk to do so. The experience of telling should be a positive one so that the child will not mind talking to those involved in the investigation
- Be honest with the child and tell them that it is not possible that keep information a secret, but that only those who need to know will be informed
- Make no judgmental statements against the person whom the allegation is made

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- *Not question the child unless the nature of what they are saying is unclear. Leading questions must be avoided. Open, non-specific questions should be used such as “Can you explain to me what you mean by that”*
- *Check out the concerns with the parents/guardians before making a report unless doing so would endanger the child or compromise an investigation (advice from the Social Work Department can be sought by the Designated Person in relation to this)*
- *Give the child some indication of what will happen next, such as informing parents/guardians, Health Service Executive or Social Services. It should be kept in mind that the child may have been threatened and may feel vulnerable at this stage*
- *Carefully and accurately record the details*
- *Pass on this information to the Designated Person: _____*
- *Reassure the child that they have done the right thing in telling you*

REPORTING PROCEDURES

The following steps should be taken in reporting child abuse to the Statutory Authorities:

- *Observe and note dates, times, locations and contexts in which the incident occurred or suspicion was aroused, together with any other relevant information*
- *Report the matter as soon as possible to the Designated Person with responsibility for reporting abuse _____ (name of the Designated Person). If the Designated Person has reasonable grounds for believing that the child has been abused or is at risk of abuse, they will make a report to the Health Service Executive/HSCT who have statutory responsibility to investigate and assess suspected or actual child abuse*
- *In cases of emergency where a child appears to be at immediate and serious risk and the Designated Person is unable to contact a Duty Social Worker, the Police Authorities should be contacted. Under no circumstances should a child be left in a dangerous situation pending intervention by the Statutory Authorities*
- *If the Designated Person is unsure whether reasonable grounds for concern exist they can informally consult with the local HSE/HSCT. They will be advised whether or not the matter requires a formal report. This report will be made on a standard Reporting Form – see ROI & NI reporting forms on pages 22 to 26 ‘Code of Ethics & Good Practice for Youth Sport in Irish Gymnastics’ document*

A Designated Person reporting suspected or actual child abuse to the Statutory Authorities will first inform the family of their intention to make such a report, unless doing so would endanger the child or undermine an investigation (advice from the Social Work Department should be sought in relation to this).

In the ROI, the Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’ to the Health Service Executive or the Gardai (See 5.11 pages 44/45– ISC. Code). The Act also covers the offence of ‘false reporting’. The main provisions of the Act are:

- (a) *The provision of immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to designated officers of Health Service Executive or any member of An Garda Síochána*
- (b) *The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal*
- (c) *The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities “knowing that statement to be false”. This is a new criminal offence designed to protect innocent persons from malicious reports*

This law does not exist in N.I. but an individual who reports concerns in ‘good faith’ is not deliberately attempting to slander another person’s name. In N. I. there is legislation, the Criminal Law Act (NI) 1967, which places the responsibility

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on everyone to report offences or to forward information to the Police by emphasising the, 'duty of every other person, who knows or believes, (a) that the offence or some other arrestable offences has been committed: and (b) that he has information which is likely to secure, or to be material assistance in securing, the apprehension, prosecution or conviction of any person for that offence' .

ALLEGATIONS AGAINST ADULTS

_____ (name of club) has agreed procedures to be followed in cases of alleged child abuse against Coaches/Officials. If such an allegation is made against those named working within the Club, two procedures should be followed:

- *The reporting procedure in respect of suspected child abuse (reported by the Designated Person/Children's Officer), see previous page*
- *The procedure for dealing with the individual (carried out by the Club Chairperson or Senior Officer, or a person not already involved with the child protection concern)*

The safety of the child making the allegation should be considered and the safety of any other children who may be at risk. The Club should take any necessary steps to protect children in its care. The issue of confidentiality is important. Information should only be shared on a "need to know" basis and the individual should be treated with respect and fairness.

THE REPORTING PROCEDURE

If the Designated Person has reasonable grounds for concern, the matter should be reported to the local HSE/HSCT following the standard reporting procedure.

While the Designated Officer makes the report to the HSE/HSCT, the Chairperson of the Club should deal with the individual in question.

- *The Chairperson should privately inform the individual that (a) an allegation has been made against them and (b) the nature of the allegation. The individual should be afforded an opportunity to respond and their response should be noted and passed on to the HSE/HSCT*
- *The individual should be asked to step aside pending the outcome of the investigation. When a person is asked to step aside it should be made clear that it is only a precautionary measure and will not prejudice any later disciplinary proceedings.*

The Club should be informed by the Designated Person that the individual has been asked to take leave of duties (Irish Gymnastics National Children's Officer may be informed by the Club Designated Person).

The Club can consider disciplinary action against the individual but should ensure that this does not interfere with the investigation of the Statutory Authorities. The Chairperson/Designated Person should maintain links with the Statutory Authorities while any investigation is ongoing. It is important that the Club considers the outcome of the investigation and any implications it might have. The fact that the alleged abuser has not been prosecuted or been found guilty does not mean that they are appropriate to work with young people in the future. If an individual is disqualified by the club the NGB must be informed of this. In NI the NGB will take lead responsibility for referring the information to the Independent Safeguarding Authority.

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CONFIDENTIALITY

Confidentiality should be maintained in respect of all issues and people involved in cases of abuse, welfare or bad practice. It is important that the rights of both the child and the person about whom the complaint has been made are protected.

The following points should be kept in mind:

- *A guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child will supersede all other considerations*
- *All information should be treated in a careful and sensitive manner and should be discussed only with those who need to know*
- *Information should be conveyed to the parents/guardians of the child in a sensitive way. Discussion with the Statutory Authorities should take place in relation to information sharing with all parties when ongoing investigations are taking place*
- *Giving information to others on a "need to know" basis for the protection of a child is not a breach of confidentiality*
- *All persons involved in a child protection process (the child, their parents/ guardians, Coaches, the alleged offender and their family) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure*
- *Information should be stored in a secure place, with limited access only by designated people*
- *The requirements of the Data Protection laws should be adhered to*
- *Breach of confidentiality is a serious manner*

ANONYMOUS COMPLAINTS

Anonymous complaints can be difficult to deal with but should not be ignored. In all cases the safety and welfare of the child/children is paramount. Any such complaints relating to possible child protection concerns should be brought to the attention of the Designated Person _____. The information should be checked out and handled in a confidential manner.

RUMOURS

Rumours should not be allowed to hang in the air. Any rumours relating to possible child protection concerns should be brought to the attention of the Designated Person _____, and checked out without delay.

For details of Health Service Executive (HSE) and Health and Social Care Trusts (HSCT) contacts, please refer to Code Sheets 15 & 17: <http://www.irishgymnastics.ie/ethics/ethics.cfm>