

Code of Ethics & Good Practice for Youth Sport in Gymnastics Ireland

7. CHILD WELFARE AND PROTECTION PROCEDURES

Introduction;

The primary goal for all involved in Gymnastics Ireland is to provide a safe and positive environment where young people can develop as individuals.

Gymnastics Ireland 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 Gymnastics Ireland. Child welfare and the protection of young people is the concern of affiliated clubs and members at all times, (irrespective of their role within the organisation).

It is not the responsibility of anyone working within GYMNASTICS IRELAND, in a paid or voluntary capacity, to take responsibility or decide whether or not child abuse is taking place - that is the role of the Statutory Authorities.

The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:

1. The safety and well-being of the child must take priority;
2. Reports should be made without delay to Tusla - The Child and Family Agency (CFA). The CFA was established on the 1st January 2014 and is now the dedicated State agency responsible for improving wellbeing and outcomes for children.

Children First, National Guidance for the Protection and Welfare of Children 2017 was launched on October 2nd 2017. This Guidance is a primary reference for all citizens to report concerns and includes the new legislative obligations. It provides clarity between the legislation and the existing non-statutory obligations which will continue to operate for all sectors of society.

Children First Guidance describes the four main types of abuse and sets out the steps which should be taken to ensure that the child or young person is protected from harm. It has been updated to include new information about the Children

First Act 2015 and it includes specific information for the professionals and organisations that now have legal obligations to keep children safe. The Guidance also outlines the roles of the main statutory bodies involved in child welfare and protection: Tusla - Child and Family Agency, and An Garda Síochána. It contains details of how to report a concern about a child and what happens once the report is received by Tusla.

Please click on the following link to view Children First Guidance

http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

Recognising Child Protection & Welfare Concerns

- All staff and volunteers have a responsibility to safeguard children and to report child protection and welfare concerns in line with the policy outlined below.
- Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child. Anyone who has a concern about a child in their club but are not sure what to do, should discuss the concern with the club Designated Liaison Person (DLP), GI Policy & Welfare Manager in the Role as National Designated Liaison Person/Mandated Person or contact your local Child and Family Agency social work department/ Social Care Trusts (HSCT) for advice (see contact numbers in Code Sheet 15 and 17).
- All staff and volunteers should be familiar with the definitions of abuse as outlined in Children First, National Guidance, 2017 - (Chapter 2).
http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf
- Under the Children First Act 2015 Mandated Persons have a statutory obligation to report concerns which reach a particular threshold (as defined in section 2 of the Children First Act 2015) to Tusla.

Reporting Procedure - Staff and Volunteers

All staff and volunteers (included Mandated Persons - see below) should follow the procedures outlined in this section when they have a concern that a child has been, is being, or is at risk of being abused, harmed or neglected. Mandated Persons have further responsibilities outlined in the next section.

Children First, National Guidance for the Protection and Welfare of Children 2017 states that both public and private organisations that are providing services to children should consider appointing a **designated liaison person** in keeping with best practice in child safeguarding. This person will be the resource person for any staff member or volunteer who has child protection concerns and will liaise with outside agencies.

Reporting Concerns about a Child

- Each affiliated club to Gymnastics Ireland has appointed a Designated Liaison Person.
- When a staff member or volunteer has a child protection or welfare concern they should speak to the Designated Liaison Person (DLP) as soon as possible.
- If the DLP is unsure if a child protection concern meets the reasonable grounds (see next section) for concern they should contact Tusla Social Work duty service for advice and guidance using the informal consultation process.
- The DLP can formally report child protection and welfare concerns using the Child Protection and Welfare Report Form (available on www.tusla.ie) to Tusla on the following basis:
 - Child protection and welfare concerns that meet reasonable grounds for concern but do not meet the threshold for mandated reporting (see below)
 - Child protection and welfare concerns that meet reasonable grounds for concern and have been passed to them by persons who are not Mandated Persons.
- Under no circumstances should a child be left in a situation that exposes him or her to harm or risk pending intervention from Tusla.

(The National DLP should be consulted if a concerned is being reported).

Reasonable grounds for concern

Children First: National Guidance, 2017 states that: 'Tusla should always be informed when a person has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.'

Reasonable grounds for a child protection or welfare concern include:

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way
- Any concern about possible sexual abuse
- Consistent signs that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that he or she has been abused
- Admission or indication by an adult or a child of an alleged abuse they committed
- An account from a person who saw the child being abused

All staff and volunteers are expected to bring any child protection concern which meets reasonable grounds for concern to the attention of the DLP and to seek their advice and guidance if unsure.

In the event of an emergency and the unavailability of a Tusla Social Worker, the DLP should contact An Garda Síochána

Depending on advice received from the CFA the ***Child Protection and Welfare Report Form (CPWRF)*** (see Code Sheet 20) may be required to be submitted to CFA. If a report is made by telephone, this form should be completed and forwarded subsequently to the Child and Family Agency.

Under The Protection of Persons Reporting Child Abuse Act 1998, so long as you report what you believe is true and it is done in good faith you cannot be sued.

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) or attend Sport Ireland or SportNI Safeguarding training.

http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

<https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>

ROLE OF DESIGNATED LIAISON PERSON

The designated liaison person (club or national) is responsible for ensuring that reporting procedures within your organisation are followed, so that child welfare and protection concerns are referred promptly to Tusla. The designated liaison person should record all concerns or allegations of child abuse brought to his or her attention, and the actions taken in relation to a concern or allegation of child abuse.

If, as a designated liaison person, you decide not to report a concern to Tusla, the following steps should be taken:

- The reasons for not reporting should be recorded
- Any actions taken as a result of the concern should be recorded
- The employee or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla

- The employee or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or An Garda Síochána

Reporting Procedures - Mandated Persons Only

- Under the Children First Act 2015 Mandated Persons are legally required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed to Tusla.
- If the child protection concern reaches the threshold for harm as defined in the Children First Act 2015 it is a mandated report.
- Mandated reports can be made jointly by the Mandated Person (who raised the concern) and the DLP, using the Child Protection and Welfare Report Form (available on www.tusla.ie). The form must clearly indicate that the report is a Mandated Report.
- If the child protection concern requires a more urgent intervention to make the child safe, the Children First Act 2015 allows Mandated Persons to alert Tusla of the concern, by telephone or in person, in advance of submitting a written report. The mandated report must then be submitted to Tusla using the Child Protection and Welfare Report Form within 3 days.
- The statutory obligation of Mandated Persons to report under the Children First Act 2015 must be discharged by the Mandated Person and cannot be discharged by the DLP on their behalf. Mandated Persons can however, report jointly with another person.
- Where the Mandated Person or DLP is unsure if the report meets the threshold of harm as outlined in the Children First Act 2015 advice and guidance should be sought through informal consultation with Tusla Duty Social Work.
- If a child protection concern does not meet the criteria for a mandated report, it may meet 'reasonable grounds for concern' for a report to Tusla and this possibility must be considered. If 'reasonable grounds for concern' exist a report to Tusla will be made by the DLP.
- The Mandated Person may submit the report to Tusla solely, however, the DLP must be informed that the report has been made and be given a copy of the Child Protection and Welfare Report Form.
- If a child protection concern has come to the attention of a number of Mandated Persons, the report may be submitted jointly by a number of Mandated Persons.

- Mandated Persons are not required to make a report to Tusla where the sole basis of their knowledge, belief or suspicion of harm is of a result of becoming aware that another Mandated Person has made a report to Tusla.

Gymnastics Ireland has appointed the Policy & Welfare Manager as its Mandated Person -

Email dermot@gymnasticsireland.com tel - 01/6251125

Types of child abuse and how they may be recognised

As stated earlier Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

For further information on the types of abuse please refer to Children First Guidance Chapter 2 -

http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

Recording Child Protection Concerns

- Written records should be kept of all child protection concerns (including those not reported to Tusla) and these will be managed by the Designated Liaison Person. (Information will include: details of the concern, who raised it, who was contacted, details regarding an informal consultation if it happened, any action taken, details regarding informing parents.
- If a child has made a disclosure of abuse, a written record will be made. If there are other grounds for concern that the child has been abused or neglected, a written record will be made.
- Records relating to child protection and welfare issues will be kept confidentially and held for as long as is appropriate.