



Kilkenny Recreation & Sports Partnership Child Welfare and Protection Policy

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Policy Statement

Kilkenny Recreation & Sports Partnership (KRSP) is committed to safeguarding the wellbeing of children. Those working for, or on behalf of KRSP, should, at all times, show respect and understanding for the rights of children and conduct themselves in a way that reflects the principles of the organisation, the Code of Ethics and Good Practice for Children's Sport as issued by the Irish Sports Council and the Children's First Guidelines, National Guidelines for the Protection and Welfare of Children issued by the Department of Health and Children.

KRSP recognises that it has a duty of care to protect all children and safeguard their welfare, irrespective of gender, civil status, family status, age, race, religion, disability, sexual orientation or membership of the Travelling community.

KRSP is committed to a child centred approach to all services and activities operated by KRSP. We undertake to provide a safe environment where the welfare of children is paramount.

We will adhere to the Children's First National Guidelines for the Protection and Welfare of Children by implementing policies covering:

- Safe Recruitment
- Garda Vetting

KRSP commits to reviewing these Guidelines every two years or following changes in legislation.

Source Documentation

The guidelines, definitions, policies and procedures set out in this document have been sourced from the following documents:

Children First Bill 2014

National Vetting Bureau (Children and Vulnerable Persons) Bill 2012

Protections for Persons Reporting Child Abuse Act 1998

Children First: National Guidance For The Protection And Welfare Of Children;

Department of Children and Youth Affairs 2011

Code of Ethics and Good Practice for Children's Sport; Irish Sports Council and Sports Council Northern Ireland

Definition and Roles

The following terms and abbreviations are used in this document:

Child (Child Care Act 1991)

A 'child' means a person under the age of 18 years other than a person who is or has been married;

Designated Safeguarding Liaison Person

The appointment of a Designated Safeguarding Liaison Person (DSL) is an essential element of the safeguarding of children in KRSP. They act as a resource with regard to children's issues, including reviewing current policies in relation to children, checking all activities are safe and fun, and informing adults of how to deal with any concerns that may arise in relation to the protection of children.

The DSL should be a member of the KRSP Board, or have access to the Board (e.g. Co-ordinator) and its accompanying documents, to ensure that children's interests are kept on, and influence the decisions of, the agenda of KRSP.

The role of the DSL within KRSP is to:

- Act as a liaison with outside agencies and a resource person to any staff member, volunteer or adult leader who has child protection concerns;
- Ensure that the standard reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the designated person in the Children and Family Agency or in the event of an emergency and the unavailability of the Children and Family Agency, to An Garda Síochána;
- Ensure that he/she is knowledgeable about child protection and undertakes any training considered necessary to keep updated on new developments.
- Oversee the implementation of the KRSPs Child Welfare and Protection Policy and associated policies (Garda Vetting Policy, Safe Recruitment Policies)
- Oversee the implementation of appropriate methods of record keeping in relation to confidentiality and data protection while allowing for appropriate information to be passed to relevant authorities where necessary.
- Oversee the implementation of procedures designed to deal with concerns regarding poor practice within KRSP activities.
- Co-ordinate the ongoing development and implementation of the organisation's child welfare and protection training needs
- Liaise with staff and adult leaders to ensure that KRPS programmes and activities are child centred and promote the values that make sport enjoyable for children.

DSLs do not have the responsibility of investigating or validating child protection concerns within the organisation and have no counselling or therapeutic role. These roles are filled by the Statutory Authorities as outlined in Children First.

Mandated Person

The Children First Act 2015 places a legal obligation on certain people, many of whom are professionals, to report child protection concerns at or above a defined threshold to Tusla - Child and Family Agency. These mandated persons must also assist Tusla, on request, in its

assessment of child protection concerns about children who have been the subject of a mandated report.

Mandated persons are people who have contact with children and/or families who, by virtue of their qualifications, training and experience, are in a key position to help protect children from harm. Mandated persons include key professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons.

What are the legal obligations of a Mandated Person?

Mandated persons have two main legal obligations under the Children First Act 2015

- To report harm of children, above a defined threshold, to Tusla
- To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report

A mandated person, under the legislation is 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 the Authorised Person within Tusla.

Definition of Harm:

The threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns is outlined below.

“Harm” means, in relation to a child:

- (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or
- (b) sexual abuse of the child

The reporting requirements under the Children First Act 2015 apply only to information that a mandated person, received or became aware of since the Act came into force. However, if the mandated person has reasonable concern about past abuse, where the information came to his/her attention before the Act and there is possible continuing risk to children, it should be reported it to Tusla under the Children First Guidance 2017.

Core Values

The work of KRSP is based on the following principles that will guide the development of sport for children. Children's experience of sport should be guided by what is best for the child. The stages of development and the ability of the child should guide the types of activity provided by the organisation. Adults will need to have a basic understanding of the needs of young people, including physical, emotional and personal.

Integrity in relationships

Adults interacting with children in sport should do so with integrity and respect for the child. There is a danger that sporting contexts can be used to exploit or undermine children. All adult actions in sport should be guided by what is best for the child and in the context of quality, open working relationships. Verbal, physical, emotional or sexual abuse of any kind is unacceptable within sport.

Quality atmosphere and ethos

Sport for children should be conducted in a safe, positive and encouraging atmosphere. A child-centred ethos will contribute to a safe and enjoyable atmosphere within the organisation.

Equality

All children should be treated in an equitable and fair manner regardless of age, ability, sex, religion, social and ethnic background or political persuasion. Children with disability should be involved in sports activities in an integrated way, thus allowing them to participate to their potential alongside other children.

Fair Play

Fair play is the guiding principle of the Code of Ethics and Good Practice for Children's Sport. All sport for children should be conducted in an atmosphere of fair play. Ireland has contributed and is committed to the European Code of Sports Ethics, which defines fair play as: "much more than playing within the rules". It incorporates the concepts of friendship, respect for others and always playing with the right spirit. Fair play is defined as a way of thinking, not just behaving. It incorporates issues concerned with the elimination of opportunities, excessive commercialisation and corruption. (European Sports Charter and Code of Ethics, Council of Europe, 1993).

Competition

A balanced approach to competition can make a significant contribution to the development of children, while at the same time providing fun, enjoyment and satisfaction. However, competitive demands placed on children can result in excessive levels of pressure on them. This can contribute to a high level of drop out from sport. Sports leaders should aim to put the welfare of the child first and competitive standards second. A child-centred approach will help to ensure that competition and specialisation are kept in their appropriate place.

Code of Good Practice in relation to Children

KRSP wishes to provide the best possible environment for children involved in our activities.

Children:

- deserve to be given enjoyable, safe sporting opportunities, free of abuse of any kind.
- have rights, which must be respected, and responsibilities that they must accept.
- should also be encouraged to realise that they have responsibilities to treat other participants and sports leaders with fairness and respect.

The Code of Good Practice is structured under the following headings:

1. Implementation of Good Practice within KRSP
2. KRSP General Good Practice Guidelines for working with Children
3. Code of Good Practice for those leading KRSP activities

1. Implementation of Good Practice within KRSP

KRSP aims to implement good practice by:

- Providing policy training for staff and leaders on KRSP programmes in line with these guidelines
- Making this policy and related policies available on KRSP's website to download
- Reviewing and updating policies and procedures as per policy statements
- Ensuring that KRSP has relevant information in relation to children as determined by the nature of the activity
- Complying with the Data Protection Policy in respect of personal and sensitive data regarding children and their parents and guardians subject to child protection concerns
- Having procedures in place for the reporting and recording of accident, injuries and emergencies
- Reporting any concerns to a Designated Safeguarding Liaison Person and following reporting procedures
- Regularly evaluating work practices where contact with children occurs
- Being proactive in dealing with concerns or potential problems
- Keeping parents and guardians informed of any issues of concern regarding their children
- Ensuring that partner organisations are familiar with KRSP guidelines
- Ensuring that there are adequate insurance arrangements in place to cover all relevant activities.

2. KRSP General Good Practice Guidelines for working with Children

Supervision

- KRSP shall endeavour to ensure that there are adequate adult to child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide is 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more persons) however this may vary for participants with a disability.
- If participants are of mixed gender ensure that there are leaders of both sexes present at sessions where possible

- Staff and leaders on KRSP programmes shall endeavour to avoid being left alone or on a one-to-one situation with children
- If a person needs to talk separately to a child, this should be done in an open environment in view of others whilst offering the individual confidentiality
- When dealing with a disruptive child, it is recommended that where possible more than one staff member or leader be present. Instances of disruptive behaviour that require the intervention of the staff member or leader, and which put at risk the safety and well-being of others, must be documented and dealt with sensibly and appropriately. As an example, this may include setting ground rules for the group, discussions with parents or guardians or additional supervision from partner organisation.
- Times for start and finish of activities should be clearly communicated with parents and guardians
- Late collection of children by parents and guardians presents a potentially difficult situation. In this situation, a child is never to be left unattended.
- Staff and leaders on KRSP programmes:
 - shall attempt to contact the child's parent or guardian on their contact number
 - use an alternative contact number for a parent or guardian given by the child if necessary
 - wait with the child with another leader or participant where possible
 - avoid taking children on journeys alone in a car where possible and never without the consent of the parent and guardian
- Supervision of changing rooms if necessary (where children are very young or need special assistance), should be in pairs of appropriate gender
- Keep attendance records and record of any incidents / injuries that arise

Staff and leaders on KRSP programmes shall not:

- Take the child home or to another location without permission from a parent or guardian;
- Send the child home with another person without permission from a parent or guardian

Safety

KRSP should have a safety statement, including specific and potential risks attached to the delivery of activities. They should also have procedures in place for safeguarding against such risks.

In considering health and safety in relation to children, KRSP will:

- Ensure that children are not left unattended or unsupervised
- Ensure that children are not in contact with any dangerous materials
- Ensure that staff and leaders on KRSP programmes are familiar with and comply with KRSP procedures in relation to accidents
- Ensure that staff and leaders on KRSP programmes are familiar with and, where necessary, comply with the emergency evacuation procedures particular to the location of the activity and brief the children in their care on what they are to do and where they must go in an emergency
- Be familiar with the particular risks associated with the activity and location at which the activity is based.
- When undertaking a risk assessment take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure

- Ensure that KRSP has relevant information in relation to children as determined by the nature of the activity
 - For open events (e.g. come and try sessions, open events or festivals) a registration sheet should be used
 - KRSP programmes or activities – a participation form should be completed for each participant (e.g. participant name, parent or guardian name, address, relevant medical information, emergency contact & parental consent in the case of a child).
 - KRSP programmes with partners (school, disability group, youth group) – the presence of an adult or group leader from a partner organisation is required with the information in relation to the participants in the group held by that partner.
- Ensure KRSP activities are suitable for age and stage of development of participants
- Ensure any necessary protective gear is available to staff, leaders and participants
- Keep first aid kit appropriately stocked with contact numbers of emergency services
- Ensure easy access to medical personnel if needed and consider the actions required in the case of an emergency
- Leaders should hold appropriate qualifications required
- Ensure there is adequate insurance cover for all activities.

Physical Contact

Activities on occasion require a 'hands on approach', especially in a teaching or coaching situation, e.g. it may be necessary to assist a young person when learning how to grip a piece of sports equipment for the first time but the following should be taken into consideration:

- Avoid unnecessary physical contact
- Any necessary contact should be in response to the needs of the child and not the adult
- It should be in an open environment with the permission and understanding of the participant
- It should be determined by the age and developmental stage of the participant - Don't do something that a child can do for themselves
- Where physical contact is an inherent part of an activity, it is important to seek consent of the child in relation to physical contact (except in an emergency or a dangerous situation)
- Check with the child about their level of comfort when doing touch exercises e.g. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child
- Never allow or engage in inappropriate touching of any form
- Do not hit or physically chastise children

Bullying (Children First; National Guidelines for the Protection & Welfare of Children)

Bullying is a repeated aggression that can be verbal, psychological or physical, which is conducted by an individual or group against others.

It is behaviour, which is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools, sports clubs and other organisations working with children. It includes behaviour such as teasing, taunting, threatening, hitting or extortion by one or more children against a victim. However, bullying can also occur between an adult and a child e.g. a coach, leader.

Bullying can only survive in an environment where the victim does not feel empowered to tell someone who can help or in which it is not safe to do so.

Incidents of bullying should be dealt with immediately and not tolerated under any circumstances.

Who should deal with bullying?

Bullying behaviour is normally the responsibility of the leader of KRSP activities. However, more extreme forms of bullying regarded as physical or emotional abuse should be reported to the Child and Family Agency or An Garda Síochana.

How can it be prevented?

- Encourage the development, where appropriate, of a the code of conduct for participants for medium to long term programmes that promotes the rights and dignity of others
- Deal with any incidents as they arise
- Use a whole group policy or “no blame approach” i.e. not bullying the bully but working with bullies and the group helping them to understand the hurt they are causing and make the problem a shared concern of the group
- Reinforce that there is a permission to tell culture
- Encourage children to negotiate, co-operate and help others particularly new participants or those with specific needs
- Offer the victim immediate support and put the ‘no blame approach’ into operation
- Never tell a young person to ignore bullying, they can’t ignore it, it hurts too much
- Never encourage a young person to take the law into their own hands and beat the bully at their own game
- Tell the victim that there is nothing wrong with them and it is not their fault

For further information on bullying and the ‘no blame approach’ see the ISC website www.irishsportsCouncil.ie

Photography

KRSP use of images on its social media, website and/or publications is intended for the positive promotion of sport and KRSP activities. KRSP is committed to implementing the following steps to ensure that children are protected from the inappropriate use of their image. This is not to prevent parents and guardians taking photographs; it is to ensure that only those who have a right to take photographs do so. Anyone concerned about photography taking place at an event can contact the leader or DSLP to deal with the matter.

When using childrens’ photographs you should:

- Inform participants and parents that a photographer may be in attendance at an event
- Ask for parental or guardian permission to use the participant’s image and consult with the child about its usage where appropriate
- Ensure the content of the photograph promotes the programme or activity not just focuses on a particular child or vulnerable person

This may be done in the following ways:

- Signage and/or announcements at open or public events notifying participants that photographers are present and to contact KRSP staff if they have concerns or do not wish for their image to be taken or used in publications.

- Parental consent for the taking and use of images included as part of participation forms or registration sheets for KRSP programmes or activities.
- Consent for the taking and use of images agreed with partners on KRSP programmes (e.g. school, disability group, youth group).

Mobile Phones

Mobile phones are often given to children for security enabling parents or guardians to keep in touch and make sure they are safe. Young people value their phones as it gives them a sense of independence. However, such technology has also increased direct personal contact with young people, in some cases used to cross personal boundaries and cause harm. The following guidelines should be followed:

- Where possible ensure that parental consent is obtained where young people are being contacted directly by adults or a parent or guardian receives the text in addition to the young person.
- It is not appropriate or acceptable to have constant contact with an individual participant
- the use of phones is not permitted in certain locations; inappropriate use of a camera phone may cause upset or offence to another person e.g. changing rooms

Internet Safety

Children are becoming increasingly sophisticated in their use of communication tools on the internet such as social networking sites, internet enabled camera phones and video and photograph sharing websites. While this technology offers fantastic opportunities for them to learn, play and to interact with their peers, there can be downsides too. The anonymous and instantaneous nature of the internet can leave people exposed to greater risks from potential sexual predators.

The Office for Internet Safety (OIS) was established in March 2008 as an Executive Office of the Department of Justice and Equality and has primary responsibility for the development and promotion of strategic actions to promote the highest possible levels of internet safety, particularly in relation to combating child pornography. The Office for Internet Safety plays a key role in ensuring a cohesive approach is being taken across Government Departments, State Agencies and other key stakeholders in addressing illegal content on the internet.

The OIS offer a lot of advice and guidance to parents and young people on the safe use of the internet. See www.internetsafety.ie for more information.

Any instances of suspected online child abuse should be reported to www.hotline.ie immediately.

Social Media

Social networking sites are becoming increasingly popular as a quick and easy way of communicating with participants.

- KRSP social media sites should be set up as a business site where relevant
- Inappropriate, derogatory or defamatory remarks or unseemly language should never be used
- Posts and comments on KRSP social media sites should be monitored and inappropriate, derogatory or defamatory remarks or unseemly language from public will be removed.

Website

- KRSP needs to ensure website is managed carefully with particular attention to any links (cases have arisen where links have been redirected to inappropriate material)
- If the site has a discussion board facility, KRSP needs to ensure care in relation to moderation of comments particularly where children are concerned.

3. Code of Good Practice for those leading KRSP activities

All leaders of KRSP activities (Staff, Service Providers, Partner Personnel, Volunteers) must read and agree to deliver programmes within the KRSP general good practice guidelines. Leaders must sign up to and abide by the following Code of Good Practice.

KRSP Child Centred Approach

All KRSP activities involving children shall be guided by what is best for the child. Activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct.

Children are entitled to:

- Be safe and to feel safe
- Be listened to
- Be believed
- Be happy, have fun and enjoy sport
- Be treated with dignity, sensitivity and respect
- Have a voice in the programme or activity
- Comment and make suggestions in a constructive manner
- Participate in sporting activities on an equal basis, appropriate to their ability and stage of development
- Participate at a level at which they feel comfortable
- Make complaints in an appropriate way and have them dealt with through an effective complaints procedure
- Get help against bullies
- Say no
- Protect their own bodies
- Be afforded appropriate confidentiality

Creating a Positive Atmosphere

Those leading KRSP activities must:

- Have children's safety and enjoyment as their number one priority
- Strive to create a positive environment for children in their care and ensure that positive and healthy experiences are provided
- Be aware of and respect the rights, dignity and worth of every child and treat everyone equally, regardless of sex, ethnic origin, religion or ability
- Remember that skills and personal development rank above winning
- Understand the developmental needs of children and make them aware that their participation is valued.
- Be aware that learning appropriate skills is important and should take precedence over too much training and competition
- Be aware of time limitations, e.g. school/exams, when scheduling activities

- Be generous with praise and never ridicule or shout at children for making mistakes or not winning an event. We all learn by making mistakes so improvement in skills should be praised and an individual's efforts treated with respect
- Give equal time and attention to all participants and avoid singling out any one participant for special attention, praise, criticism or ridicule
- Act quickly and appropriately if any form of bullying is identified whether from other participants, leaders or parents and guardians
- Act within the rules of the activity and ensure that participants understand the rules.
- Respect a child's personal space
- Never use physical punishment

Setting Good Example

Those leading KRSP activities should:

- Act as role models. Promote the positive aspects of sport and physical activity and maintain the highest standards of personal conduct.
- Avoid smoking when working with young people and not consume alcohol or non-prescribed drugs before or during sessions. Avoid consuming alcohol in view of young people.
- Avoid socialising inappropriately with children e.g. outside of structured organisational activities
- Treat other leaders and officials with respect and encourage children to do likewise. Accept decisions made by officials in a sporting manner.
- Ensure that their language and gestures are appropriate avoiding foul, racist, sectarian remarks or signs.
- Ensure that offensive or sexually suggestive physical conduct and/or verbal language is not used or allowed.
- Promote a sense of fair play and appreciation and respect for the skills of other participants.
- Act in a professional manner.
- Treat all children as individuals.
- Create an atmosphere of trust.
- Use all information in respect of children only for the purpose for which it was given, subject to child protection concerns

The Leader's responsibilities are to:

- be familiar with and follow the required procedures in the KRSP Child Welfare and Protection Policy
- carry out agreed duties and responsibilities understanding that the welfare of children is paramount
- be qualified for the position and keep up-to-date with required knowledge and skills
- create a safe environment for children and vulnerable persons by:
 - Planning and preparing appropriately for sessions
 - Adhering to the adult / child ratios
 - Making sure all levels of participation are appropriate to development stage with the setting of age appropriate and realistic goals
 - Ensuring all equipment is checked prior to session and that any necessary protective equipment is used by participants
 - Keeping attendance records
 - Keeping a record of any relevant medical conditions of the participants
 - Keeping a record of or having access to emergency contact numbers for parents and guardians

- Ensuring that there is a First Aid kit at all sessions and keep a record of injury(s) and actions taken. Contacting the participants parents and keep them informed of all details
- Keeping a brief record of problem/actions/outcomes if behavioural issues arise
- Reporting any concerns in accordance with this policy reporting procedures
- Ensuring the conduct of the game is fair and safe
- Emphasising the importance of parents / guardians being present at finishing time of sessions or events
- Ensuring that children or vulnerable persons are not left unattended or unsupervised.

Recruitment, Selection, Supervision and Support of Staff and Adult Leaders

KRSP is committed to safeguarding the wellbeing of children and vulnerable persons. KRSP staff work in partnership with tutors, sports club volunteers, work and student placement staff and volunteers from community groups and organisations in the delivery of programmes to children.

KRSP Safe Recruitment Policy framework outlines the steps KRSP is taking to ensure that people who are employed by or work with KRSP are suitable to work with children. These include the following policies:

1. Safe Recruitment Policy – KRSP Staff
2. Safe Recruitment Policy – KRSP Service Providers
3. Safe Recruitment Policy – KRSP Partner

For further details, these policies are available on the KRSP website.

Dealing with incidents of poor practice

All allegations against staff or adult leaders who work with KRSP must be reported to the DSLP. If the suspicion or allegation is against the DSLP then the KRSP Chairperson should be contacted immediately.

Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against KRSP, its employees or adult leaders must be investigated, dealt with and managed by KRSP in accordance with the procedures outlined in the relevant policy e.g. Complaints Policy, Staff Handbook.

Employees and adult leaders are required to co-operate with investigations by or on behalf of KRSP in accordance with the relevant procedures.

The Case Management Committee (CMC), appointed by the KRSP Board, will consider and make decisions with respect to child welfare and protection concerns. This includes allegations of a general nature in regard to children and vulnerable persons in addition to its role in considering vetting applications, disclosures and/or returns referred to the KRSP Contact Person by the Irish Sports Council.

KRSP disciplinary procedures may be invoked in circumstances where it is found that an employee has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

Child Protection and Welfare Concerns

Child Welfare Concern

Often cases encountered are of a welfare nature and may not be recognised as obvious or deliberate (abuse) but the effect of the problem may have similarly negative consequences for the child and so needs to be responded to. It is equally important that the same procedures are applied to matters relating to the welfare of children as well as that of abuse.

Child Protection Concern

Child abuse can be categorised into four different types: neglect, physical abuse, sexual abuse and emotional abuse. A child may be subjected to one or more forms of abuse at any given time. (see Appendix 1 for guidance on categories of child abuse)

Recognising Child Abuse

Child abuse can occur in many different situations including the home, in school, in youth and sports activities and elsewhere. Child abuse can often be difficult to identify and may present in many forms (see Appendix 1 for link to further information on signs/symptoms that may indicate child abuse). No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child's situation and family circumstances.

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. Early detection is important and individuals working with children should share their concerns about child protection or welfare with the DSLP in KRSP.

Reasonable Grounds for Concern

The Children and Family Agency 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. Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.

The following extract from *Children First Practice Handbook* sets out examples, which are by no means an exhaustive list, of reasonable grounds for concern to report to the Child & Family Agency:

- An injury or behaviour which is consistent both with abuse and with an innocent explanation but there are corroborative indicators supporting the concern that it may be a case of abuse.
- Consistent indication, over a period of time that a child is suffering from emotional and physical neglect.
- Admission or indication by someone of an alleged abuse.
- A specific indication from the child that he or she was abused.
- An account from a person who saw the child being abused
- Evidence (e.g. injury or behaviour) that is consistent with abuse and unlikely to be caused in any other way.

Note: A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable ground for concern.

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child and Family Agency.

The Child and Family Agency has a statutory obligation to identify children who are not receiving adequate care and protection, to provide family support services and, where necessary, to take children into the care of the Child and Family Agency. People who report concerns need to be assured that their information will be carefully considered with any other information available, and a child protection assessment will only proceed where sufficient risk is identified.

Reporting Child Protection & Welfare Concerns

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

- (i) the safety and well-being of the child must take priority;
- (ii) reports should be made without delay to the Child and Family Agency

The following procedure is designed to help KRSP staff report concerns so that the KRSP DSLP can make effective reports to the relevant authorities, using the standard reporting procedure, concerning suspected, disclosed or alleged child protection and welfare situations.

To enable this to happen the Sports Co-ordinator should:

- (a) Have the contact details for the local Child and Family Agency Social Work Department and the Local Garda on file
- (b) Have the Child and Family Agency Standard Form for Reporting Child Protection and/or Welfare Concerns available on the KRSP shared network or www.HSE.ie/go/childrenfirst. (or see Appendix 2).
- (c) Ensure that each staff member and adult leader working with children has completed a Child Welfare and Protection Basic Awareness course.

Under no circumstances should any individual employee or person leader working with KRSP attempt to intervene or deal with the problem of suspected child abuse alone.

Procedure for Reporting a Concern or Disclosure:

1. Write down accurate notes as soon as possible.

Observe and note dates, times, locations and contexts in which the incident/disclosure occurred or suspicion was aroused, together with any other relevant information.

2. Contact the Designated Safeguarding Liaison Person immediately or as soon as possible.

Contact the DSLP immediately and discuss the matter in confidence. The matter should not be discussed with any other person. *If the DSLP is unavailable, contact the KRSP Chairperson.*

3. Decide, in consultation with the DSLP, if a report will be made to the Child and Family Agency duty Social Worker.

Consult with the DSLP and decide if the matter will be reported to the Child and Family Agency duty Social Worker.

In the event that both the DSLP and staff member/person leader conclude that there is no definite knowledge or reasonable grounds for concern of child protection or a child welfare issue, note the reason for not making an official report to the Child and Family Agency and record on file.

The process of making the decision to report or not may involve informal consultation with the duty social worker in the Health Service Executive.

The DSLP telephones the Child and Family Agency duty social worker and makes clear that it is an informal consultation in confidence. A record should be kept of this informal consultation and any decisions arising out of it.

If the social worker states that the information constitutes reasonable grounds for concern, make a formal report to the Child and Family Agency.

If the social worker states that the information does not constitute reasonable grounds for concern, a note of the informal consultation and the reason for not making an official report should be recorded on file.

It is possible for KRSP staff to report even if the advice has been that the Social Worker does not think there are reasonable grounds for concern.

4. Making a report.

The person reporting suspected 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.

A report will be submitted using the standard reporting form (See Appendix 2) and a copy held on file.

5. Following the submission of a Report.

After you have submitted the report to the Child and Family Agency, you may not have any further contact from them.

Procedure for Reporting a Concern or Disclosure in an Emergency Situation:

In cases of emergency where a child appears to be at serious and immediate risk and you are unable to contact the Child and Family Agency duty social worker, An Garda Síochána should be contacted. Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending Child and Family Agency intervention.

As soon as possible after the young person is safe, prepare the standard reporting form and submit to the Child and Family Agency. File a copy of the Report.

Procedure for Dealing with Child Protection Complaints or Allegations against KRSP Employees and Leaders:

All allegations against staff or leaders who work with KRSP must be reported to the DSLP. If the suspicion or allegation is against the DSLP then the KRSP Chairperson should be contacted

immediately. The same reporting procedures, as outlined earlier in this chapter, will be applied to these allegations.

Allegations against an Employee or Leader

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure must be dealt with and managed by KRSP, guided by KRSPs DSLP. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Child and Family Agency or An Garda Síochána and shall not be undertaken by DSLP or other KRSP employees.

When an allegation of abuse is received, it should be assessed promptly and carefully by KRSP. Action taken in reporting an allegation of child abuse against an employee should be based on an opinion formed 'reasonably and in good faith'. It will be necessary to decide whether a formal report should be made to the Child and Family Agency. This decision should be based on reasonable grounds for concern.

The first priority is to ensure that no child is exposed to unnecessary risk. KRSP should, as a matter of urgency, take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children. Where protective measures penalise the employee, it is important that early consideration be given to the case.

Any action taken should be guided by agreed procedures, the applicable employment contract and the rules of natural justice.

The KRSP Chairperson should be informed about the allegation as soon as possible.

When an employer becomes aware of an allegation of abuse of a child or children by an employee during the execution of that employee's duties, the employer should privately inform the employee of the following:

- (i) the fact that an allegation has been made against him or her;
- (ii) the nature of the allegation.

The employee should be afforded an opportunity to respond. The employer should note the response and pass on this information if making a formal report to the Child and Family Agency.

Employers or persons-in-charge should take care to ensure that actions taken by them do not undermine or frustrate any investigations/assessments conducted by the Child and Family Agency or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with the statutory authorities to achieve this.

Employers or persons-in-charge should be notified of the outcome of an investigation and/or assessment. This will assist them in reaching a decision about the action to be taken in the longer term concerning the employee.

The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers within the Child and Family Agency (see Appendix 3) or to any member of An Garda Síochána. This protection applies to organisations as well as to

individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence of qualified privilege.

Storage of written records

The following procedures should be followed by staff when dealing with the creation, storage and communication of written records and documents relating to child protection/child welfare concern cases:

1. Files containing records on child protection and child welfare concerns must be secured using a locked filing cabinet. Only the DSLP and relevant staff member should have access to these files.
2. When a decision is made to submit a written formal report to the Child and Family Agency in relation to a child protection or welfare concern, the formal report is made by completing the Child and Family Agency Standard Report Form (Appendix 3).
3. Reports should be sent by post or hand delivered, within an envelope clearly marked "Strictly Private and Confidential—Addressee Only".
4. Ask for a formal acknowledgement in writing of the receipt of the report made to the Child and Family Agency.
5. Any further correspondence with the statutory bodies will be recorded and held on file.

Confidentiality

Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful.

The KRSP is committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare it is important that:

- Information will only be shared on a 'need to know' basis in order to safeguard the young person
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality
- The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.
- No guarantee of confidentiality is given where the best interests of the child or young person are at risk
- Parents and children have a right to know if personal information is being shared, unless doing so could put the child at further risk.

Anyone who received information from colleagues about possible or actual child abuse must treat it as having been given in confidence subject to the above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to the above.

Record must be kept in accordance with the Data Protection Act and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act 2003.

Further Information

Further information on child protection and welfare is available from KRSP Designated Safeguarding Liaison Person and from the Children and Family Agency.

Appendix 1 – Categories and Definitions of Child Abuse

Categories

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.

1. Neglect

Definition of 'neglect'

Neglect can be defined in terms of an *omission*, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.

Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is *significant* is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.

Neglect generally becomes apparent in different ways *over a period of time* rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.

The *threshold of significant harm* is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

2. Emotional Abuse

Definition of 'emotional abuse'

Emotional abuse is normally to be found in the *relationship* between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Examples may include:

- (i) the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- (ii) conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- (iii) emotional unavailability of the child's parent/carer;
- (iv) unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- (v) premature imposition of responsibility on the child;
- (vi) unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- (vii) under- or over-protection of the child;

- (viii) failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- (ix) use of unreasonable or over-harsh disciplinary measures;
- (x) exposure to domestic violence;
- (xi) exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

3. Physical Abuse

Definition of 'physical abuse'

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Physical abuse can involve:

- (i) severe physical punishment;
- (ii) beating, slapping, hitting or kicking;
- (iii) pushing, shaking or throwing;
- (iv) pinching, biting, choking or hair-pulling;
- (v) terrorising with threats;
- (vi) observing violence;
- (vii) use of excessive force in handling;
- (viii) deliberate poisoning;
- (ix) suffocation;
- (x) fabricated/induced illness;
- (xi) allowing or creating a substantial risk of significant harm to a child.

4. Sexual Abuse

Definition of 'sexual abuse'

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others.

Examples of child sexual abuse include:

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- (iv) sexual intercourse with the child, whether oral, vaginal or anal;
- (v) sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts.

Sexual exploitation also occurs when a child is involved in the exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer

or other means. It may also include showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse;

(vi) consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Signs, symptoms and characteristics of Abuse

For further information on the signs, symptoms and characteristics of the four categories of abuse detailed above please visit

<http://www.dcy.gov.ie/documents/Publications/ChildrenFirst.pdf>

Appendix 2 – Child and family Agency Standard Report Form

The standard report form is available on KRSP Main/Policies/Child Protection Policy/Templates or at the following link:

<http://www.tusla.ie/services/child-protection-welfare/child-protection-and-welfare-practice-handbook>

Appendix 3 – Key Contacts

Kilkenny Duty Social Work Team
Child and Family Agency
Social Work Office, Childcare Department, Carlow/Kilkenny
St.Canices Hospital
Dublin Rd
Kilkenny
Phone: 059 9136570

KRSP Designated Safeguarding Liaison Person and Mandated Person

Nicola Keeshan
Sports Co-ordinator
Kilkenny Recreation & Sports Partnership
John's Green House
John's Green
Kilkenny
056 7794993

Kilkenny Garda Stations – District Headquarters
Kilkenny City Garda Station
Roseville
1 Dominic St
Jamesgreen
Kilkenny
056 777 5000

Thomastown Garda Station
Fair Green
Thomastown
Co. Kilkenny
056 7754150

Appendix 4 – Abbreviations

Abbreviations

CFA	Child and Family Agency (Tusla)
DSLPL	Designated Safeguarding Liaison Person
HSE	Health Service Executive
ISC	Irish Sports Council
KRSP	Kilkenny Recreation & Sports Partnership
LSP	Local Sports Partnership
OIS	Office for Internet Safety