



**Phoenix Cricket Club
Child Safeguarding Policy
2018**



PHOENIX CRICKET CLUB SAFEGUARDING POLICY STATEMENT

We at Phoenix Cricket Club are committed to good practice which protects children from harm. Staff and volunteers accept and recognise their responsibility to provide an environment which promotes the safety of the child at all times.

To achieve this we will:

- Develop an awareness of the issues which may lead to children being harmed.
- Create an open environment by identifying a Children's Officer to whom the children can turn to if they need to talk. Our Children's Officers are Alison Todd and Graham Morris.
- Adopt child-centred coaching styles.
- Adopt guidelines through Codes of Conduct for members and all adults working at the club.
- Ensure careful recruitment, selection and management procedures. These procedures will include regular support and supervision is provided to staff/volunteers.
- Ensure complaints, grievance and disciplinary procedures are included in the constitution.
- Share information about concerns with children and parents and others who need to know.
- Provide information as required to the executive committee.
- Ensure good and safe working/playing practices.
- Be involved in training made available through the various agencies and strengthen links with these agencies.
- Keep Safeguarding policies under regular review (every three years minimum).
- Have procedures relating specifically to bullying, away trips, transport and use of photography.
- Have an induction document available for parents, coaches and children clearly outlining their rights and responsibilities.

Signed:

Michael Fanagan, President

2018

1. Phoenix Cricket Club wishes to foster and promote participation in the sport of cricket within the community by providing facilities for playing cricket, and opportunities for recreation, coaching and competition.

Phoenix Cricket Club has both adults and children playing and participating in club activities.

The club has a range of activities that may impact on children including;

- Conduct of games
- Group coaching
- One-to-one coaching
- Supervision of children at arrival and at end of games/ training
- Club transport arrangements for away matches
- Club trips involving overnight stay and/or foreign travel
- Use of toilet/ changing/ shower facilities
- Fund-raising events involving young players
- Use of off-site facilities involving young players
- Care of children with special needs
- Administration of First Aid
- Training of club personnel in child protection matters
- Use of external personnel to support coaching
- Use of ICT / video/ photography
- Students participating in work experience
- Use of club premises by other organisations

2. Risk assessment

We have carried out an assessment of any potential risk for harm to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

	Risk identified	Procedure in place to manage risk identified
1.	Grooming or inappropriate contact via E-Technology and social media	Social media policy. Texts and email policy
2.	Late collection of children, children left unsupervised	Transport policy
4.	Adults sharing changing rooms and showers with children	Changing rooms and showering policy
6.	Abusive adults gaining access to information on children through photography on the website	Photography policy
7.	Inappropriate physical contact	Physical contact policy
8.	Inadequate supervision on Tours / away games. Poor accommodation. Emergencies as a result of illness, accidents.	Transport policy
9.	Transport – adults travelling alone with children	Transport policy

10.	Lack of disciplinary procedures, sanctions	Disciplinary procedure
11.	Bullying	Anti-bullying policy
12	Risk of physical injury while playing adult cricket	Young people in adult cricket policy

3. Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, the *Children First: National Guidance* and Tusla's *Child Safeguarding: A Guide for Policy, Procedure and Practice*. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for reporting allegations of abuse or welfare concerns (see appendix)
- Procedure for safe recruitment of workers and volunteers - Garda Vetting
- Procedures for provision of and access to child safeguarding training and information
- Procedure for maintaining list of mandated persons
- Procedures for appointing Children's Officers and Designated Person

All procedures listed are available on request

3.1 Policies and Procedures to manage risk

3.1.1 Transport Policy

- It is not the responsibility of the coach or team manager to transport or arrange the transport of children to and from matches
- Fixtures lists will be distributed at start of season so that parents can make appropriate arrangements
- Pick-up and drop-off points are notified to parents
- Importance of punctuality is emphasised due to difficulties caused by late collection of children

If a parent/carer is late the club will:

- Attempt to make contact with the parent/carer
- Wait with the young person (preferably accompanied by other adults)
- Not send a child home with another person without prior permission
- Remind parents/carers re late collection policy and procedures
- At a last resort, inform Tusla or the Garda

3.1.2 Photography Policy

- Photographs are not to be taken at matches or training without the prior permission of the parent(s) of the child. This will be dealt with on the registration form.
- If no permission is given by the parent, we will ensure that professional photographers at an event is aware of this, and avoid taking photographs of the child

- Children should be informed that a person will be taking photographs
- Children should be informed that if they have concerns, they can report these concerns to coach/ team manager

Photographs on websites

- We will ask permission of parents to use child's image on our website and wherever possible, show image to parents and child in advance
- We will ask the child's permission to use image
- We will only use images in appropriate kit
- We will use group photographs, if possible
- If a child is named, we will avoid using a photograph
- If photograph is used, we will avoid naming the child

3.1.3 Social Media Policy

Club Officials/ Coaches / Managers

- Must have separate cricket club related and personal pages
- Must adjust privacy settings so that content is only visible to accepted 'friends'
- Must not accept requests from children to be their 'friend'
- The consent of child is required before posting any pages online – this includes photographs

3.1.4 Text and Emails Policy

- Texts and email messages for U18s must go via their parents
- We do not allow individual texting or email conversations with U18s without their parents receiving the same messages
- We use group texts
- Adults must be aware of material on social media if there are children on their team
- All contact with children must be in relation to coaching, matches and cricket-related activity only
- We will ensure that children know procedures if they receive an offensive text message/ photo/ email. They are advised to report this to the Children's Officer.

3.1.5 Changing Rooms and Showering Facilities Policy

- Adults and children do not use showering facilities at the same time
- If children are uncomfortable about changing or showering at the club, no pressure is placed on them to do so.
- Due to risk of inappropriate photography or filming, mobile phones must not be used in changing rooms

3.1.6 Physical Contact Policy

A responsible adult should only use physical contact if its aim is to:

- Develop sports skills or techniques
- Treat an injury
- Prevent an injury or accident from occurring
- Don't do anything that a child can do for themselves
- Explain the reason for the physical contact
- Unless emergency situation, the adult should ask the child for permission

-

3.1.7 Young People in Adult Cricket Policy

- We will ensure the player's safety, personal development needs and overall cricket experience are considered.
- Each case is to be determined on an individual basis, depending on the player's ability and stage of cognitive and emotional maturity to take part at this level. However, the minimum age guidance provided below must be adhered to.
- Clubs should provide opportunities for children to show their talents in an appropriate way. Children who are used as fielders will not fully experience the game.

Minimum ages

- Helmets, Fast Bowling Directives and Fielding Regulations should always be adhered to for junior players in adult cricket. Young players who are selected for provincial U13 squads are eligible to play adult cricket. This is providing they are at least 11 years old on 1 September of the preceding year, and have written parental consent to play.
- Players who are not in provincial squads must be at least 12 years of age in the September of the preceding year before they are allowed to play adult cricket. Written parental consent is required.

Duty of Care

- We will not to place a young player in a position that involves an unreasonable risk to that young player, taking account of the circumstances of the match and the relative skills of the player
- We will not to create a situation that places members of the opposing side in a position whereby they cannot play cricket as they would normally do against adult players.

3.1.8 Anti Bullying Policy

As a club, we take bullying seriously. We are committed to providing a caring, friendly and safe environment for all of our children so they can train and play in a relaxed, safe and secure atmosphere. Bullying of any kind is unacceptable and will not be tolerated at our club. If bullying does occur, all children should be able to tell, and know that incidents will be dealt with promptly and effectively. Anyone who knows that bullying is happening is expected to tell the coaches / managers and officials.

Bullying can be:

- Emotional: being unfriendly, excluding, tormenting (e.g. hiding kit, threatening gestures)
- Physical: pushing, kicking, hitting, punching or any use of violence
- Racist: racial taunts, graffiti, gestures
- Sexual: unwanted physical contact or sexually abusive comments
- Homophobic: because of, or focusing on the issue of sexuality
- Verbal: name-calling, sarcasm, spreading rumours, teasing
- Cyber: All areas of internet, such as email and internet chat room misuse. Mobile threats by text messaging and calls. Misuse of associated technology i.e. camera/ video

In cases of adults reported to be bullying cricketers under the age of 18, the Executive Committee will be informed and will advise on action to be taken. Bullying will not be tolerated at Phoenix Cricket Club.

3.1.9 Away Trips Policy

All adults volunteering to assist on the trip must be Garda vetted.

A copy of emergency contact details and medical information for all children taking part must be obtained as well as parental/guardian approval.

A Club Home Contact who is not participating in the trip will also be provided with all the details of the trip and participants.

A trip specific risk assessment must be completed.

The Club's insurers must be notified.

The Club will follow the guidance set out in the ECB Safe Hands document.

<https://www.ecb.co.uk/safeguarding/policy-and-procedures>

3.1.10 Disciplinary Procedures and Sanctions

- Physical activity (running laps or doing push-ups) will not be given as a sanction
- When imposing sanctions, the following considerations are taken into account:
 - Age of child, seriousness of offence, evidence, possible effect on child
 - A child must be accompanied at any disciplinary hearing. A child cannot be compelled to attend
 - If child wishes to make statement, it should be prepared in advance in written format
 - Details of person under 18 not to be published

4. Specific child safe guarding roles.

All club members have a role in ensuring children in the club are kept safe
All mandated persons (those who have ongoing contact with children because of their role in the club) are required;

- To report the harm of children if above a certain threshold. Harm is “assault, ill-treatment or neglect in a manner that seriously affect a child’s health, development of welfare or are likely to be seriously affected.”
- To assist Tusla, if requested, in assessing a concern
- To report all sexual abuse
- To report reasonable concerns to Tusla
- Disclosures of harm from a child must be reported. Mandated persons don’t have to judge the truth of the claims or the credibility of the child.

In addition Phoenix Cricket Club are required to appoint specific named individuals with responsibilities associated with safeguarding.

4.1 Designated Liaison Person (Club) – Emer Bell

The Designated Liaison Person is responsible for ensuring that the standard reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the Child and Family Agency Duty Social Worker. The Designated Liaison Person should ensure that they are knowledgeable about child protection and undertake any training considered necessary to keep themselves updated on new developments

4.2 Club Children’s Officer (s) Graham Morris and Alison Todd

Each club should have an individual appointed as the Club Children’s Officer. The role of the Club Children’s Officer is as follows:

- To have knowledge of the Child Safeguarding Guide and Code of Good Practice and statutory guidelines.
- To be the first point of contact at a club level for any staff/players or parents with child safeguarding concerns.
- To be aware of national and local services responsible for safeguarding.
- To raise any serious child safeguarding concerns with TULSA /HSCT.
- To ensure that records, where possible are kept in a secure location and access is on a “need to know” basis as far as possible
- To commit to attendance at appropriate training.
- To co-ordinate the training of others at club level.
- To promote the values, attitudes and structures which make sport enjoyable for young people.
- To circulate relevant information and resource materials at a club level.

Appendix 1. Garda Vetting

Who must be vetted?

- Designated Liaison Persons
- Children's Officers
- Co-ordinators of youth cricket
- Coaches (paid/ volunteer, leading or assisting)
- Umpires
- Scorers
- Managers of Youth Teams
- Open Competition Team Captains
- Volunteers who have regular access to children (once per week or 4 or more days in one month or overnight)

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 provide a statutory basis for the vetting of persons carrying out relevant work with children or vulnerable persons. The Act also creates offences and penalties for persons who fail to comply with its provisions.

The Act stipulates that a relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation, unless the organisation receives a vetting disclosure from the National Vetting Bureau (NVB) in respect of that person. Garda Vetting is conducted on behalf of registered organisations (in this case Cricket Ireland) only and is not conducted for individual persons on a personal basis. If you are seeking employment or intending to volunteer with an organisation, which conducts relevant work, you may be asked to make an application to be vetted.

Since 2016, Cricket Ireland has used the NVB eVetting System and this has improved turnaround times and communication between the applicant and Cricket Ireland. It is essential that all personnel in the Republic of Ireland, either paid or voluntary, who have significant access to, and are doing relevant work with children or vulnerable adults and all Cricket Ireland Staff Members (in the Republic of Ireland and Northern Ireland), must undergo a NVB check. The new eVetting procedure is as follows:

Step 1 –Who and what roles should be vetted

A cricket club identifies positions within their club, either paid or voluntary, which they believe meet the criteria for an individual to undergo an Enhanced Disclosure with Barred List Check. Cricket Ireland recommends that if there is any doubt about a role you should contact your Club Children's Officer who may seek guidance centrally.

Step 2 – Finding the correct forms to complete

Click on the following website link <http://www.cricketireland.ie/get-involved/coaching/garda-vetting>. When on the webpage, open up and complete the forms that are appropriate to the applicant:

All applicants must complete the Invitation to Garda Vetting (E-Vetting Procedure) Form– NVB 1.

Make sure to complete Section 2 – Cricket Ireland is the name of the organisation, tick the box that allows consent to make the application and make sure to sign inside the relevant box.

All applicants must complete the Cricket Ireland Garda Vetting ID Validation Form. Section 2 needs to be signed by a person from the applicant's Club or Umpire Committee or a Cricket Ireland Staff Member or a person in a position of responsibility e.g. a Lawyer/Solicitor/a member of An Garda Síochána. The signatory must tick the second page and the documents that they have seen to confirm the identity of the applicant.

Please be aware of Section 3.2, as Cricket Ireland need the applicant to also send a copy of a recent (inside the last 6 months) utility bill, which has the applicant's current address on it.

The Parent Consent Form– NVB 3 – is only for those applicants who are between 16 and 18 years old.

All contact details (email address / phone number) on the Garda Vetting Form must be those of the Parent / Guardian – all contact between the NVB and the applicant must be done through the Parent / Guardian.

Step 3 – What to do after completing the relevant forms

Please post ALL completed forms, along with copies of the ID Validation documents that the signatory from Section 2 has seen to:

Garda Vetting Department
Cricket Ireland
Unit 22 Grattan Business Park
Clonsaugh
Dublin 17
D17 X244

Step 4 –What happens then?

The Authorised Signatory (AS) for Cricket Ireland, will input the information provided by the applicant into the NVB online system and submit it to the NVB.

The NVB will then contact the applicant via email

(froman@garda.ie email address – please check both main and junk inboxes), for the applicant to put all their previous addresses (make sure that all addresses in Northern Ireland have a postcode [postcodes can be found by clicking on this link <http://www.royalmail.com/find-a-postcode>]) or if the applicant has had any previous convictions, on the NVB system.

Once the applicant has submitted all these details into the NVB system, the NVB will email the Cricket Ireland AS, to review the submission and the AS will check to make sure all the details are OK (postcodes/ timings at addresses to make sure there are no gaps in years) just in case there are any potential mistakes or errors, which might mean that the NVB 'reject' the application. If this is OK, the AS will then submit the application back to the NVB. The NVB will do their checks and once this is complete, they will then submit their disclosure to the Cricket Ireland AS. The AS will check over it and if all is clear, Cricket Ireland will submit a Garda Vetting Clearance Letter to the applicant.

If there are disclosures for previous convictions, the AS will inform the Cricket Ireland Child Safeguarding Panel, who will contact the person linked to the previous convictions to make sure that these disclosures should be attached to the person. Appropriate discussion / action will be taken in respect of the disclosures, especially in terms of Child Safeguarding. In instances where the Safeguarding Panel is concerned about the suitability of an individual in their current role within a club based on the Garda Central Vetting Unit check or wishes to seek clarification,

the individual in question will be contacted directly and invited to a confidential meeting to assist in the decision-making process.

Any further questions on Garda Vetting
Please contact: Michael Hingston
Garda Vetting Authorised Signatory Cricket Ireland
Email: michael.hingston@cricketireland.ie
Tel: +353 (0) 85 877 4028

Applicants who have resided overseas for a period of 6 months or more:

PLEASE NOTE: the Garda clearance form only covers addresses in the Republic of Ireland and Northern Ireland.

If you have resided in countries outside of the Republic of Ireland and Northern Ireland for a period of 6 months or more, it will be mandatory for you to furnish the club with a Police Clearance Certificate from those countries stating that you have no convictions recorded against you while residing there.

You will need to provide a separate Police Clearance Certificate for each country you have resided in. Clearance must be dated after the date you left the country/countries. Seeking security clearances from other countries (e.g. UK, USA etc.) are the responsibility of the candidate. It is a process which can take an amount of time and we will require candidates to have clearance in place before starting work.

The following websites may be of assistance to you in this regard:

United Kingdom

London: www.met.police.uk/dataprotection

[Metropolitan Police Service - Your right to information](#)

www.disclosurescotland.co.uk

www.south-wales.police.uk/fe

www.north-wales.police.uk

www.police.uk/forces/forceslist.asp This website will provide you with a link to each police force site in the UK. Click on the relevant force covering the area where you resided. A search under Data Protection or Data Access Request or Subject Access Request will bring you to the relevant section of that Police Forces website.

www.direct.gov.uk/en/Employment/Startinganewjob/index.htm?CID=EMP&PLA=url_mon&CRE=crb (This website will provide you with a list of registered agencies to contact in the UK who may process your request for UK clearance with the Criminal Records Bureau).

Australia

www.afp.gov.au This website will provide you with information on obtaining a national police clearance certificate for Australia

New Zealand

www.courts.govt.nz This website will provide you with information on obtaining police clearance in New Zealand.

United States of America

Please note that valid Security/Overseas Clearance from the USA must be obtained from the FBI only,

http://travel.state.gov/travel/tips/emergencies/emergencies_1201.html

FBI Clearance is valid for all of the United States and convictions / remarks occurring anywhere in the United States would be noted. Individual US State Clearance (e.g., New York State Clearance) is not acceptable as it is valid for that State alone and convictions / remarks occurring in other States may or may not be noted.

Other Countries

For other countries not listed above you may find it helpful to contact the relevant embassies who could provide you with information on seeking Police Clearance.

Candidates please do not send us your overseas clearance or any other documentation unless we request it from you. Candidates who receive job offers will have 5 working days in which to produce the required documentation; otherwise the job offer will be withdrawn.

When requested, a copy of your Clearance will be retained on file and the original returned to you by post.

Note: Any costs incurred in this process will be borne by the candidate

Appendix 2 Incident Report Form

APPENDIX 4

Incident Report Form



Club / Agency:

Your name: Your position:

Child's name: Date of birth:

Child's address:

Parent(s) / Carer's Name and address:

Telephone Number:

School:

Date and time of alleged incident:

Your observations:

What did the child say?

What did you say to the child?

Action taken so far:

Signed:

Print name: Date:

Do not discuss this incident with anyone other than those who need to know. A copy of this form should be sent to the social services / Health Board after the telephone report and to Cricket Ireland's Children's Officer for monitoring purposes.



Report of Designated Person / Children's Officer re Incident

External agencies contacted (date and time):

Police:

YES

NO

If yes, name and contact number:

Details of advice:

Social services:

YES

NO

If yes, name and contact number:

Details of advice received:

Other:

YES

NO

If yes, name and contact number:

Details of advice received:

Signature:

Print name:

Date:

Appendix 3

3. BASIS FOR REPORTING CONCERNS AND STANDARD REPORTING PROCEDURE (extract from *Children First: National Guidance for the Protection and Welfare of Children*)

3.1 Purpose

3.1.1 This section offers guidance to all people, both professional and voluntary, working with or in direct contact with children who may be concerned or who suspect that children are being abused or neglected or at risk of abuse or neglect. It outlines the standard reporting procedure to be used in passing information to the statutory authorities about child protection concerns.

3.2 Responsibility to report child abuse or neglect

3.2.1 Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect. It is an important responsibility for staff and people involved in sports clubs.

3.2.2 The HSE Children and Family Services 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.

3.2.3 Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.

3.2.4 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 HSE Children and Family Services.

3.2.5 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 HSE Children and Family Services.

3.2.6 Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in on-going or further harm to the child.

3.2.7 Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states:

‘A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

- (a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
- (b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.’

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

3.2.8 The HSE 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 HSE. 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.

3.2.9 Any professional who suspects child abuse or neglect should inform the parents/carers if a report is to be submitted to the HSE Children and Family Services or to An Garda Síochána, unless doing so is likely to endanger the child.

3.2.10 The HSE will respect the wishes of non-professionals reporting concerns in good faith who ask to remain anonymous in as much as possible, but cannot give a guarantee that the information would not be sought and given within judicial proceedings. (The Data Protection Acts offer protection under privacy, but should the information be sought directly within legal proceedings, there is no guarantee.)

3.3 Designated Liaison Persons for reporting neglect or abuse

3.3.1 Every organisation, both public and private, that is providing services for children or that is in regular direct contact with children should:

(i) Identify a designated liaison person to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns.

(ii) The designated liaison person is responsible for ensuring 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 HSE Children and Family Services or in the event of an emergency and the unavailability of the HSE, to An Garda Síochána.

(iii) The designated liaison person should ensure that they are knowledgeable about child protection and undertake any training considered necessary to keep themselves updated on new developments.

3.4 Standard Reporting Procedure

3.4.1 Any person reporting a child abuse or neglect concern should do so without delay to the HSE Children and Family Services. A report can be made in person, by telephone or in writing. Contact numbers for all HSE offices nationwide are also on the HSE website (www.hse.ie) or through the HSE LoCall Tel. 1850 241850.

3.4.2 Before deciding whether or not to make a formal report, you may wish to discuss your concerns with a health professional or directly with the HSE Children and Family Services.

3.4.3 Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending HSE intervention. In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with the HSE, you should contact the Gardaí. This may be done through any Garda station.

3.4.4 The Standard Report Form for reporting child welfare and protection concerns to the HSE

(see *Appendix*) should be used by professionals, staff and volunteers in organisations working with or in contact with children, or providing services to children when reporting child protection and welfare concerns to the HSE Children and Family Services. If a report is made by telephone, this form should be completed and forwarded subsequently to the HSE.

3.4.5 The HSE will follow up on all referrals, even if the Standard Report Form has not been used.

3.5 Information to be included when making a report

3.5.1 The ability of the HSE Children and Family Services or An Garda Síochána to assess and investigate suspicions or allegations of child abuse or neglect will depend on the amount and quality of information conveyed to them by the people reporting concerns. As much as possible of the following detail should be provided:

- (i) the name, address and age of the child (or children) for whom the report is being made;
- (ii) the name of the child's school;
- (iii) the name and contact details of the person reporting concerns;
- (iv) whether the person reporting is a professional, a person working with children or a member of the public;
- (v) the relationship to the child of the person making the report;
- (vi) a full account of what constitutes the grounds for concern in relation to the protection and welfare of the child or children, e.g. details of the allegation, incident, dates, description of any injuries, etc.;
- (vii) the names and addresses of the parents/carers of the child or children;
- (viii) the names of other children in the household;
- (ix) the name, address and details of the person allegedly causing concern in relation to the child or children;
- (x) the child's and/or parents/carers' own views, if known and relevant;
- (xi) the names and addresses of other personnel or agencies involved with the child or children, e.g. GP, social worker, public health nurse, Gardaí, etc.;
- (xii) any other relevant information.

3.6 Retrospective disclosures by adults

3.6.1 An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.

3.6.2 If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the counsellor/ health professional should report the allegation to the HSE Children and Family Services without delay.

3.6.3 The HSE National Counselling Service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country (see www.hse-ncs.ie/en). The service can be accessed either through healthcare professionals or by way of self-referral (Freephone 1800 477477).

3.7 Deciding to share child protection concerns

3.7.1 The belief that parents/carers or other persons in charge of children would actually harm or neglect them is not easy to sustain. There may be a tendency, therefore, to deny, minimise or explain away any signs that a child is being harmed, even when evidence exists. At times, it is hard to distinguish between abusive situations and those where other problems are present, such as unemployment, poverty, poor housing, addiction, mental illness or isolation. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. However, the protection and welfare of the child must always be the paramount concern.

3.7.2 Reluctance to act on suspicions about child abuse or neglect can often stem from uncertainty and fear. Members of the public or professionals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking a confidence or afraid of being disloyal. Knowledge and information about child abuse will help to

overcome reluctance to take action. So too will confidence in the child protection and welfare services.

3.7.3 It is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share these with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not.

3.8 Cases not reported to the HSE or An Garda Síochána

3.8.1 In those cases where an organisation decides not to report concerns to the HSE or An Garda Síochána, the individual employee or volunteer who raised the concern should be given a clear written statement of the reasons why the organisation is not taking such action. The employee or volunteer should be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, the HSE or An Garda Síochána. The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate 'reasonably and in good faith' (see *Paragraph 3.10.1*).

3.9 Confidentiality

3.9.1 The effective protection of a child often depends on the willingness of the staff in statutory and voluntary organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

3.9.2 All information regarding concern or assessment of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child with the relevant statutory authorities.

3.9.3 No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements.

3.9.4 Ethical and statutory codes concerned with confidentiality and data protection provide general guidance.

They are not intended to limit or prevent the exchange of information between different professional staff with a responsibility for ensuring the protection and welfare of children. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

3.9.5 It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.

3.10 Legal protection

3.10.1 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 of the HSE 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.

3.10.2 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.

3.11 Freedom of information

3.11.1 Notwithstanding the requirement of all professionals involved in child protection and welfare cases to share relevant information, records are nevertheless confidential. They do not belong to individuals (except for independent practitioners) and are the property of the organisations that keep them. Under the Freedom of Information Acts 1997 and 2003, members of the public have a right of access to records concerning them held by any public body and a right to have official information about themselves amended where it is incorrect, incomplete or misleading. Members of the public also have a right to be given reasons for decisions made concerning themselves. Requests to see records are processed in the first instance through the public body that holds the records. In the event of refusal of access, the decision may be appealed and the ultimate arbiter is the Information Commissioner. At present, these Acts apply to the HSE, but not to An Garda Síochána.

3.11.2 The Data Protection Acts 1988 and 2003 afford similar rights to individuals to access personal data held about them by any entity whether in the public or private sector. The right to access applies to records held by the HSE and An Garda Síochána. However, the right to access does not apply in a range of circumstances that may be relevant in a child welfare context. Equally, the right of access does not extend to any information that identifies a third party where that third party had an expectation of confidence.

Accordingly, it would not be necessary to provide any information that would identify a person making a child welfare report in response to a request under the Data Protection Acts.

APPENDIX 4.

PHOENIX CRICKET CLUB CHILD ABUSE AND PROTECTION PROCEDURES

Child welfare and the protection of young people are the concern of all adults at all times, irrespective of their role within the club. The persons appointed by the club to oversee child protection procedures are;

- Emer Bell – Designated Liason Person
- Graham Morris – Children's Officer
- Alison Todd – Children's Officer

Persons unsure about whether or not certain behaviours are abusive and therefore reportable, should contact the duty social worker in the local health board or social services department where they will receive advice. Grounds for concern include a specific indication 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 player / official / member of the club but should be passed on to the Designated Person (Emer Bell) or to the Children's Officers (Alison Todd or Graham Morris).

The Designated Person may in turn have to pass the concern to the local Statutory Authorities.

It is not the responsibility of anyone working within the club, in a paid or voluntary capacity, or those working in affiliated organisations, 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.

4.1 Reporting Suspected or Disclosed Child Abuse

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

(a) Observe and note dates, times, locations and contexts in which the incident occurred or suspicion was aroused, together with any other relevant information
(b) Report the matter as soon as possible to the Designated Person with responsibility for reporting abuse. If the Designated Person has reasonable grounds for believing that the child has been abused or is at risk of abuse, s/he will make a report to the health board / social services who have statutory responsibility to investigate and assess suspected or actual child abuse

(c) 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

(d) If the Designated Person is unsure whether reasonable grounds for concern exist s/he can informally consult with the local health board/social services. S/he will be advised whether or not the matter requires a formal report

(e) 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

(f) In instances where the club finds that it does not have reasonable grounds for reporting a concern to the Statutory Authorities, the member who raised the concern should be given a clear statement by the Designated Person of the reasons why the club is not taking action. The member should be advised that if they remain concerned about the situation, they are free to consult with, or report to, the Statutory Authorities

(g) It is best to report child abuse concerns by making personal contact with relevant personnel in the Statutory Authorities and then to follow up in writing.

4.2 Response to a Child Disclosing Abuse

(a) Advise the child that it is not possible that any information will be kept a secret

(b) Deal with allegation of abuse in sensitive manner by listening to and facilitating the child to tell about the problem

(c) Stay calm

(d) Do not make any judgmental statement about the person against whom the allegation is being made

- (e) Use non-specific questions such as “Can you explain what you mean by that?”
Let the child tell the story in his/her own words
- (f) Give the child a general indication of what will happen next such as informing parents / guardians, health board or social services

4.3 Allegations against coaches or volunteers

If an allegation is made against a coach or volunteer working within the club, the following procedures will be followed:

- The reporting procedure in respect of suspected child abuse
- The procedure for dealing with an allegation against a coach or volunteer

The safety of the child making the allegation should be considered and the safety of any other children who may be at risk. All necessary steps must be taken to protect children within the care of the club.

The issue of confidentiality is important. Information is on a need to know basis and the person against whom the allegation is made should be treated with respect and fairness.

4.4 Steps to be taken

Advice to be sought from local duty social worker with regard to any action necessary to protect the child who may be at risk.

The Club President and the Executive Manager should privately inform the person that

- (a) an allegation has been made against him / her and
(b) the nature of the allegation.

He / she should be afforded an opportunity to respond, and to be accompanied by another adult.

The person 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. All persons involved in a child protection process (the child, his / her parents / guardians, the alleged offender, his / her family, management teams) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.

The Executive Committee of the club should be informed by the Designated Person that the person has been asked to stand aside.

The Executive Committee can consider disciplinary action against the person but should ensure that this does not interfere with the investigation of the Statutory Authorities.

The Executive Committee will consider 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.

4.5 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 in a sensitive manner to the parents / guardians of the child about whom there are concerns.
- Giving information to others on a 'need to know' basis for the protection of a child is not a breach of confidentiality.

4.6 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 are paramount.

Any such complaints relating to inappropriate behaviour should be brought to the attention of the Children's Officer or the Designated Person. The information should be checked out and handled in a confidential manner.

4.7 Rumours

Rumours should not be allowed to hang in the air.

Any rumours relating to inappropriate behaviour should be brought to the attention of the Designated Person or the Children's Officer and checked out without delay.

4.8 Disclosing Information to Others

The Irish Sports Council recommends that best practice is to disclose the information requested by a third party which is given in order to provide protection to a young person now or in the future.