

# **Gaelic Athletic Association Guidelines for Dealing with Allegations of Abuse**

**These Guidelines are currently under review. While amended Guidelines shall issue shortly, following the commencement of the Children First Act, the current document should be adhered to at all times.**

**Any enquiries or clarification may be forwarded to the GAA Mandated Person, Gearóid Ó Maoilmhichíl, Croke Park, Dublin 3 Tel: 01 865 8675 or [mandatedperson@gaa.ie](mailto:mandatedperson@gaa.ie)**

**(Fourth Edition Amended 1.1)**

**Cumann Lúthchleas Gael**

**Páirc an Chrócaigh**

**Baile Átha Cliath 3**

**2015 c**

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## **Teachtaireacht ó Uachtarán Chumann Lúthchleas Gael**

**Christy Cooney pic**

On behalf of the GAA I sincerely welcome the publication of these Guidelines for Dealing with Allegations of Abuse. This, the Fourth Edition of the guidelines, underlines our aim to provide a safe environment for children who participate in our Games and associated activities.

Our steadfast commitment to uphold best practice in our work, with and on behalf of children and young people, is clearly outlined in our Code of Best Practice for Youth Sport and in our joint Code of Behaviour.

While these Guidelines for Dealing with Allegations of Abuse primarily deal with allegations or concerns of abuse that may occur when children are involved in Association activities we are fully aware of our moral and legal responsibilities to uphold best practice in our work, in all jurisdictions where the Association operates.

We recognise that the Association has a direct responsibility to take action to avoid a child being a victim of any form of abuse while engaged in Association activities and to take appropriate action where allegations or suspicions of such abuse arise. We wish to ensure that, even where no such direct responsibility arises, mentors, coaches and other GAA personnel are familiar with the procedures that we have put in place for the protection of victims of child abuse.

Our basic objective is to prevent situations arising where children could be at risk of any forms of abuse when engaged in Association activities. Our policy provides for the training of Designated Persons at various levels of the Association who will be responsible for dealing

with any concerns about the protection of children and for reporting allegations or suspicions of child abuse to the relevant statutory authorities and to the GAA National Designated Person.

This work will be supported by the various structures of the Association and in particular by our National Child Welfare and Protection Committee and by our National Children's Office.

I wish to thank the numerous people from statutory authorities, from child welfare agencies and from the various sections of the GAA for assisting us in this key aspect of our core responsibilities. On behalf of the thousands of children who participate in our Games and activities, and on behalf of their families may I extend a Míle Buíochas to you all as we strive to ensure the welfare and protection of all children in the Association.

Uachtarán Chumann Lúthchleas Gael

## **SECTION 2**

### **GLOSSARY OF TERMS**

**Gaelic Athletic Association/Cumann Lúthchleas Gael:** The Gaelic Athletic Association, and all of its constituent units and members, referred to as the GAA or the Association in this booklet promotes the national games of Hurling, Gaelic Football, Handball and Rounders and such other games as may be sanctioned and approved by the GAA Annual Congress. Various units of the Association are referred to throughout these Guidelines including Clubs, County Boards, Provincial Councils and National Committees.

**Child Welfare and Protection:** In seeking to ensure the general welfare and protection of children and young people in the GAA, the Association shall safeguard and promote the interests and wellbeing of all those under 18 years of age who are involved in its games and other related activities.

**GAA Guidelines for Dealing with Allegations of Abuse of Children while involved in Association activities:** The GAA Central Council shall have in place Guidelines for Dealing with Allegations of Abuse. Allegations and complaints of abuse shall be dealt exclusively in accordance with the provisions of these Guidelines and not under any other provisions of the GAA official Guide or under the Club Constitution and rules.

**Child:** For the purpose of these Guidelines a Child is any person under the age of 18 years<sup>1</sup>

**Young Person:** The terms young person and young people are frequently used throughout these Guidelines. These terms, in common with the legal definition of a child, also refer to any person under the age of 18 years.

**Vulnerable Adult:** A vulnerable, as referred to in these Guidelines, is an adult who is aged 18 years or over who is or may or may be in need of community care services by reasons of mental health or other disability, age or illness and is or may be unable to take care of him or

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<sup>1</sup> The interpretation of a child as used throughout these Guidelines. The Children (Northern Ireland) Order 1995 and the Protection of Children and Vulnerable Adults (NI) Order 2003 define a child as a person under 18 years of age while the Child Care Act 1991 (ROI) and Children First, National Guidelines for the Protection and Welfare of Children defines a child as any person under 18 years other than a person who is or has been married.

herself, or unable to protect him or herself against significant harm or exploitation. In so far as these Guidelines refer to children they equally apply to vulnerable adults.

**Parents/Guardians:** A Parent may be defined as the natural parent, the adoptive parent or the adopting parent in respect of a child, or as the person(s) acting *in loco parentis* to the child. In the case of a child/young person under 18 years of age, the Guardian is charged with the legal responsibility for the care and management of the child and of the minor child's estate and general well being<sup>2</sup>.

**Designated Person:** The Designated Person is responsible for receiving allegations of child abuse as they relate to GAA personnel and activities and with reporting such allegations to the GAA National Designated Person in accordance with GAA Guidelines on Dealing with Allegations of Abuse. The County Designated Person, Provincial Designated Person (where applicable), and/or the National Designated Person shall be responsible for reporting allegations of abuse to the statutory authorities. The Club Designated Person will in most cases receive the initial concern or allegation.

**National Designated Person:** Person appointed by the GAA who, on behalf of the Association, shall in instances where reasonable grounds for concern are established, oversee the reporting of all allegations of abuse to statutory authorities and shall as part of his/her responsibilities advise Club, County and Provincial Designated Persons on their roles and responsibilities.

**Statutory Authorities:** The authorities who promote the welfare and protection of children and who in cases of alleged abuse of children have the responsibility to investigate all such allegations. In the Republic of Ireland the statutory authorities are An Garda Síochána and the Health Service Executive while it is the PSNI and the Department of Health Social Services and Public Safety (DHSSPS) who have a similar role in Antrim, Armagh, Derry, Down, Fermanagh and Tyrone. The DHSSPS however do not investigate individual cases. These investigations are carried out by the relevant Health and Social Care Trusts

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<sup>2</sup> This definitions of Parents and Guardians does not purport to represent a legal definitions

**Categories of Abuse:** Abuse is generally categorised into four categories – Neglect, Emotional Abuse, Physical Abuse and Sexual Abuse. Definitions for each of these categories of abuse are outlined in detail in Section 4 of these guidelines as are other forms of abuse.

**Bullying:** Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical, conducted by an individual or group against others. (See Section 4 of these Guidelines).

**National Child Welfare and Protection Committee (NCWPC):** The Committee appointed by the GAA to oversee the implementation of the Association’s Guidelines for Dealing with Allegations of Abuse. The NCWPC shall:

- Consider complaints and allegations as referred to them by members of the Association, parents/guardians of members, by units of the Association, by statutory authorities and/or by members of the public as made against staff, members and non members where such complaints and /or allegations may be deemed to have breached Association rules, Guidelines and/or Codes of Best Practice, in line with their Terms of Reference.
- Following notifications of prosecutions and/or convictions or confirmed information of a confidential nature the NCWPC shall take all actions deemed necessary against members and non members, in line with the Committee’s responsibilities as outlined in the GAA Guidelines for Dealing with Allegations of Abuse. Actions taken by the Committee are based on the paramountcy of care principle that ensures that the welfare of the child shall be its guiding principle. The levels of actions taken by the NCWPC shall be commensurate and appropriate with the breaches of rules and guidelines and with the seriousness of the allegations as made.
- Apprise the statutory authorities on allegations received which are supported by reasonable grounds for concern, and shall also liaise with these authorities while such

matters are considered within the Association. (The role of the NCWPC is fully outlined in Section 7 of this booklet)

**Expulsion:** The term expulsion within this booklet refers to the removal of all membership rights from an individual or individuals. In the context of these Guidelines, and following consideration of instances of abuse or of relevant prosecutions or convictions against individuals, such persons may subsequently be expelled from the Association

**Debarment:** An interim decision taken by the County, Provincial or National Designated Person, as appropriate, or by the National Child Welfare and Protection Committee (NCWPC) that excludes a person from participation in or attendance at GAA activities or certain activities as prescribed in their terms of debarment, for a specified or non specified period of time, and until the matter has received the necessary and due consideration at a later stage. A debarment decision, once communicated, comes into effect immediately and remains in effect until removed and until the person against whom the debarment decision has been made is duly informed of such a removal or a reversal of such decision. A debarment decision shall be communicated by the County or National Designated Person or by the NCWPC. A debarment is not a suspension as outlined in the GAA Official Guide(s) which contain the Constitution and Rules of the Association.

**Debarment:** Following a complaint, allegation or report of abuse a member or non-member may be debarred by a County or Provincial DLP or by the National Designated Person, as appropriate.

A debarment order may exclude a person from participation in or attendance at Association activities as prescribed in their terms of debarment, for a specific period of time or on a permanent basis, and until the matter has received the necessary and due consideration at a later stage.

A debarment decision, once communicated, comes into effect immediately and remains in effect until removed or reversed following appeal.

A debarment is not a suspension as outlined elsewhere in the Constitution and Rules of the Association.

**Mentor/Coach:** Both terms are used throughout these Guidelines to describe an individual who assists young people to develop their skills and abilities or who may have other roles of responsibility relating to under age teams or individuals in the Association.

**Membership:** There shall be two types of membership of the GAA: -

- (i) Full membership for persons who have reached the age of eighteen years of age and
- (ii) Youth membership, for person who have not reached the age of 18 year of age.

Membership shall only be granted by a Club, to persons who subscribes to and undertake to further the aims and objects of the Gaelic Athletic Association, as stated in the Official Guide.

**Employee:** An individual who works part time or full time for the Gaelic Athletic Association or any unit of the Association under a contract of employment, whether oral or written, express or implied, and has recognised rights and duties.

### SECTION 3

## 2018 Child Safeguarding Statement



Club's crest here

## **SECTION 4**

### **CATEGORIES AND DEFINITION OF CHILD ABUSE**

Child abuse has generally been defined into four main categories:

Neglect, Emotional Abuse, Physical Abuse and Sexual Abuse. A child may at any given time be subjected to more than one form of abuse.

#### **4.1 Neglect**

Neglect is normally defined in terms of an *omission*, where a 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, or medical care. It is the persistent failure to meet a child's basic physical/psychological that can lead to significant harm.

**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 his/her health and development as compared to that which could reasonably be expected of a child of similar child.

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, for which there is no reasonable explanation, may not be having his or her supervision and safety needs met
- Failure to ensure access to appropriate medical care or treatment
- A child whose ongoing failure to gain weight or whose height is significantly below average may be deprived of adequate nutrition
- A child who consistently misses school may be deprived of intellectual stimulation
- Exposure to danger including moral danger or lack of supervision appropriate to the child's age
- Exposure to undue cold or heat or injury

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

#### **Possible examples of Neglect in a Sports context**

- Consistent lack of adequate supervision

- Exposing a player to undue cold, heat or injury
- Exposure to risk or injury during games and/or at training
- Lack of necessary re-hydration fluids

#### **4.2. Emotional Abuse**

Emotional abuse is persistent emotional ill treatment, normally to be found in the relationship between a caregiver and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical symptoms. Examples of emotional abuse include:

- Persistent criticism, sarcasm, hostility or blaming
- Conditional parenting, in which the level of care shown to a child is made contingent on his or her behaviour or actions
- Emotional unavailability by the child's parent/carer
- Unresponsiveness, inconsistent or inappropriate expectations of a child
- Premature imposition of responsibility on a child
- Unrealistic or inappropriate expectations of a child's capacity to understand something or to behave and control himself in a certain way
- Under or over protection of a child
- Failure to show interest in, or provide age appropriate opportunities for a child's cognitive and emotional development
- Use of unreasonable or over harsh disciplinary measures
- Exposure to domestic violence

Children show signs of emotional abuse by their behaviour (for example, excessive clinginess to, or avoidance of the parent/carer), their emotional state (low self-esteem, unhappiness), or their development (non-organic failure to thrive). The *threshold of significant harm* is reached when abusive interactions become typical of the relationship between the child and parent/carer.

#### **Possible example of Emotional Abuse in a Sports context**

- **Persistent criticism and negative comments by coaches, parents or mentors of young players**
- **Seeking unrealistic expectations of a young player beyond their capabilities or age**
- **Promoting a win only ethic in the coaching and playing of our Games**
- **Downplaying a player's attempts at skill improvement**
- **Use of un-realistic or harsh disciplinary**

#### **4.3 Physical Abuse**

Physical abuse is the deliberate physical injury to a child or any form of non-accidental injury that causes significant harm to a child, including:

- Shaking
- Use of excessive force in handling
- Deliberate poisoning
- Bruising
- Suffocation
- Munchausen's syndrome by proxy (where a parent or parents fabricate stories of illness about their child or cause physical signs of illness)
- Allowing or creating a substantial risk of significant harm to a child

#### **Possible examples of Physical Abuse in a Sports context**

- Excessive training regimes which disregards a child's physical capacity or level of development to undertake such training or physical endurance

- Over playing, over training or burn out of a player
- Imposition of performance enhancing substances or dietary programmes
- Shaking or hitting a player

#### **4.4 Sexual Abuse**

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

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or involvement of the child in the act of masturbation
- Sexual intercourse with the child, whether oral, vaginal or anal
- Sexual exploitation of a child
- The Criminal Law (Sexual Offences) Act 2006 states that the age of sexual consent is 17 years of age in the Republic of Ireland. The Sexual Offences NI Order 2008 stipulates that the legal age of sexual consent for the six counties of Antrim, Armagh, Derry, Down, Fermanagh and Tyrone is 16 years of age.

The above definitions of child sexual abuse presented here are not necessarily deemed to be legal definitions but are adopted from statutory guidelines that govern our work with children and young people in Sport.

### **Possible examples of Sexual Abuse in a Sports context**

- Intentional touching of a player at training, during coaching or at games in an inappropriate manner
- Exploitation of a child/young person for sexual gratification
- Creating, forwarding or exchanging sexually implicit images or messages of a sexual nature by text or in any other 'e-communication' format
- Sexual relationships with a young person or child

#### **4.5 Other forms of Abuse**

There are other forms of behaviour that may not be defined as abuse but should cause concern to GAA personnel working with children. The abuse spectrum has been expanded in recent years to cover not just the aforementioned categories but also recognising other examples of abuse that include Bullying, Peer Abuse, Organisational Abuse, Cyber Bullying, E Bullying and different forms of Internet Abuse. While they may not be generally included in the aforementioned categories of abuse it should be noted that in their extreme forms they would all be regarded as abuse.

##### **4.5.1 Bullying**

Increased levels of Bullying amongst all age groups and in particular amongst young people is a concern for many sports organisations. GAA clubs have become increasingly aware of the issue of bullying and the detrimental impact it may have on those involved, i.e. victims, perpetrators, families, bystanders and the Association in general. It is vital therefore that all units of the Association are equipped to deal with any instances of bullying and in doing so shall seek to counteract and prevent such unacceptable behaviour occurring or re-occurring.<sup>3</sup>

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<sup>3</sup> Detailed information on counteracting Bullying may be obtained in Let's Beat Bullying (NYCI 2007)

**What is Bullying?** Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical, conducted by an individual or group against others. The term 'target' is used to describe the person or persons that are bullied.

Bullying contains seven key features:

- An intention to be hurtful
- The intention is carried out
- The behaviour harms the target (the person or persons being bullied)
- The bully overwhelms the target with his or her power
- There is often no justification for the action
- The behaviour repeats itself again and again
- The bully derives a sense of satisfaction from hurting the target

There are a number of forms or types of bullying which may take place in a sports context including:

- Direct bullying – where the behaviour is obvious and bystanders are aware of it, e.g. physical or verbal bullying
- Indirect bullying – where the behaviour is more difficult to recognise, e.g. intimidation or isolation
- Verbal bullying – including slandering, ridiculing, slagging, sarcasm, abusive telephone calls, name calling etc.
- Physical bullying- including pushing, striking, shoving, assaults, damage to person's property and theft
- Gesture bullying – including non-verbal gestures/glances which can convey threatening or frightening messages/intent
- E-bullying/Cyber-bullying – using web pages, emails, text etc. to abuse, intimidate and attack others, either directly or indirectly
- Relational bullying – behaviour which sets out to deliberately damage another person's friendship or feelings of inclusion in a friendship group, e.g. exclusion, isolation etc.

- Extortion – the deliberate extortion of money or other items of property accompanied by threats
- Homophobic bullying – bullying that is typically aimed at young people who are or who are perceived to be gay, lesbian or bisexual. It can include name calling, isolation and violence
- Racial bullying – can be expressed physically, socially or psychologically when one is labelled negatively as being different from others according to one's race and could also include taunting, gesturing or graffiti
- Mobbing – This means that the target is being bullied by a group of perpetrators and not just one perpetrator
- Sexual – unwanted physical contact, sexually abusive comments

All types and forms of Bullying are unacceptable. Bullying behaviour may take place in any setting whether it is in schools, the home or in a sporting environment. Instances of Bullying in a sporting environment, as with many other forms of social interaction by young people, may be carried out by other children, younger or older, by children individually or as part of a group or by an adult or adults involved in the club. Indeed a child may be suffering from Bullying outside of their participation in the GAA but the actions suffered may still impinge upon the child's participation in GAA club activities and games.

Bullying is a 'whole organisation matter' and as such requires a 'whole organisation' approach. This means that any anti-bullying approach should step beyond those children and young people and sports leaders who are directly involved and take account of everyone in the organisation or club, as they all have a part to play in countering bullying.

A whole organisation approach aims to create a supportive environment where it is not acceptable to bully and where the ethos of the organisation is that it is 'ok to tell' or to report instances of bullying. In creating this type of environment, the cycle of silence in relation to bullying can be broken. In the first instance, it is the responsibility of the Club whether it is through their Children's Officer, their volunteer coaches, or employees to deal with any instances of Bullying at Club level. All Clubs should develop and implement strategies both in relation to prevention and intervention in order to adequately address the issue of bullying.

Prevention strategies include an anti-bullying policy, awareness raising through training, codes of behaviour, peer mentoring, and health education programmes. Intervention strategies include mediation, the 'No Blame Approach', Parental/Guardian involvement and disciplinary measures.

The more extreme forms of bullying behaviour would be regarded as physical or emotional abuse, and as such should be referred to the Club's Designated Person who in line with GAA guidelines may deal with the matter as a reported allegation of abuse. Each Club should have a clear policy on countering bullying behaviour which is known to members, and in particular to the under age players and their parents. As with all policies the Club's Anti Bullying Policy should be made known to all and implemented in full.

#### **Possible Examples of Bullying in a Sports context**

- Bullying may be carried out by young players or by adults against other young players or against adults
- A coach may pursue a 'win at all costs mentality' with young players
- A player may be intimidated by another player or this could also occur in a group context
- Bullying that may have commenced outside of the club may continued on the playing fields or in the dressing rooms
- Unknown to the coach incidents of teasing, taunting or physical bullying may be happening among underage players

Children and young people may conceal the fact that they are being bullied because the consequences of reporting it may be that they will suffer more bullying, or they may find it embarrassing for themselves and their family or they may mistakenly believe that some of the actions directed against them also happen elsewhere in different codes and different sports.

#### **4.5.2 Peer Abuse**

In some cases of abuse the alleged perpetrator will also be a child. In these situations the

GAA child welfare and protection procedures, including those outlined in the GAA Code of Best Practice for Youth Sport and in these Guidelines for Dealing with Allegation of Abuse should be adhered to for both the victim and the alleged abuser. If there is any conflict of interest between the welfare of the person against whom allegations of abuse are made and the victim, the victim's welfare is of paramount importance.

Abusive behaviour perpetrated by children must be taken seriously. Early referral and intervention is essential in all such instances. Peer Abuse can be defined as the physical, mental, emotional or sexual mistreatment of a person by somebody else of the same peer and/or age group. Quite often in a sporting context, whether in a team or individual context a key concern would be where a child/young person is mistreating another child/young person of a similar age.

#### **4.5.3 E-Bullying/Cyber Bullying**

Action that results in the deliberate tormenting, threatening, harassing, humiliating, embarrassing, or otherwise targeting of a child or young person by another person using the Internet, interactive and digital technologies or mobile phones would constitute E-Bullying or Cyber Bullying.

## **SECTION 5**

### **DEALING WITH CONCERNS OR SUSPICIONS OF ABUSE**

While Designated Persons at all levels of the Association should be fully aware as to the procedures for reporting allegations or disclosures of abuse (see Section 6) the procedure prior to reporting, i.e. the responding and recording procedure is also a key aspect to identifying any cases of abuse or of poor practice. Designated Persons at Club level should as

appropriate seek the guidance and advice from their County, Provincial or National Designated Person and the statutory authorities on such matters. The accurate recording of allegations or disclosures will be of major assistance to statutory authorities and to the GAA Child Welfare and Protection Committee should an allegation be processed internally and/or externally.

These guidelines are primarily concerned with instances of abuse that may occur when children are engaged in GAA activities or where GAA personnel (e.g. mentors, employees etc.) act on behalf of the Association. The Association has a direct responsibility to deal with such instances of abuse including instances where the abuse may be perpetrated by one child against another. Should a complaint or allegation of abuse be made that is deemed to be non-Association related this matter should be referred to the relevant Designated Person so as to enable them bring such matters to the attention of the relevant statutory authority in the jurisdiction in which they reside.

Through our work with young people in the GAA our mentors, coaches and indeed other parents may be seen to be part of a safe environment in which young people may wish to share their concerns or divulge confidential information. Young people may choose to seek such advice because they believe the environment of their Club to be safe, secure and supportive.

It is important to recognise that a young person and indeed an adult wishing to report or outline their concerns may also have feelings of reluctance, hesitancy, and guilt about what they wish to report. Designated Persons or any member of the GAA who may be in receipt of such reports or disclosures should respond in a supportive, sensitive and caring manner.

### **5.1 Responding to disclosures or allegations of abuse**

When responding to a disclosure or allegation of abuse it is important to observe the following:

- Be sensitive and listen carefully to what is being reported to you
- Take what is said to you seriously

- React calmly when responding, as over-reacting may alarm the young person and compound feelings of anxiety and guilt
- Emphasise that the discussion, while confidential, may have to be shared with others so as to pursue the allegation correctly
- Reassure the person that they have taken the correct action in making the disclosure
- Never make a judgmental statement about the allegation or the alleged abuser
- Do not make false promises, particularly regarding secrecy
- If asking any questions do so for the purpose of clarification only
- Explain and ensure that the young person understands the procedures which will follow
- Inform the relevant GAA Designated Person of the allegation received as per the procedures outlined in Section 6 of these Guidelines
- Treat all information received in a confidential manner

## **5.2 Recording disclosures or allegations of abuse**

It is the relevant Designated Person acting on behalf of the GAA who shall record specific information as part of the reporting procedures, as outlined elsewhere in this section of these Guidelines. It will be necessary when making reports to complete the relevant Standard Reporting Form and GAA Reporting Allegations of Abuse Forms. (See Appendix 4/5/6). In cases where the young person themselves may be reporting the disclosure or allegation to a GAA Designated Person please consider the following so as to ensure the accuracy of all information recorded and the welfare of the young person:

- Be accurate and factual in the recording of disclosures or allegations
- Record the conversation as soon as possible, and in as much detail as possible
- Listen carefully and attentively and take the young person seriously
- React calmly when recording, as over-reacting may alarm the young person and compound feelings of anxiety and guilt
- Do not ask specific or leading questions and don't ask the person to repeat their story unnecessarily
- Do not make false promises as to what may happen after you report the allegation

- Explain and ensure that the young person understands the procedures which will follow
- Reassure the young person that they have taken the correct action in making the disclosure
- Check with the young person to ensure that what has been heard and understood by you is accurate
- Do not express any opinions about the person(s) against whom the allegation(s) may be made
- If parents do not wish to have the allegation pursued it should be explained that for the purpose of protecting their own and other children that all allegations must be recorded and reported in line with GAA policy on this matter
- Where reasonable grounds for concern (as outlined in Section 6) have been established the matter shall be reported to the relevant authorities as a matter of urgency and to the relevant GAA Designated Person
- In an emergency or in the event of the relevant or any Designated Persons being unavailable to assist all relevant reports and/or allegations of abuse may be made directly to An Garda Síochána or the Health Service Executive or to the Police Service of Northern Ireland (PSNI) or Health and Social Care Trust by a member of the GAA or by any member of the public
- Treat the information confidentially, sharing it only with persons who have a right know
- Sign and date the record

### **5.3 Confidentiality**

Confidentiality should be maintained in respect of all allegations involving cases of alleged abuse. This however does not supersede the rights of the child to be kept safe from abuse or harm. Confidentiality is vital if the rights of both the child and the person against whom the allegations or complaint has been made are to be protected.

The following points should be considered so as to ensue that all parties acknowledge and adhere to the required levels of confidentiality at all times:

- All information should be treated in a careful and sensitive manner and should be discussed on a need to know basis only with those who need to know, as outlined elsewhere in this booklet
- The sharing of information on a 'need to know basis' is not deemed to be a breach of confidentiality
- Use and disclose the information collated only in ways compatible with the purposes for which it was initially given
- If a young person discloses information relating to possible child abuse it cannot be dealt with as a 'secret' between the young person and the person to whom they have reported their concerns
- Information should be conveyed to the parents of the child unless to do so may further endanger the child. The conveying of information should always be done in a sensitive manner and discussions with the statutory authorities should take place in advance of the sharing of information with all parties, so as to ensure that any such actions do not obstruct or hinder ongoing investigations that may be taking place
- All persons involved in a child protection and welfare process (the child, his/her parents/guardians, the alleged offender, his/her family, coaches) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure
- Information should be stored in a secure place, with limited access only by the relevant Designated Persons
- Breaches of confidentiality shall be deemed a serious matter and dealt with accordingly within the GAA
- The sharing of information or the passing on of information to relevant authorities is not deemed to be a breach of confidentiality.

#### **5.4 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 remains paramount and as such anonymous complaints

should be followed up in a discreet manner. Any such complaints relating to possible abuse or other child protection concerns should be brought to the attention of the Designated Person.

**Note: It is not the role of a Designated Person or anybody else in the GAA to commence investigation surrounding the allegations of abuse or to interview the person against who an allegation has been made or interview others that may have been subject to the allegation. This role shall be carried out by the statutory authorities in the relevant jurisdiction in which the Association operates.**

## **SECTION 6**

### **REPORTING ALLEGATIONS OF CHILD ABUSE**

Any member/employee of the Gaelic Athletic Association, who is informed, knows, suspects or is concerned that a child may be or may have been subject to child abuse, while engaged in Association activities or involving persons acting on behalf of the association, has a duty to convey such concerns as a matter of urgency to the Designated Persons at Club, County,

Provincial or National level in accordance with GAA procedures, as outlined elsewhere in these Guidelines.

Members/Employees of Cumann Lúthchleas Gael are furthermore obliged to facilitate and co-operate with any review or consideration of a complaint, a report or allegation of abuse which may be carried out by statutory authorities or by the relevant Club, County or Provincial Designated Person or by the GAA National Child Welfare and Protection Committee.

It should be noted from the outset that when a report of abuse has been received all units and members of the Association are obliged to consider the following:

- The safety and welfare of the child must be of paramount concern to all members of the GAA. Any steps deemed necessary to protect the child should be implemented as a matter of urgency while also being careful that the person against whom the allegation has been made is not unreasonably penalised
- All actions taken should be carefully considered by the Club and County Designated Person. Issues of debarment and reporting to statutory authorities should be considered in the strictest of confidence. The formal reporting of any allegation to statutory authorities and the issuing of a debarment order shall be made by the County Designated Person on behalf of Clubs within their County or if necessary by the Provincial Designated Person (where applicable) or the GAA National Designated Person
- All matters concerning any allegation of abuse must be dealt with in strict confidence
- The principle of natural justice must always be adhered to thus ensuring that the presumption of innocence applies until otherwise proven

- When an allegation has been made and where reasonable grounds for concern have been established the matter shall be reported to the relevant authorities as a matter of urgency and to the relevant GAA Designated Person
- If an allegation of child abuse is received protective measures, proportionate to the level of risk, should be taken by the GAA Designated Person. Other than in exceptional circumstances, where a risk to a child's welfare and safety takes precedence or where the relevant statutory authority is unavailable, the relevant statutory authority must be consulted before contact is made with the person against whom the allegation is made. This may ensure that any actions taken by the GAA does not impact negatively on possible future external investigations
- The need to invoke the temporary debarment or standing aside of the person against whom an allegation has been made shall be done in a confidential manner, notwithstanding the urgency of the matter while also ensuring that the welfare of the child is deemed to be of paramount importance.
- All reports made, whether internal or external to the GAA, shall note times, dates, locations etc. and should be signed by the person that raised the concern or made the allegation (See Appendices 4/5/6)
- Designated Persons shall accept reports, allegations or concerns of abuse from members or non members of the GAA verbally or in writing
- Any reports or concerns regarding allegations of abuse once received by the Club/County Designated Person shall be recorded, signed, dated and where reasonable grounds for concern have been established shall be reported by the County Designated Person to the Statutory Authorities and to the GAA National Designated Person

- Responses to and the reporting of allegations, reports or concerns of abuse to Club/County Designated Persons, to the Statutory Authorities and to the GAA National Designated Person (as appropriate) shall be carried as soon as possible and as a matter of priority

## **6.1 Where Reasonable Grounds for Concern Exist**

The ability to recognise child abuse depends very much on a person's willingness to accept the possibility of its existence as it does on an individual's knowledge and information on such matters. Child abuse need not be visible to all and while a young person may disclose that they are being abused we primarily rely on adults to be vigilant and to observe any possible forms of suspected abuse and to report all such matters to their Designated Person.

Mentors or other adults in a club are not expected to be in a position to instantly recognise instances of abuse, particularly without any prior training or experience in these matters.

The following would constitute reasonable grounds for concern and should be reported to the designated person<sup>4</sup>:

- disclosures by a young person that they have been abused
- an account by a person who witnessed a child being abused
- evidence of injury for which there is no explanation, or which is consistent with abuse and unlikely to be caused in any other way
- age-inappropriate or abnormal sexual play or knowledge
- specific injuries or patterns of injuries
- consistent indication, over a period of time, that a young person is suffering from emotional or physical neglect
- absconding from home
- attempted suicide
- under-age pregnancy or sexually transmitted disease
- a young person's behaviour may raise concerns

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<sup>4</sup> Based on Children First (Dept of Health and Children 1999)

In addition to the above, other actions or the behaviour of adults or children deemed to have caused reasonable grounds for concerns may result in appropriate action in the interest of the paramountcy of care principle of children in the Association.

A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute a reasonable suspicion, or constitute reasonable grounds for concern. If an individual is unsure as to how to proceed with their concerns they should consult with their relevant Designated Person. Where reasonable grounds for concern exist the relevant statutory authority must be contacted unless previously known to them.

## **6.2 Allegations of Child Abuse relating to a volunteer in the GAA**

- The Designated Person in each Club, County or Province shall receive complaints, allegations or reports of abuse
- Should the Club, County or Provincial Designated Person be unsure as to the status of any allegations of abuse they should contact a duty social worker for advice or may seek advice from the GAA National Designated Person
- Allegations received at Club level shall be assessed in consultation with the County Designated Person. Where reasonable grounds for concern are subsequently established the County Designated Person shall report such matters to the statutory authorities, and also to the GAA National Designated Person, as soon as is practically possible
- All allegations and or complaints, whether reported to the statutory authorities or not, shall be reported to the GAA National Designated Person (See GAA Reporting Allegations of Abuse Form Appendix 6)
- Where it has been established that there are reasonable grounds for suspecting that a child has been abused or may be at risk of being abused the County Designated Person shall immediately invoke a debarment order against any person named in the

complaint or report. This would normally be done following consultation with the relevant statutory authority. The debarred person(s) shall be instructed to withdraw from all activities in the GAA pending the outcome of a full consideration and review of the allegation

- The debarment of any individual should be done in a confidential manner and the presumption of innocence remains until proven otherwise. A debarment decision, once communicated, comes into effect immediately and remains in effect until removed and the person against whom the debarment decision has been informed of such a removal or a reversal of such decision
- When an individual has been debarred by a County Designated Person this information shall also be reported immediately to the National Child Welfare and Protection Committee (through the National Children's Office) for further possible consideration
- A debarment decision must be communicated by the County, Provincial or National Designated Person or by the NCWPC
- The Designated Person making the report shall inform the parents/guardians of the child named in the complaint as to the nature of the complaint or allegation received unless by doing so it could endanger the child. This would normally be done following consultations with the relevant Statutory Authority. Actions taken by the GAA in relation to the allegations or complaint shall be communicated to the parents/guardians of the child based on the advice received from the Statutory Authorities
- The Designated Person making the report shall inform the person against whom allegations have been made as to the nature of the allegations. This would normally be done following consultations with the relevant Statutory Authority. Always allow for the necessary level of confidentiality when reporting such allegations. Inform the

person if a debarment order has been enacted and the nature of such a debarment order which will remain in effect pending further consideration by the NCWPC

- The Cathaoirleach of the club shall be informed if a debarment order is made against any member of the Club. Such information shall be treated with the strictest of confidence

**Non availability of Designated Person or in case of emergency**

In an emergency, or in the event of a Club or County Designated Persons (or Deputy Designated Person) being unavailable to assist, reports and/or allegations of abuse may be made directly to An Garda Síochána or the HSE or to the PSNI or Social Services by a member of the GAA or by any member of the public.

## PATHWAY FOR DEALING WITH ALLEGATIONS OF ABUSE AGAINST STAFF OR MEMBERS- REPORT



### **Allegations of Child Abuse relating to an employee in the GAA**

Where the GAA, at Club, County, Provincial or National level has entered into an employer/employee arrangement with an individual the 'employer' must ensure that employees are aware of the internal line management reporting procedures for dealing with allegations of abuse. These procedures should clarify how allegations of abuse are processed when such allegations are made against fellow employees, volunteers or young people. Employers should be aware of employment legislation and any other employee relations policies when dealing with allegations involving paid employees.

Similarly as to cases involving allegations of abuse made against a volunteer, should any allegations of abuse be made against an employee the safety and welfare of the child must be of paramount concern to all members of the GAA. Any steps deemed necessary to protect the child should be implemented as a matter of urgency while also being careful that the person against whom the allegation has been made is not unreasonably penalised.

#### **6.3.1 Employer's procedural responsibilities**

It is recommended that the same person should not have responsibility for dealing with the issues surrounding the reporting of allegations and the employment/contractual issues<sup>5</sup>. The Designated Person will normally have responsibility for the volunteer or young person while a person acting in the capacity of employer or on behalf of the employer e.g. a Chief Executive Officer, County Secretary, Human Resources Manager or equivalent senior person will have responsibility for dealing with allegations made against an employee.

**6.3.2** Staff and indeed volunteers may be subject to erroneous or malicious allegations. Therefore any allegations of abuse should be dealt with sensitively and relevant supports provided, within the resource capabilities of the Association and following legal and statutory authority advice.

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<sup>5</sup> Children First (ROI) Section 12 (12.2.1)

**6.3.3** The principal aim however is to protect the child while taking care to treat the employee fairly. Organisations need to identify how they can best fulfil this objective.

**6.3.4** Action taken in reporting an allegation of abuse against an employee should be based on an opinion formed reasonably and in good faith. When an allegation is received it should be assessed promptly and carefully. It will be necessary to decide whether a formal report should be made to the statutory authorities and this decision should be based on reasonable grounds for concern. (The reasonable grounds for concern are outlined in Section 6.1 of these Guidelines).

**6.3.5 When an allegation has been made against an employee the following steps should be taken:**

- All actions shall be guided by agreed GAA reporting procedures, as outlined elsewhere in these Guidelines, by the employees contractual arrangements and by the rules of natural justice
- The Chief Executive Officer, County Secretary, Human Resources Manager or equivalent senior person shall be informed of the allegation as soon as possible and shall take responsibility for processing the matter on behalf of the employer
- The first priority should be to ensure that no child is exposed to unnecessary risk. The employer 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 this action is deemed necessary to protect children. Where protective measures do penalise the employee, it is important that early consideration be given to the case
- The agreed recording and reporting procedures, as outlined in these Guidelines should be adhered to at all times in respect of the young person and the employee

- The CEO/HR Manager or equivalent senior person should advise the employee of the allegation. This should be done in private and with due consideration of confidentiality and natural justice and following advice from the statutory authorities. The procedures for dealing with the allegation should also be outlined to the employee
- The employee should be afforded the right to respond in accordance with established grievance procedure. The response should be noted and passed to the statutory authorities as part of any subsequent formal reporting procedure
- The CEO/HR Manager or equivalent senior person should also notify the statutory authority of any other organisation working with children with which the person against whom the allegation is made may be involved
- If the allegation is against the CEO, the allegation should be referred to the Chairperson of the Board/Management Committee or an equivalent senior person
- The parents/guardians of the young person should be informed immediately of the complaint against the employee unless by doing so you endanger the young person. Advice should be taken from the statutory authorities as to how this might best be done
- Any follow up on an allegation of abuse against an employee should be made in consultation with the relevant statutory authorities. An immediate meeting should be arranged for this purpose
- After the consultations referred to above have taken place, and when pursuing the question of the future position of the employee the CEO/HR Manager or equivalent senior person on behalf of the employer should advise the employee of the situation and should follow the agreed procedures

- Employers should ensure that any actions taken by them do not undermine or frustrate any investigations being conducted by the statutory authorities.
- Employers must keep comprehensive records of any allegations made, details of how the allegations were managed and details of any action taken and decisions reached. These records must be stored confidentially and a copy given to the individual concerned. This information must be retained on file, including information on those who may leave the employment of the organisation for further possible reference

#### **6.4 Where ‘Reasonable Grounds for Concern’ may not exist**

There will be occasions where certain instances of alleged abuse may be suspected, or there may be doubts as to the substantive nature of an allegation or suspicion. A suspicion which is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern. Where there may be insufficient grounds for establishing or substantiating such concerns the following course of action is recommended but should be proceeded with carefully and confidentially while ensuring the welfare of the child remains paramount:

- The issue, as it may relate to a volunteer or young person in the Association, should be subject to clarification of facts and updating where appropriate between the Club and County Designated Person. In the case of an employee the matter should be subject to updating by the CEO/HR Manager or equivalent senior person previously involved in the initial reporting of the allegation or suspicion of abuse.
- Advice on the matter may be sought from the National Designated Person and/or from the relevant statutory authority
- The conduct of the person that caused such concerns should be monitored and recorded as appropriate
- A formal review of the matter should be agreed between the Club Designated Person and the County Designated Person as it relates to a volunteer or young

- person and the CEO/HR Manager or equivalent senior person in consultation with the National Designated Person, as it relates to an employee
- Should reasonable grounds for concern be established, following the commencement of this course of action, the formal reporting procedures should be enacted
  - At all times the welfare of any child involved in such matters should be of paramount concern and the Association through the appointed Designated Persons or while acting in the capacity of an employer should act accordingly.

#### **6.5 When an allegation is not referred to the statutory authorities**

In situations where the Designated Person, following consultations (perhaps with the relevant statutory authority) subsequently decides that an allegation received or concerns relayed to them will not be formally reported to the relevant statutory authorities the individual (whether it is an adult or a child) who raised the concerns or made the allegations should be given a clear written statement of the reasons why the reported concern are not being reported to the statutory authorities. The individual should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, the statutory authorities themselves.

All report of alleged abuse made against members of the GAA **must** be forwarded to the National Designated Person, regardless of whether it has or has not been reported to the relevant statutory authorities. Where a decision is made not to refer reported concerns to statutory authorities this decision and the reasons contained therein must be recorded and subsequently brought to the attention of the GAA National Designated Person.

The above directions also apply to situations where an allegation received or concerns relayed against an employee are not being reported to the relevant statutory authorities.

## 6.6 False Allegations

The making of a false allegation by a member of the GAA shall be deemed to be a serious breach of the GAA Code of Best Practice in Youth Sport.<sup>6</sup> Any allegation made, which is subsequently found to be false or of a malicious nature, shall also be deemed to be a serious breach of these Guidelines and subsequent disciplinary action may follow.

In the Republic of Ireland, the **Protection for Persons Reporting Child Abuse Act, 1998** provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’ to the Health Service Executive or An Garda Síochána. The Act also covers the offence of ‘false reporting’. The main provisions of the Act are:

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

It should be noted that an individual who reports concerns in ‘good faith’ is not deliberately attempting to slander another person’s name., **The Criminal Law Act (NI) 1967** exists in the six counties and places the responsibility on everyone to report offences or to forward information to the police by emphasising the, ‘duty of every other person, who knows or believes,

- (a) that the offence or some other arrestable offences has been committed: and
- (b) that he has information which is likely to secure, or to be material assistance in securing, the apprehension, prosecution or conviction of any person for that offence.

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<sup>6</sup> GAA Code of Best Practice in Youth Sport 2009 available on [www.gaa.ie](http://www.gaa.ie) and from all County Board offices or the GAA National Children’s Office Páirc an Chrócaigh, Baile Átha Cliath 3

## **SECTION 7**

### **THE GAA NATIONAL CHILD SAFEGUARDING COMMITTEE**

#### **A The GAA National Child Safeguarding Committee**

The GAA National Child Welfare and Protection Committee (NCSC), as appointed by Central Council has a number of core responsibilities relating to allegations of child abuse within the Association as follows:

- To oversee the implementation of the Association's Guidelines for Dealing with Allegations of Abuse. The NCSC shall ensure that such guidelines are consistently applied and are compliant with the statutory requirements and relevant guidelines in the jurisdictions in which the Association operates
- To consider complaints and allegations of abuse as referred to them by members of the Association, parents/guardians of members, by units of the Association, by statutory authorities and/or by members of the public as made against staff, members and non members where such complaints and /or allegations may be deemed to have breached Association rules, Guidelines and/or Codes of Best Practice
- Take all actions deemed necessary against members and non members, in line with Association rules and with the responsibilities of the Committee as outlined in the GAA Guidelines for Dealing with Allegations of Abuse (Fourth Edition) following notification of prosecutions and/or convictions or information of a confidential nature as received from relevant statutory authorities
- Decide on appropriate actions that may be taken against any members or non member based on the paramountcy of care principle that ensures that the welfare of the child shall be its guiding principle. Actions taken shall be in line with GAA policies and rules. The levels of such actions shall be commensurate and appropriate with the breaches of rules and severity of the allegations as made
- Appraise the statutory authorities on allegations received which are supported by reasonable grounds for concern, and liaise with these authorities while such matters are considered within the Association.

- Consider any of the following actions below (7B, 7C, 7D) in respect of members, employees and non members as appropriate, following receipt of allegations / prosecutions /convictions as per above

All or any decisions taken by the National Child Safeguarding Committee may be appealed to the National Child Safeguarding Appeals Committee by the individual against whom such decisions have been made.

#### **B Action that may be taken against members of Cumann Lúthchleas Gael**

Having considered and reviewed a complaint or report of abuse the NCSC shall have the power to take the following actions in respect of a member of Cumann Lúthchleas Gael:

- Restrictions on the manner and levels of participation that a member may have in the Association
- Debarment from certain or all activities in the Association for a specific period of time or on a permanent basis
- Expulsion from membership of Cumann Lúthchleas Gael
- Such further action(s) as deemed appropriate including training or re-training of members appropriate to their roles and interaction with children and young people in the Association

#### **C Action that may be taken against employees of Cumann Lúthchleas Gael**

Having considered and reviewed a complaint or report of abuse the NCSC shall have the power to take the following actions in respect of an employee of Cumann Lúthchleas Gael:

- To recommend restrictions in regard to the manner in which an employee may carry out certain specified activities
- To recommend to the Management Committee/Coiste Bainistí the suspension of an employee on such terms as may be deemed reasonable
- To recommend the removal of an employee from certain specified activities

- To recommend to the Management/Coiste Bainistí the dismissal of an employee
- Such further recommendations as may be deemed appropriate, including training or re-training of personnel appropriate to their roles and interaction with children and young people in the Association

**D Action that may be taken against non members of Cumann Lúthchleas Gael**

Having considered and reviewed a complaint or report of abuse the NCSC shall have the power to take the following actions in respect of a non member of Cumann Lúthchleas Gael:

- Restrictions on the manner and levels of participation that a non member may have in the Association
- Debarment from certain or all activities in the Association for a specific period of time or on a permanent basis.
- Such further action(s) as deemed appropriate including training or re-training of non members appropriate to their roles and interaction with children and young people in the Association

**E Interim action on behalf of NCSC**

Following a complaint, allegation or report of abuse relating to members of Cumann Lúthchleas Gael or against non-members interim actions in accordance with the terms of debarment and/or recommendations on action may be taken by the National Designated Person. All such actions taken must be re-affirmed or otherwise by a Case Management Committee appointed by the NCSC, within 21 days of the date on which such action was taken.

## SECTION 8

### THE ROLE OF THE DESIGNATED PERSON

All Clubs and County Boards shall appoint a Designated Person who on behalf of the Club or County shall be responsible for dealing with any concerns relating to the possible abuse of children. If deemed appropriate Provincial Councils may also appoint a Designated Person who shall assist and advise Club and County Designated Persons on their roles.

Designated Persons must have the ability to approach child welfare and protection matters in a sensible, balanced, facilitative and non threatening manner and should be aware of the responsibilities that they are required to fulfil on behalf of their Club/County and the GAA.

The person chosen must be fully aware as to how allegations of abuse referred by them are subsequently dealt with by statutory agencies and authorities within their jurisdiction and how reports to the GAA National Designated Person are processed.

**When a Club or County appoints their Designated Person it is equally important to select a Deputy Designated Person who in the event of the unavailability of the Designated Person may be called upon to fulfil this role. Relevant training should also be made available to Deputy Designated Person so as to familiarise them as to their responsibilities.**

It is the County Designated Person who shall in most instances report allegations of abuse to statutory authorities on behalf of Clubs in their County – having discussed such decisions with the relevant Club Designated Person. The reporting of allegations of abuse may also be made by the National Designated Person on behalf of the GAA.

It is important to note that the Designated Person does not have a counselling or therapeutic role or a responsibility for investigating or validating child protection concerns within their Club or County.

Investigations of alleged abuse are carried out by the relevant Statutory Authorities as outlined in Children First – National Guidelines for the Protection and Welfare of Children and Our Duty to Care<sup>7</sup> or by specially appointed trained personnel in counselling, psychological and child therapeutic services. Further review and consideration of any Allegations of Abuse within the GAA structures may be carried out as deemed necessary by the appropriate body or persons in the GAA, appointed for such purposes including the National Child Welfare and Protection Committee.

**Should a GAA Designated Person, or other member of the Association, be made aware of a complaint or allegation of abuse against a person, regardless of whether that person is in membership or the employment of the Association or not, this matter should be referred by the Designated Person or member of the Association to the relevant statutory authority in the jurisdiction in which they reside.**

### **8.1 The Club Designated Person**

A prerequisite for all Club Designated Persons, prior to being appointed or accepting their role, is that they must have knowledge of Legislation and Guidelines on the Reporting of Allegations of Abuse procedures pertinent to the jurisdiction in which they operate. This may include:

- a) The GAA Code of Best Practice for Youth Sport and the Code of Behaviour.
- b) The GAA Guidelines for Dealing with Allegations of Abuse (Fourth Edition).
- c) The Code of Ethics Good Practice for Children's Sport (Irish Sports Council and Sport Northern Ireland).

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<sup>7</sup> Information on Children First – National Guidelines for the Protection and Welfare of Children and on Our Duty to Care are outlined in Appendix 9 of these Guidelines

- d) Children First – National Guidelines for the Protection and Welfare of Children (Dept of Health and Children)
- e) Our Duty to Care - The Principles of Good Practice for the Protection of Children and Young People (Dept of Health and Children)
- f) Our Duty to Care – Principles of Good Practice for the Protection of Children and Young People (Volunteer Development Agency NI)

The Club Designated Person is responsible for referring all allegations or suspicions of child abuse to the County Designated Person. It is the County Designated person, having consulted with their Club counterpart, and having established reasonable grounds for concern, who will duly report such concerns to the Health Service Executive (ROI) or Health and Social Care Trusts (NI) and/or An Garda Síochána/Police Service of Northern Ireland.

This process has been agreed as a method of supporting those at club level who have agreed to take on the Designated Person role, by administering the reports to statutory authorities rather than to be perceived to function in a gate keeping role. The Designated Person at club level still retains the right, as does any individual, to report directly to statutory authorities and should they choose to do so they must keep the County Designated Person and the GAA National Designated Person informed for further possible consideration and monitoring within the Association.

In accordance with GAA procedures all referrals from Club Designated Person to County Designated Persons, whether reported thereafter to the statutory authorities or not, must be reported to the GAA National Designated Person for further possible consideration within the Association.

The Club Designated Person shall:

- Refer reports and allegations of abuse to their County Designated Person and may consult informally with statutory authorities and the Provincial/National Designated Persons if deemed necessary

- Make any such reports or referrals in line with GAA agreed procedures
- Have knowledge of statutory guidelines and relevant legislation as they relate to child protection and welfare of young people in their jurisdiction
- Have knowledge of definitions, categorisation and indicators of abuse
- Undertake Child Protection in Sport Awareness Workshop (ISC/SportNI) training as provided by the GAA and any other training deemed relevant to their role
- Be familiar with and able to carry out reporting procedures as outlined in the GAA Guidelines for Dealing with Allegations of Abuse (Fourth Edition).
- Communicate with parents and external agencies as appropriate
- Assist with and identify the need for Child Protection in Sport Awareness Workshop (ISC/SportNI) training within the Club and other appropriate training in consultation with their Club Children's Officer
- Be aware of local contacts and support services that may assist in developing and delivering their role
- Advise, as appropriate, club administrators on issues of confidentiality, record keeping and data protection
- Ensure that all individual case records are maintained, that all actions taken are recorded and that such records are kept in a secure and confidential place

## **8.2 The County Designated Person**

A County Designated Person shall be selected by each County Board to act on their behalf.

The person chosen by the County Board to fulfil this role shall have detailed knowledge of the GAA Code of Best Practice for Youth Sport and the GAA Guidelines for Dealing with Allegations of Abuse document (Fourth Edition) and also the Code of Ethics & Good Practice for Children's Sport (Irish Sports Council and Sports NI). Similarly to their club counterpart the County Designated Person shall be required in situations to lead on child welfare and protection matters in the County in a knowledgeable, sensible, balanced, facilitative and non threatening manner and should be aware of the responsibilities that they are required to fulfil on behalf of their County and the GAA.

The County Designated Person shall facilitate and support Club Designated Persons in determining whether to report allegations or suspicions of abuse to the relevant statutory authorities. All such matters shall be determined following an appraisal of any allegations received and where reasonable grounds for concern exist, following such appraisals, such matters shall be reported without delay to the relevant statutory authorities and to the GAA National Designated Person as appropriate.

All allegations of abuse forwarded to the statutory authorities on behalf of clubs shall be formally made by the County Designated Person on behalf of the relevant club in their County. All such reports must also be made to the GAA National Designated Person.

**The County Designated Person shall:**

- Ensure that all Clubs have appointed a Designated Person and that these officers are fully aware of their responsibilities and of the contents of the GAA Code of Best Practice for Youth Sport and the GAA Guidelines for Dealing with Allegations of Abuse document (Fourth Edition) and also the Code of Ethics & Good Practice for Children's Sport (Irish Sports Council and Sports NI)
- Liaise with Club Designated Persons on all matters relating to child welfare and protection in their club
- Act as the formal liaison person between the County Board and statutory authorities on all matters related to allegations of child abuse and shall similarly liaise with the GAA National Designated Person on all such matters
- Formally report allegations of abuse to the statutory authorities, on behalf of clubs in their county, having established that reasonable grounds for concern exist
- Make any such reports or referrals in line with GAA agreed procedures
- Have knowledge of statutory guidelines and relevant legislation as they relate to child protection and welfare of young people in their jurisdiction
- Have knowledge of definitions, categorisation and indicators of abuse

- Undertake Child Protection in Sport Awareness Workshop (ISC/SportNI) training as provided by the GAA and any other training deemed relevant to their role  
Communicate with parents and external agencies as appropriate
- Assist with and identify the need for Child Protection in Sport Awareness Workshop (ISC/SportNI) training within the County through their liaison with Club Designated Persons and Children's Officers at Club and County level
- Be aware of local contacts and support services that may assist in developing and delivering their role
- Advise, as appropriate, Club and County administrators on issues of confidentiality, record keeping and data protection
- Ensure that all individual case records are maintained, that all actions taken are recorded and that such records are kept in a secure and confidential place

### **8.3 The Provincial Designated Person**

A Provincial Designated Person may be appointed by the relevant Provincial Council as the need for such a role has been identified and agreed. The person appointed shall ensure that each County in their Province has appointed a County Designated Person and that such persons are fully au fait with their roles and responsibilities.

The Provincial Designated Person shall

- Have comprehensive and detailed knowledge and experience of child welfare, protection and reporting procedures and be familiar with all such procedures in the jurisdictions in which they operate
- Promote the role of Club and County Designated Persons and provide information and advice for them in assisting them to fulfil their role
- Be available to advise Club and County Designated Persons on matters relating to allegations or suspicions of abuse
- Promote the use of: The GAA Code of Best Practice for Youth Sport, The Joint Code of Behaviour, the GAA Guidelines for Dealing with Allegations of Abuse documents and the Code of Ethics and Good Practice for Children's Sport

- Liaise and consult with statutory authorities and other relevant agencies on child welfare and protection matters as appropriate
- In consultation with National Designated Person and County Designated Person, represent the GAA on matters relating to the reporting of child abuse allegations, if so required

In the event of an allegation of abuse being made or reported at a Provincial event it is the Provincial Designated Person who shall act as a Designated Person for such matters and shall follow the GAA Reporting of Allegations of Abuse Procedures as outlined elsewhere in this booklet.

The Provincial Designated Person may be required in situations to lead on child welfare and protection matters in a knowledgeable, sensible, balanced, facilitative and non threatening manner and should be aware of the responsibilities that they are required to fulfil on behalf of their Province and the GAA.

#### **8.4 The National Designated Person**

The GAA National Designated Person (NDP) shall be appointed by the GAA Coiste Bainistí to oversee the reporting of any allegations of abuse to the relevant authorities, where reasonable grounds for concern are established, whether this reporting mechanism is carried out by the County Designated Person or by themselves, on behalf of the Association and to act in any other capacity, as deemed appropriate.

The person chosen by the GAA to fulfil this role shall have comprehensive and detailed knowledge and experience of child welfare, child protection and relevant reporting procedures and be familiar with all such procedures in all jurisdictions in which the Association operates. The NDP shall make the Association and its subsidiary units aware as to their child protection and welfare responsibilities and shall, in consultation with County Designated Persons, represent the GAA on matters relating to the reporting of child abuse allegations, where such representations may be required. The assistance of

County and Club Designated Persons, when called upon by the NDP, shall be forthcoming.

The National Designated Person shall inform and update the GAA Coiste Bainistí and the National Child Welfare and Protection Committee on all cases reported to statutory authorities. Additionally cases not reported to the statutory authorities, which have been brought to the attention of the National Designated Person, shall be reported to the National Child Welfare and Protection Committee for further possible re-consideration.

**The National Designated Person shall:**

- Promote the role of Club, County and Provincial Designated Persons and provide information and training opportunities for them so as to assist them in fulfilling their role
- Promote the use of the GAA Code of Best Practice for Youth Sport and the GAA Guidelines for Dealing with Allegations of Abuse
- Liaise with County Designated Persons on all matters relating to child welfare and protection in their county
- Ensure that all case records are maintained, that all actions taken are recorded and that such records are kept in a secure and confidential place
- Advise the National Child Welfare and Protection Committee and the Coiste Bainistí on all matters relevant to their role on child welfare and protection issues within the Association
- Assist in the risk assessment of relevant information returned from the vetting of individuals in different jurisdictions
- Liaise with and consult with statutory authorities and other relevant agencies on child welfare and protection matters, as appropriate.

**How to contact your Designated Person**

County Designated Persons contact details may be obtained at [www.gaa.ie/clubzone](http://www.gaa.ie/clubzone)

Clubs should clearly advertise who their Designated Person is and how they may be contacted

The GAA National Designated Person may be contacted at [nationaldesignatedperson@gaa.ie](mailto:nationaldesignatedperson@gaa.ie) or by telephone at 01- 836 3222

## **SECTION 9**

### **THE NATIONAL CHILD SAFEGUARDING APPEALS COMMITTEE**

A National Child Safeguarding Appeals Committee shall be appointed by the GAA to adjudicate on any appeals that may be submitted arising from:

- Decisions made by the National Child Safeguarding Committee
- A refusal, by a GAA Authorised Signatory, to provide a Garda Vetting or Police Check acceptance letter to any person who wishes to work in any capacity with under age players in the GAA
- Debarment of individuals, whether a member or non member of the Association, by a Club, County or National Designated Person
- Debarment of an individual, whether they be a member or non member of the Association, by the Child Protection and Welfare Committee
- Expulsion of a member from the GAA by the National Child Safeguarding Committee
- Restrictions that may be placed on the manner and levels of participation that a member or non member may have in the Association
- Any further action(s) that may have been taken against a member or non member of the Association

In the event of a member of the Association or a non member being subject to any of the above decisions they may in accordance with Association procedures appeal any such decisions to the National Child Safeguarding Appeals Committee.

An individual who has been placed on the DHSSPS (NI) Disqualification from Working with Children or Vulnerable Adults lists (or DE list 99); has the right of appeal to an independent tribunal established for that purpose.

*Information on how to appeal such decisions may be obtained by contacting the National Child Welfare and Protection Appeals Committee, Páirc an Chrócaigh, Baile Átha Cliath 3 or from [cwpappeals@gaa.ie](mailto:cwpappeals@gaa.ie)*

## **SECTION 10**

### **APPENDICES**

- 1 Child Welfare and Protection Procedures as Overseen by Ulster GAA**
- 2 HSE Duty Social Work Contact Details**
- 3 Health and Social Care Trusts Contact Details**
- 4 Standard Reporting Form (HSE)**
- 5 Standard Reporting Form (Trust)**
- 6 GAA Reporting Allegations of Abuse Forms**
  - reporting allegation of abuse to statutory authorises**
  - not reporting allegations of abuse to statutory authorities**
- 7 HSE Children First Information and Advice Officers**
- 8 The GAA Children's Officer**
- 9 Child Protection/Welfare Legislation & Guidelines**
- 10 Recommended reading and useful contacts**

## **Appendix 1**

### **Child Welfare and Protection as Overseen by Ulster GAA**

The role of the GAA in administering good practice for the safeguarding of young people in the Association is outlined throughout these Guidelines for Dealing with Allegations of Abuse. Ulster GAA provides an additional and specific child welfare and protection advisory role for the nine counties of Ulster. This role includes child protection awareness training, advisory services on dealing with concerns or allegations of abuse the Ulster Provincial Designated Person and a Garda vetting and Police background checks service.

Appendix 1 of these Guidelines solely applies to the six counties of Antrim, Armagh, Derry, Down, Fermanagh and Tyrone due to the specific child welfare and protection role carried out by Ulster GAA in these counties and the jurisdiction differences that may also apply elsewhere in these Guidelines.

Ulster GAA is registered as an ‘umbrella body’ with AccessNI and processes applications for vetting disclosure certificates for all GAA county boards and clubs in Ulster. Through a service level agreement Ulster GAA also processes applications for vetting disclosure certificates with AccessNI on behalf of Ulster Camogie Council and Ulster Ladies Gaelic Council.

Additional to this role Ulster GAA also facilitates Garda Vetting applications on behalf of GAA County Boards and Clubs in Cavan, Donegal and Monaghan.

#### **A Reporting Allegations of Abuse to Statutory Authorities**

The process of reporting allegations of abuse to statutory authorities in Antrim, Armagh, Derry, Down, Fermanagh and Tyrone is in line with Section 6 of these Guidelines.

Ulster GAA, in common with all Provincial Councils, assists the Association in promoting good practice in child welfare and protection. In accordance with GAA procedures they willingly provide Club and County Board Designated Persons who wish to report allegations of abuse or concerns of a child welfare nature to the statutory authorities with advisory services so as to ensure compliance with relevant legislation and guidance, regardless of jurisdiction.

**Should a member of the GAA believe or suspect that that a child is suffering or is in danger of suffering significant harm or may be in danger of being abused they should immediately pass on such concerns to the relevant GAA Designated Person who will assist them in formally reporting such matters to the relevant Social Care Trust. All reports made to the Statutory Authorities shall also be reported to the GAA National Designated Person. (See Appendix 4 Standard Reporting Form HSE, Appendix 5 Standard Reporting Form (Trust) and Appendix 6 (GAA Reporting Allegations of Abuse Forms).**

It should be noted that an individual may, if they so wish, directly report their concerns to the statutory authorities themselves.

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## **B Glossary of Terms**

Within this booklet definitions and terminology which may have previously been defined (See Section 2) may for the purposes of interpretation in the aforementioned six counties have cause to be re-defined as follows:

**Child|:** A child is defined by Article 1 of the Children (NI) Order 1995 as any person under 18 years of age.

**Vulnerable Adult:** A vulnerable adult is a person defined as having special needs or where vulnerability is defined, ‘a person aged 18 years or over who is, or may be, in need

of community care services or is resident in a continuing care facility by reason of mental or other disability, age or illness or who is, or may be, unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation'. The full definition of a vulnerable adult is contained in paragraph 3 of The Safeguarding Vulnerable Groups (NI) Order 2007.

**Statutory Authorities:** The authorities who promote the welfare and protection of children and who in cases of alleged abuse of children have the responsibility to investigate all such allegations. In the Republic of Ireland the statutory authorities are An Garda Síochána and the Health Service Executive while in Northern Ireland it is the PSNI and the Department of Health Social Services and Public Safety (DHSSPS) who have a similar role in Antrim, Armagh, Derry, Down, Fermanagh and Tyrone. The DHSSPS however do not investigate individual cases. These investigations are carried out by the relevant Health and Social Care Trusts

**Social Care Trusts:** The five Social Care Trusts established as part of a statutory duty under the Children (NI) Order 1995 are Belfast Health and Social Care Trust, Northern Health and Social Care Trust, Southern Health and Social Care Trust, Western Health and Social Care Trust, South Eastern Health and Social Care Trust. The contact details for the five Social Care Trusts is available in Appendix 3

**Gateway Teams:** These are the first points of contact if you have concerns about a Child or Family. They will treat all contacts as enquiries in the first instance. Enquiries can include requests for information, advice and concerns about a child or family. An enquiry is always completed first; it is an initial filtering system before a referral is taken. If you contact by phone, the Duty Worker will seek some general information about you, the child or family and the nature of your concern. On the basis of this information they will be able to judge whether or not the enquiry should be progressed to referral.

**C      Legislation, guidance and reporting structures to be considered when promoting the safeguarding of children and young people under the auspices of Ulster GAA County Boards and Clubs**

**Health and Social Care Trusts**

Established as part of a statutory duty under the Children (NI) Order 1995 to ensure the welfare of a child. Where there is a risk that a child is in danger of abuse or serious neglect Social Services must always intervene to safeguard them. In other situations where a family needs support or additional services to help them cope, Social Services may be able to help or offer advice, or may ask another professional or a voluntary agency to help.

**Safeguarding Vulnerable Groups (NI) Order 2007 (SVG)**

The Safeguarding Vulnerable Groups (NI) Order 2007 (SVG Order) establishes a Vetting and Barring scheme and an Independent Safeguarding Authority (ISA). The ISA will register anyone they consider not to be a risk to work with children and they also have established a Barred list of individuals, deemed unsuitable. Under this legislation organisations must check that any new coach/volunteer is registered before they commence their involvement in their activities. The ISA is the single established agency that determines if individuals who want to work or volunteer with children are suitable to do so. The registration of individuals is due to commence in July 2010.

**Police Act (Known as Part 5 of the Police Act 1997)**

This piece of legislation has now been enacted thus enabling the PSNI to disclose what is termed ‘soft intelligence’, i.e. non-conviction information, when they deem it appropriate. This coincided with the establishment of Access NI, the equivalent to the Criminal Records Bureau in England and Wales.

## **AccessNI**

AccessNI is a criminal history disclosure service established under part V of the Police Act 1997. It provides access to criminal history information to individuals and, in certain circumstances through umbrella bodies, to organisations who are recruiting to sensitive positions. Its role is to complement each organisation's own safeguarding measures thus complimenting existing recruitment and staff/volunteer selection procedures. Typically this will involve working with children or vulnerable adults. In accordance with GAA child welfare and protection policy Ulster GAA will ensure that anyone working in any capacity with children or vulnerable adults in Ulster must be vetted by AccessNI prior to being employed or involved in any way.

**An Umbrella Body** is an organisation which has registered with AccessNI to make applications for vetting checks (Standard or Enhanced Disclosures) on behalf of other organisations or individuals. Ulster GAA is registered as an umbrella body with AccessNI and will process applications for vetting disclosure certificates for all GAA County Boards and Clubs in Ulster. Through a service level agreement Ulster GAA will also process applications for vetting disclosure certificates with AccessNI on behalf of Ulster Camogie Council and Ulster Ladies Gaelic Council. All regulated positions under the POCVA (NI) Order 2003 will be subject to an enhanced disclosure.

## **Regulated Position**

A regulated position is a position that has defined responsibility when working with Children or vulnerable adults including:

- Any activity of a specified nature that involves contact with children or vulnerable adults, frequently\*, intensively\* and/or overnight.
- Any activity allowing contact with Children or vulnerable adults that is in a specified place carried out frequently or intensively.
- Any activity that involves people in certain defined positions of responsibility.
- Anyone providing a regulated activity must be registered with the ISA.
- It will be a criminal offence for a barred individual to take part in a regulated activity punishable by up to five years in prison, a fine or both.

- It will be a criminal offence for an employer to take on an individual in regulated activity without checking the individual's status with the ISA.
- It will be a criminal offence for an employer to allow a barred individual, or an individual who has not yet registered with the ISA to work in any regulated activity.
- \*Frequently refers to a regulated activity one or more per month and will cover activity that takes place on a repetitive basis
- \*Intensively in the context of regulated activity means on three or more days in a 30 day period and will cover extended periods of contact with either children or vulnerable adults

### **Independent Safeguarding Authority (ISA)**

The Independent Safeguarding Authority (ISA) will register those working with children and vulnerable adults and maintain lists of those barred from such work on the basis of harm or risk of harm. Then legal requirement for organisations to refer information to the ISA if they discipline an individual for harming or placing a child at risk came in to being from 12 October 2009.

Furthermore as and from July 2010 there will be:

- A requirement for employees both paid and unpaid (volunteers) working in specified positions or activities to register with the ISA
- A requirement for employers to check whether an individual working in specified positions is registered with the ISA prior to employing them. This may be done by way of an on-line check
- Phased ISA registration of the existing children's and vulnerable adults' workforces, which will happen over a five year period
- Continuous monitoring of those registered with the ISA
- A requirement for employers, professional registration bodies and inspection authorities to refer relevant information to the ISA
- Offences for not meeting the requirements created by the legislation

### **Regulated Position**

A regulated position is a position that has defined responsibility when working with children or vulnerable adults.

### **Regulated Activity** involves:

- Any activity of a specified nature that involves contact with children or vulnerable adults, frequently, intensively and/or overnight.
- Any activity allowing contact with children or vulnerable adults that is in a specified place carried out frequently or intensively.
- Any activity that involves people in certain defined positions of responsibility.
- Any person providing a regulated activity must be registered with the ISA.
- It will be a criminal offence for a barred individual to take part in a regulated activity punishable by up to five years in prison, a fine or both.
- It will be a criminal offence for an employer to take on an individual in regulated activity without checking the individual's status with the ISA.
- It will be a criminal offence for an employer to allow a barred individual, or an individual who has not yet registered with the ISA to work in any regulated activity.

### **Legal age of sexual consent**

The Sexual Offences NI Order 2008 stipulates that the legal age of sexual consent for the six counties is 16 years of age. The Criminal Law (Sexual Offences) Act 2006 states that the age of sexual consent is 17 years of age in the Republic of Ireland.

### **Significant Harm**

The Children (NI) Order 1995 introduces into the Northern Ireland legislation, the concept of 'significant harm' as the threshold that justifies compulsory intervention in family life in the best interests of children. The HSS Trusts are duty bound to make enquiries or cause enquiries to be made in circumstances where they have a reasonable cause to suspect that a child is suffering or is likely to suffer significant harm.

There are no absolute legally or medically defined criteria on which to rely when judging what constitutes significant harm. Consideration of the severity of ill-treatment may include the degree and the extent of physical harm, the duration and frequency of abuse and neglect, and the extent of premeditation, degree of threat and coercion, and sadism in child sexual abuse.

Further information on child welfare and protection matters may be obtained by contacting:

**Ulster Council GAA**

**8-10 Market Street, Armagh, Co Armagh, BT61 7BX**

**Tel: 028 (048) 3752 1900**

**Fax: 028 (048) 3752 8092**

**Email: [info.ulster@gaa.ie](mailto:info.ulster@gaa.ie)**

**Web: [ulster.gaa.ie](http://ulster.gaa.ie)**

## Appendix 2 Tusla Area Management Structures Contacts and Addresses

### West

**Service Director**  
**Aisling Gillen**  
Child and Family Agency,  
Shiel House, College Street,  
Ballyshannon,  
Co Donegal.  
Tel 071 9822776  
aisling.gillen@tusla.ie

**Area Managers**

**Gerry Hone**  
Child and Family Agency  
Donegal  
Shiel House, College Street  
Ballyshannon, Co Donegal  
Tel 074 9743026  
gerry.hone@tusla.ie

**John Donnellan**  
Child and Family Agency  
Galway/Roscommon  
25 Newcastle Road, Galway  
Tel 091 546228  
john.donnellan@tusla.ie

**Gerry Hone**  
Child and Family Agency  
Sligo/Leitrim/West Cavan  
Shiel House, College St  
Ballyshannon, Co Donegal  
Tel 071 9822776  
gerry.hone@tusla.ie

**Paddy Martin**  
Child and Family Agency  
Mayo  
2nd Floor, Mill Lane,  
Bridge Street,  
Castlebar, Co Mayo  
Tel 094 9042030  
paddy.martin@tusla.ie

**Ger Brophy**  
Child and Family Agency  
Mid West  
Ballycummin Ave  
Raheen Business Park  
Raheen, Limerick  
Tel 061-482792  
ger.brophy@tusla.ie

### South

**Service Director**  
**Dermot Halpin**  
Child and Family Agency,  
Johnstown Business Park,  
Johnstown, Waterford  
Tel: 051-846766  
dermot.halpin@tusla.ie

**Area Managers**

**Oliver Mawe**  
Child and Family Agency  
Kerry  
Rathass  
Tralee  
Co Kerry  
Tel 066-7195620  
oliver.mawe@tusla.ie

**Barry Murray**  
Child and Family Agency  
Cork  
Ground Floor  
Aras Sláinte  
Wilton Road  
Cork  
Tel 021-4923503  
barry.murray@tusla.ie

**Marie Kennedy**  
Child and Family Agency  
Carlow/Kilkenny/South  
Tipperary  
Community Services  
James Green  
Kilkenny  
Tel 056 - 7784713  
marieu.kennedy@tusla.ie

**Vincent Daly**  
Child and Family Agency  
Waterford/Wexford  
Community Services  
Cork Road  
Waterford  
Tel 051-842827  
vincent.daly@tusla.ie

**TUSLA** An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

**Area Management Structures,  
Contacts and Addresses**

### Dublin North East

**Service Director**  
**Linda Creamer**  
Child and Family Agency  
2nd Floor, Nexus Building  
Blanchardstown Corporate  
Park  
Ballycoolin Road, Dublin 15  
Tel: 8976805  
sl.dne@tusla.ie

**Area Managers**

**Eilidh MacNab**  
North Dublin  
Child and Family Agency  
180-189 Lakeshore Drive  
Airside Business Park  
Swords, Co Dublin  
Tel: 01-8708000  
eilidh.macnab@tusla.ie

**Caroline Jordan**  
Child and Family Agency  
Dublin North City  
Ballymun Healthcare  
Facility  
Ballymun Civic Centre  
Dublin 9  
Tel 01-8467129  
amm.dnc@tusla.ie

**Grainne Sullivan**  
Child and Family Agency  
Louth/Meath  
Gilligan House  
C/O Community Care Centre  
Dublin Road  
Dundalk  
Tel 042-9381282  
GrainneSullivan.LM@tusla.ie

**Gerry Lowry**  
Child and Family Agency  
Cavan/Monaghan  
Support Services Building  
Roodkey  
Monaghan  
Tel 047-30473  
gerry.lowry@tusla.ie

### Dublin Mid Leinster

**Service Director**  
**Patricia Finlay**  
Child and Family Agency,  
Dublin Mid Leinster  
Block B  
Civic Centre, Main St  
Bray, Co. Wicklow  
Tel: 01 2744200  
Patricia.finlay@tusla.ie

**Area Managers**

**Joanne Cullen**  
Child and Family Agency  
Dublin South East /  
Wicklow  
PO Box 12639  
Dublin 8  
Tel 01-4150533  
am.dsdsew@tusla.ie

**Des Delaney**  
Child and Family Agency  
Dublin South Central  
Carnegie Centre,  
21-25 Lord Edward Street,  
Dublin 2  
Tel 01 6486555  
am.dsdsw@tusla.ie

**Andrey Warren**  
Child and Family Agency  
Dublin South  
West/Kildare/West Wicklow  
Poplar House  
Poplar Square  
Naas, Co Kildare  
Tel 045-907896  
am.dswkw@tusla.ie

**Annette Maguire**  
Child and Family Agency  
Midlands  
Mullingar Health Centre  
Longford Road  
Mullingar  
Co Westmeath  
Tel 044-9395019/5020  
childfamily.midlands@tusla.ie

Dublin Mid Leinster
  Dublin North East
  South
  West

### **Appendix 3 Health and Social Care Trusts Contact Details**

#### **Belfast Health and Social Care Trust**

**Knockbracken Healthcare Park, Saintfield Road, Belfast BT8 8BH**

Tel: Trust Headquarters 028 9096 0000  
Belfast City Hospital: 028 9032 9241  
Musgrave Park Hospital: 028 9090 2000  
The Royal Hospitals: 028 9024 0503  
Mater Hospital: 028 90741211

Email: [info@belfasttrust.hscni.net](mailto:info@belfasttrust.hscni.net)

Web: <http://www.belfasttrust.hscni.net/>

#### **Northern Health and Social Care Trust**

**The Cottage, 5 Greenmount Avenue, Ballymena, BT43 6DA Co Antrim**

Tel: Trust Headquarters 0845 601 2333  
Antrim Area Hospital: 028 9441 4000  
Braid Valley Hospital: 028 2563 5200  
Causeway Hospital: 028 2076 2666  
Dalriada Hospital: 028 2076 2666  
Holywell Hospital: 028 9446 5211  
Mid Ulster Hospital: 028 7963 1031  
Moyle Hospital: 028 2827 5431  
Robinson Hospital: 028 2766 0322  
Whiteabbey Hospital: 028 9066 5181

Email: [chief.executive@northerntrust.hscni.net](mailto:chief.executive@northerntrust.hscni.net)

Web: <http://www.northerntrust.hscni.net/>

#### **Southern Health and Social Care Trust**

**College of Nursing, Craigavon Area Hospital, 68 Lurgan Road**

**Portadown, BT63 5QQ**

Tel: Craigavon Area Hospital: 028 3833 4444  
Daisy Hill Hospital: 028 3083 5000  
Lurgan Hospital: 028 3832 3262  
St Luke's Hospital: 028 3752 2381  
South Tyrone Hospital: 028 8772 2821

Email: [corporate.hq@southerntrust.hscni.net](mailto:corporate.hq@southerntrust.hscni.net)

Web: <http://www.southerntrust.hscni.net/>

#### **Western Health and Social Care Trust**

**Trust HQ, Altnagelvin Area Hospital Site, Glenshane Road, Derry, BT47 6SB**

**Tel:** Trust Headquarters: 028 7134 5171

Altnagelvin Area Hospital: 028 7134 5171  
Erne Hospital: 028 6638 2000  
Tyrone County Hospital: 028 8283 3100  
Tyrone & Fermanagh Hospital: 028 8283 3100  
Gransha Hospital: 028 7186 0261  
Waterside Hospital: 028 7186 0007  
Lakeview Hospital: 028 7186 0261

Email:

**Web:** <http://www.westerntrust.hscni.net/>

**South Eastern Health and Social Care Trust**  
**Trust Headquarters, Ulster Hospital, Upper Newtownards Road, Dundonald,**  
**Belfast BT16 1RH**

**Tel:** Trust Headquarters: 028 9055 3100

Ulster Hospital: 028 9048 4511  
Lagan Valley: 028 9266 5141  
Ards Hospital: 028 9181 2661  
Downe & Downshire Hospitals: 028 4461 3311

**Email:** [public.relations@setrust.hscni.net](mailto:public.relations@setrust.hscni.net)

**Web:** <http://www.setrust.hscni.net/>

As contact names and numbers may be amended from time to time the most up-to-date contact details can be found on the relevant Social Care Trusts Website as listed above.

## Appendix 4

### Tusla Child Protection and Welfare Report Form *MANDATED PERSONS AND NON MANDATED PERSONS (Children First Act 2015 & Children First National Guidance)*



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

## Child Protection and Welfare Report Form

*MANDATED PERSONS AND NON MANDATED PERSONS  
(Children First Act 2015 & Children First National Guidance)*

Use block letters when filling out this form.  
Fields marked with an \* are mandatory.

1. Tusla Area (this is where the child resides)*	
--	--

2. Date of Report*	
--------------------	--

#### 3. Details of Child

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address*		Date of Birth*	
		Estimated Age*	
		School Name	
		School Address	
Eircode			

#### 4. Details of Concerns\*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see 'Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns' for additional assistance on the steps to consider in making a report to Tusla

#### 5. Type of Concern

Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>

#### 6. Details of Reporter

First Name		Surname	
Address if reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

## Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS  
(Children First Act 2015 & Children First National Guidance)

Is this a Mandated Report made under Sec 14, Children First Act 2015?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Mandated Person's Type				

### 7. Details of Other Persons Where a Joint Report is Being Made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

### 8. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to Tusla?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the parent/carer does not know, please indicate reasons:				

### 9. Relationships

Details of Mother			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

Is the Mother a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
----------------------------------	-----	--------------------------	----	--------------------------

Details of Father			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

## Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS  
(Children First Act 2015 & Children First National Guidance)

Is the Father a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
----------------------------------	-----	--------------------------	----	--------------------------

### 10. Household Composition

First Name	Surname	Relationship	Date of Birth	Estimated Age	Additional Information e.g. school, occupation, other

### 11. Details of Person(s) Allegedly Causing Harm

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

## Child Protection and Welfare Report Form

**MANDATED PERSONS AND NON MANDATED PERSONS**  
(Children First Act 2015 & Children First National Guidance)

### 12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

Profession	First Name	Surname	Address	Contact Number	Recent Contact e.g. 3/6/9 months ago
Social Worker					
Public Health Nurse					
GP					
Hospital					
School					
Gardaí					
Pre-school/ crèche					
Other					

### 13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

Please ensure you have indicated if this is a mandated report in section 6.

Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, [www.tusla.ie](http://www.tusla.ie). As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

### 14. For Completion by Tusla Authorised Person on Receipt of Report

Report Received by				
First Name		Surname		Date

Mandated Report Acknowledgement by



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

## Child Protection and Welfare Report Form

**MANDATED PERSONS AND NON MANDATED PERSONS**  
*(Children First Act 2015 & Children First National Guidance)*

<b>First Name</b>		<b>Surname</b>		<b>Date Sent</b>	
<b>Authorised Person Signature*</b>					
<b>Date*</b>					
<b>Child Previously Known</b>		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<b>Allocated Case No</b>					

## Appendix 5 Standard Reporting Form (Trust)

### SAMPLE INCIDENT RECORD FORM CHILD PROTECTION

<b>Club or Agency:</b>	<i>(Insert Club / Organisation Name)</i>
<b>Your name:</b>	
<b>Your position:</b>	
<b>Child's name:</b>	
<b>Child's address:</b>	
<b>Parents/carers Names &amp; Address:</b>	
<b>Child's date of birth:</b>	
<b>Date and time of any incident:</b>	
<b>Your observations:</b>	
<b>Exactly what the child said and what you said:</b>  (Remember; do not lead the child – record actual details. Continue on separate sheet if necessary)	
<b>Action taken so far:</b>	

Designated officer Informed; <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>External agencies contacted (date &amp; time)</b>	
<b>Police</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes – which: Name and contact number: Details of advice received:
<b>Social services</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes – which: Name and contact number: Details of advice received:
<b>Sport Governing body</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	Name and contact number: Details of advice received:
<b>Local Council or Education Department</b> <input type="checkbox"/> Yes <input type="checkbox"/> No (If appropriate)	If yes – which: Name and contact number: Details of advice received:
<b>Other (e.g. NSPCC)</b>	Which: Name and contact number: Details of advice received:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Remember to maintain confidentiality on a *need to know* basis – only if it will protect the child. Do not discuss this incident with anyone other than those who need to know.**

**NB A copy of this form should be sent to social services after the telephone report and to the Governing Body Child Protection Officer for monitoring purposes**

## **GAA Reported Allegation of Abuse Form NOT subsequently forwarded to Statutory Authorities (Form 1.2)**

*While this document should be forwarded in the first instance to the GAA National Designated Person and may be used for GAA internal purposes please be aware that the document may also be required by the relevant statutory authorities should they wish to investigate this matter further*

<b>Club:</b>	
<b>County:</b>	
<b>Club Designated Person:</b>	
<b>County Designated Person:</b>	
<b>Child's name:</b>	
<b>Child's address:</b>	
<b>Parent/Guardian Name:</b>	
<b>Child's date of birth:</b>	
<b>Date and time of any incident:</b>	
<b>What was observed or reported and by whom:</b>	
<b>Exact details of what was reported to the Club or County Designated Person or other GAA member:</b>	

<b>Action taken so far:</b>	
Designated Officer Informed; <input type="checkbox"/> Yes <input type="checkbox"/> No Name: (Please state if Club, County, Provincial or National Designated Person has been informed)	
<b>Decision taken by Club Designated Person and reasons for decision taken:</b>          	
<b>This report has been forwarded to :</b>	
<b>Date and time:</b>	

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

- This form should be forwarded as a matter of urgency to the GAA National Designated Person [nationaldesignatedperson@gaa.ie](mailto:nationaldesignatedperson@gaa.ie) or by fax to 01-836 6420
- The contents of this report should not be shared with anyone other than those who need to know
- Should it be necessary please use additional pages to complete this form accompanied by any other relevant documentation

## Appendix 7 HSE Children First Information and Advice Officers

### Children First Information and Advice Officers

Name	Area	Contact Address	Contact Numbers
<b>Jan Perrin</b> <b>Edwina Flavin</b>	<b>HSE Dublin Mid-Leinster</b> Dublin South City, Dublin South West, Dublin West Kildare, West Wicklow	Children and Families, Training and Development Unit, Unit 4044 City West Business Campus, Saggart, Co Dublin.	Phone: (01) 4691720 Fax No: (01) 4691728  <a href="mailto:edwina.flavin@hse.ie">edwina.flavin@hse.ie</a> <a href="mailto:jan.perrin@hse.ie">jan.perrin@hse.ie</a>
<b>Lorraine Egan</b>	<b>HSE Dublin Mid-Leinster</b> LHOs: Dublin South (Dún Laoghaire); Dublin South East; Wicklow	Block B, Civic Centre Main St. Bray, Co Wicklow	Phone: (01) 2744273 Fax No: (01) 2744287  <a href="mailto:lorraine.egan@hse.ie">lorraine.egan@hse.ie</a>
<b>Charney Weitzman</b>	<b>HSE Dublin Mid-Leinster</b> LHOs Longford/Westmeath & Laois/Offaly	Child Care Unit, Block 4, Central Business Park, Tullamore, Co Offaly	Phone: (057) 9357842 Fax No: (057) 9357846  <a href="mailto:charney.weitzman@hse.ie">charney.weitzman@hse.ie</a>
Vacant	<b>HSE Dublin North East</b> LHOs Dublin North West; Dublin North Central; Dublin North	Training & Development Unit, Unit 7, Swords Business Campus, Balheary Rd, Swords, Co. Dublin	Phone : (01) 8908743 (01) 8908751
<b>Deirdre Horan-Martin</b>	<b>HSE Dublin North East</b> Cavan/Monaghan	Office of the Local Health Manager HSE PCCC Cavan & Monaghan Rooskey, Monaghan	Phone: (047) 30470 Fax No: (047) 38532  <a href="mailto:deirdrem.horanmartin@hse.ie">deirdrem.horanmartin@hse.ie</a>
<b>Kathryn Morris</b>	<b>HSE Dublin North East</b> Meath	Child Care Services Enterprise Centre Trim Rd Navan, Co Meath	Phone: (046) 9097846 Fax No: (046) 9097900  <a href="mailto:kathryn.morris@hse.ie">kathryn.morris@hse.ie</a>
<b>Anne Purcell</b>	<b>HSE South</b> Carlow, Kilkenny. Wexford, Waterford, South Tipperary	Health Centre, Castlehill, Carlow	Phone: (059) 9133797/9136520 Fax No: (0503) 36550  <a href="mailto:ann.purcell@hse.ie">ann.purcell@hse.ie</a>

<b>Margaret Fitzgerald</b>  <b>Sheelagh Broderick</b>  <b>Maureen Crowley</b>	<b>HSE South</b> North Lee, North Cork, Kerry  South Lee, North Lee  West Cork, Kerry	Children First Department Unit 4 South Ring Business park Kinsale Road Cork	Phone: (021) 4927250  margareta.fitzgerald1@hse.ie  <a href="mailto:sheelagh.broderick@hse.ie">sheelagh.broderick@hse.ie</a>  <a href="mailto:maureen.crowley@hse.ie">maureen.crowley@hse.ie</a>
<b>Brid Burke</b>	<b>HSE West</b> Galway	Children First Advice & Information Officer Family Support Services West City Centre Seamus Quirke Rd, Galway	Phone: (091) 548440 Fax No: (091) 524226  brid.burke@hse.ie
<b>Sandra Claxton</b>	<b>HSE West</b> Roscommon, Mayo	Primary, Community & Continuing Care, 2 <sup>nd</sup> Floor, St Mary's Headquarters, Castlebar, Co. Mayo	Phone: (094) 90 42579 Fax No: (094) 90 20452  <a href="mailto:sandra.claxton@hse.ie">sandra.claxton@hse.ie</a>
<b>Noreen Herron</b>	<b>HSE West</b> Sligo, Leitrim, Donegal, Cavan	Markievicz House, Barrack Street, Sligo	Phone: (071) 9155181 Fax No: (071) 9155131  <a href="mailto:noreen.herron@hse.ie">noreen.herron@hse.ie</a>
<b>Jan Godfrey</b>	<b>HSE West</b> Clare	River House, Gort Road, Ennis, Co Clare	Phone: (065) 6863919 Fax No: (065) 6863983  jan.godfrey@hse.ie
<b>Anne Murray</b>	<b>HSE West</b> Limerick	87 O'Connell St., Limerick	Phone : (061) 483520 Fax No: (061) 468902  <a href="mailto:annem.murray@hse.ie">annem.murray@hse.ie</a>
<b>Laura Nee</b>	<b>HSE West</b> Tipperary North	Child Care Manager's Dept, Annbrook, Limerick Road, Nenagh, Co. Tipperary	Phone: (067) 38314 Fax No: (067) 38301  laura.nee@hse.ie

### **The Children's Officer at Club and County level**

The role of Children's Officer is central to the implementation of the GAA Code of Best Practice in Youth Sport and our joint Code of Behaviour at both Club and at County level. The Club and County Children's Officer shall have as their primary aim the establishment of a child and youth centred ethos within the Club and County and will be viewed by many as the link between the children/young people or their parents and the Association. Persons chosen for these roles shall have the confidence of parents, mentors and children alike as somebody that can represent the views of others and ensure that the club acknowledges and delivers upon their responsibilities at all times.

#### **Club Children's Officer**

The Club Children's Officer shall be a person of high integrity, shall have good communicative skills and shall be knowledgeable themselves as to how the Club can ensure the rights of young people are respected and maintained. It is the responsibility of the Children's Officer to regularly report to their Club Executive or Management Committee on how Club Policy and procedures and the participation of young people in the club may be impacting on the welfare and safeguarding of under age players and their coaches/mentors.

#### **The Club Children's Officer should;**

- Promote greater awareness within the Club of the GAA Code of Best Practice in Youth Sport and participate fully on the Club Executive.
- Ensure, in as far as possible, that all Players, Coaches/Team mentors, Parents/Guardians, Officials and spectators adhere to the Code of Best Practice for Youth Sport.
- Distribute copies of the GAA Joint Code of Behaviour at club level and ensure that all mentors in particular sign and abide by the Code.

- Liaise with parents of under age players and ensure that they are aware of and understand the basic elements of the GAA Code of Best Practice in Youth Sport and that they sign with their son/daughter the Code of Behaviour.
- Influence policy and practice within the Club in order to prioritise children's and young people's needs.
- Promote greater consultation with under age players and participation by them in club activities and planning.
- Encourage the involvement of parents/guardians in organising Club activities and to co-operate with parents in ensuring that every young person enjoys his/her involvement with the Club.
- Establish good links with local schools involved in the promotion of Gaelic Games.
- Liaise with Coiste Na nÓg to ensure that the "child centred ethos" is being adhered to through coaching and games development.
- Develop good practice procedures in the recruitment and selection of persons working with young people in the club.
- Assist, or oversee if deemed appropriate, the distribution of Garda Vetting and Access NI forms as applicable to the jurisdiction of the club.
- Monitor, in association with team coaches, any significant drop out rates, lack of attendance or club transfers of under age players and report accordingly to the Club Executive or Management Committee.
- Maintain on-going contact with the County Board Children's Officer and with other Club Children's Officers in their locality.
- The Club Children's Officer should avail of any training provided for them at County, Provincial or National level.
- Assist with the organising of the delivery of the Child Protection in Sport Awareness workshops and other appropriate training in consultation with the Club's Designated Person

Club Children's Officers do not have the responsibility to investigate or validate child protection allegations or concerns within the Club. The liaison person appointed by the

Club to deal with such concerns is the Club's Designated Person as per the GAA Guidelines for Dealing with Allegations of Abuse (Fourth Edition 2009).

### **The County Children's Officer**

The County Children's Officer is a key position in the promotion of child welfare and the interests of children and young people in the Association and the implementation of our Code of Best Practice in Youth Sport and the Code of Behaviour.

The person chosen for this role shall have the confidence of all clubs and in particular of the Club Children's Officers within the County.

### **The County Children's Officer shall;**

- Assist Club Children's Officer in identifying their roles at Club level and the manner in which they may implement an annual work plan to deliver upon such roles
- Promote the GAA Code of Best Practice in Youth Sport and Code of Behaviour at County level
- Coordinate the delivery of the Child Protection in Sport Awareness Workshops at Club level throughout the County
- Assist where necessary the County Vetting Coordinator in the processing of vetting applications of all persons working in any capacity with children and young people. on behalf of the Association
- Influence policy and practice within the County with the assistance of Club Children's Officer so as to prioritise the welfare needs of children and young people in the Association
- Promote greater consultation with under age players and participation by them in club and county activities
- Encourage and promote the involvement of parents/guardians in GAA activities at County level

- Liaise with the County Bord na nÓg to ensure that the “child centred ethos” is being adhered to through the delivery of coaching and games development.
- Develop good practice procedures in the recruitment and selection of persons working with young people and ensure that such procedures are adhered to by all Clubs
- Monitor, in association with Club Children’s Officers, any significant drop out rates, lack of attendance or club transfers of under age players and report accordingly to the County or other appropriate forum.
- Maintain on-going contact with the Club Children's Officer and with the National Children’s Office as appropriate
- The Club Children’s Officer should avail of any training provided for them at County, Provincial or National level.

County Children’s Officers do not have the responsibility to investigate or validate child protection allegations or concerns at County level. The liaison person appointed by the Club to deal with such concerns is the County Designated Person as per the GAA Guidelines for Dealing with Allegations of Abuse (Fourth Edition).

## **Appendix 9**

### **CHILD PROTECTION/WELFARE LEGISLATION & GUIDELINES**

Reference is made below to key Child Protection and Welfare Legislation and Guidelines which are deemed pertinent to Designated Persons in their roles at Club, County or Provincial level.

#### **United Nations Convention on the Rights of the Child**

The United Nations Convention on the Rights of the Child is a set of minimum standards that promotes the rights of the child worldwide. It contains many key Articles that have influenced national child care and welfare legislation including the definition of a child as a person under 18 years of age. It specifically outlines non discrimination rights and the rights of the child to express their opinion and to be heard. The Convention is a binding international treaty and all signatories are subject to monitoring on how they implement the Convention in their own Country.

#### **Code of Ethics & Good Practice for Children's Sport (Irish Sports Council and SportsNI)**

A joint Irish Sports Council and Sports NI Code publication that is based upon a number of core principles relating to the importance of childhood, the needs of the child, integrity and fair play, and relationships and safety in children's sport. It addresses issues relating to the roles and responsibilities of all involved in children's sport and underpins the importance of policies and procedures in providing quality leadership for children. The Code outlines principles of good practice and child protection policy and procedures. The GAA Code of Best Practice in Youth Sport and the Code of Behaviour both incorporate the basic principles of the Code of Ethics & Good Practice for Children's Sport and form the basis of the GAA Child Welfare and Protection in Sport Awareness Training Programme with the ISC/SportNI.

#### **Children First National Guidelines for the Protection and Welfare of Children 1999/2004 (Dept of Health and Children)**

These National Guidelines seek to assist people in identifying and reporting child abuse and to improve professional practice in both statutory and voluntary agencies and organisations that provide services for children and families. Children First caters for all children, and not just children who are victims of any form of abuse. They also highlight the importance of consistency between policies and procedures across health services and other statutory and voluntary (including sporting) organisations. The Guidelines particularly emphasise that the welfare of children is of paramount importance.

### **Our Duty to Care (Dept of Health and Children)**

This document is aimed at community and voluntary organisations that provide services for children. It offers guidance on the promotion of child welfare and the development of safe practices in our work with children and gives information on how to recognise signs of child abuse and the correct steps to take within organisations if it is suspected, witnessed or disclosed. It provides advice on developing safe recruitment practices and strategies on developing safe management practice and policies within organisations. It also suggests ways that organisations could raise awareness among their staff and volunteers about child abuse and how staff should respond to accidents or complaints and alleged or suspected abuse. It was adapted from the Our Duty to Care (NI) document and incorporates many of the principles, with a view to reflecting an all-island approach to child protection on behalf of community and voluntary bodies.

### **The Child Care Act, 1991**

The purpose of the Act was to update the law in relation to the care of children who are assaulted, ill treated neglected or sexually abused or who are at risk. It places a statutory duty on former Health Boards (now the Health Service Executive) to promote the welfare of children who are not receiving adequate care and protection and highlights the basic principle that the welfare of the child is of paramount importance. The Act defines a child as any person under the age of 18 years, excluding a person who is or who has been married.

### **Protection for Persons Reporting Child Abuse Act 1998**

Provides immunity from civil liability to any person who reports child abuse ‘reasonably and in good faith to designated officers of the HSE or any member of An Garda Síochána. The Act also provides significant protection for employees who report child abuse. A feature of the Act is that it covers the offence of ‘false reporting’ where a person makes a report of child abuse to the appropriate authorities “knowing that statement to be false”. This is a new criminal offence designed to protect innocent persons from malicious reports.

### **The Sex Offenders Act 2001**

The main purpose of the Act is to impose a requirement on certain sex offenders to inform An Garda Síochána of their names and addresses and any changes to these details in order to ensure that this information is kept up to date. The Act provides for post release supervision of sex offenders by the Probation and Welfare Service and makes it an offence for those who seek or accept work involving unsupervised contact with children without informing the employer of their conviction. If a person is convicted of a sexual offence outside Ireland, where that offence would constitute a sexual offence in Ireland, they are subject to the same Garda notification requirements if they subsequently come to live in Ireland. If they fail to notify the Gardaí of their details, then the Gardaí can prosecute them for non-compliance or failure to comply with the requirements.

### **Data Protection Acts 1998 and 2003 (ROI)**

The eight rules of Data Protection as outlined in the Act are:

- Obtain and process information fairly
- Keep it only for one or more specified, explicit and lawful purposes
- Use and disclose it only in ways compatible with these purposes
- Keep it safe and secure
- Keep it accurate, complete and up-to-date
- Ensure that it is adequate, relevant and not excessive
- Retain it for no longer than is necessary for the purpose or purposes
- Give a copy of his/her personal data to an individual, on request

## **Legal age of sexual consent**

The Sexual Offences NI Order 2008 stipulates that the legal age of sexual consent in the 6 counties is 16 years of age. The Criminal Law (Sexual Offences) Act 2006 states that the age of sexual consent is 17 years of age in the Republic of Ireland.

## **Our Duty to Care 2007 (NI)<sup>8</sup>**

Sets out the principles of best practice and how to promote the rights of children. It provides advice on developing safe recruitment practices and strategies on developing safe management practice and policies within organisations while clearly stating the principle that child safety is paramount. It also suggests ways that organisations could raise awareness among their staff and volunteers about child abuse and how staff should respond to accidents or complaints and alleged or suspected abuse.

## **Safeguarding Vulnerable Groups (NI) Order 2007<sup>9</sup>**

The Safeguarding Vulnerable Groups (NI) Order 2007 (SVG Order) and establishes new safeguarding arrangements aimed at strengthening protection for children and vulnerable adults in workplace situations. Key features of the order are:

- The establishment of a new Independent Safeguarding Authority (ISA), which will register those working with children and vulnerable adults and maintain lists of those barred from such work on the basis of harm or risk of harm
- A requirement for employees (both paid and unpaid) working in specified positions to register with the ISA and pay a registration fee
- A requirement for employers to check whether an individual working in specified positions is registered with the ISA prior to employing them. This may be done by way of an on-line check

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<sup>8</sup> First published in 2002. Fourth edition published in 2007

<sup>9</sup> Outlined in greater detail in Appendix 1 - Child Welfare and Protection Procedures as Overseen by Ulster GAA

- Phased ISA registration of the existing children's and vulnerable adults' workforces
- Continuous monitoring of those registered with the ISA
- A requirement for employers, professional registration bodies and inspection authorities to refer relevant information to the ISA
- Offences for not meeting the requirements created by the legislation

### **Police Act (Known as Part 5 of the Police Act 1997)**

This piece of legislation has now been enacted thus enabling the PSNI to disclose what is termed 'soft intelligence', i.e. non-conviction information, when they deem it appropriate. This coincided with the establishment of Access NI, the equivalent to the Criminal Records Bureau in England and Wales.

### **The Children (NI) Order 1995**

Defines a Child as a person under 18 years of age and aims to ensure that the child's best interests are the paramount consideration in all decisions affecting the child. The Order sets out the law in relation to the responsibilities of parents and also the statutory duty of the state to protect and provide services for children. The five good practice principles of this legislation are: Paramountcy, Parental Responsibility, Prevention, Partnership and Protection.

### **The Criminal Law Act (NI) 1967**

A key 'reporting' piece of legislation which places the responsibility on everyone to report offences or to forward information to the police by emphasising the, 'duty of every other person, who knows or believes,

- (a) that the offence or some other arrestable offences has been committed: and
- (b) that he has information which is likely to secure, or to be material assistance in securing, the apprehension, prosecution or conviction of any person for that offence.'

### **Protection of Children Act 1978 (NI)**

An Act to prevent the exploitation of children by making indecent photographs of them; and to penalise the distribution, showing and advertisement of such indecent photographs. The Act stipulates that it is an offence for a person–

- 1) To take, or permit to be taken, any indecent photograph of a child (meaning in this Act a person under the age of 16)
- 2) To distribute or show such indecent photographs; or to have in his possession such indecent photographs, with a view to their being distributed or shown by himself or others
- 3) To publish or cause to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows such indecent photographs or intends to do so.

### **The Sex Offenders Act 1997**

This Act imposes a requirement on certain sex offenders to notify the police of their name(s) and address and any changes to these details in order to ensure that the information on sex offenders contained within the police national computer is kept fully up to date. The Act thereby implements a ‘sex offenders register.’

### **The Sexual Offences (NI) Order 2008**

The Order makes provision about sexual offences including the offences of rape, sexual assault and causing a person to engage in sexual activity without consent. It specifically makes provision relating to sexual offences against children and about sexual offences against a person with a mental disorder. The Sexual Offences Order sees the creation of new offences and increased tariffs for those who harm children. Part 2 of the act was implemented in 2003 which focused on the registration of those convicted and their management. This Order modifies the Sex Offenders Act 1997 to provide for a court to have the power to make a restraining order when sentencing a sex offender.

### **The Sexual Offences Act 2003 (NI)**

This legislation means that people who have been cautioned or convicted for sexual offences on or after 1 September 1997, or who have been released from prison on or after

that date, having been convicted for sexual offences must notify the police of certain details including name(s), address(es), date of birth, National Insurance Number etc. This process is sometimes referred to as 'signing the sex offender's register' and offenders are required to notify for periods which are determined by the sentence handed down by the Courts.

### **Data Protection Act 1998**

The act, as it applies to the six counties requires that personal data shall be processed fairly and lawfully. Clubs need to review information held to consider:

- How long they need to keep information for;
- The purpose it is held;
- How it is stored and;
- How it will be destroyed.

## **10 Recommended reading and useful contacts**

