



**DCU SPORT CHILD PROTECTION &
SAFEGUARDING POLICY
“KEEPING CHILDREN SAFE”
PLAN**

**Policy and Procedures
Handbook 2023**



Implementation Date of the DCU Sport Child Protection and Safeguarding Policy - 1st May 2013

Review Schedule Action	Date Due by	Date Completed	Initials
1 st Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2014	01.05.2014	<i>C.D</i>
2 nd Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2015	01.05.2015	<i>C.D</i>
3 rd Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2016	28.04.2016	<i>C.D</i>
4 th Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2017	18.04.2017	<i>C.D</i>
5 th Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2018	28.04.2018	<i>C.D</i>
6 th Review of DCU Sport Child Protection & Safeguarding Policy	1/5/2019	18.02.2019	<i>C.D</i>
7 th Review of DCU Sport Child Protection & Safeguarding Policy	1/3/2020	01.03.2020	<i>C.D</i>
8 th Review of DCU Sport Child Protection & Safeguarding Policy	1/3/2021	01.03.2021	<i>C.D</i>
9 th Review of DCU Sport Child Protection & Safeguarding Policy	31/3/2022	30.03.2022	<i>C.D</i>
10 th Review of DCU Sport Child Protection & Safeguarding Policy	31.03.2023	23.03.2023	<i>C.D.</i>

Implementation Date of the DCU Sport Child Safeguarding Statement - 1st March 2018

Review Schedule Action	Date Due by	Date Completed	Initials
1 st Review of DCU Sport Child Safeguarding Statement	1/3/2019	01.03.2019	
2 nd Review of DCU Sport Child Safeguarding Statement	1/3/2020	01.03.2020	
3 rd Review of DCU Sport Child Safeguarding Statement	1/3/2021	01.03.2021	
4 th Review of DCU Sport Child Safeguarding Statement	31/3/2022	30.03.2022	
5 th Review of DCU Sport Child Safeguarding Statement	31/3/2023	01.03.2023	

**DCU Sport Policy - No. 10
Child Safeguarding Statement 2023**

DCU Sport provides sporting activities and opportunities for children and young people through several of our programmes and facility services.

DCU Sport is committed to safeguarding children and young people. All staff members and volunteers working with children throughout the organisation, seek to create a safe environment for children and young people to participate in sporting activities. We have created a Safeguarding Risk Assessment that indicates the areas of potential risk of harm for children on our premises, the likelihood of the risk occurring, the required policy and guidance or process documents required to alleviate the risk.

We have the following procedures in place as part of DCU Sport Safeguarding Code in addition to our Risk Assessment outlined above:

- Procedures for management of allegations of abuse or misconduct by staff or volunteer against a child availing of our facility.
- Procedure for the safe recruitment of staff and volunteers to work with children in our activities through Garda Vetting.
- Procedure for access to child safeguarding training and information for staff members and in house child protection training, including the identification of the occurrence of harm.
- Procedure for the reporting of child protection or welfare concerns to the Statutory Authorities.
- Appointment of Mandated Personnel who are the point of contact in respect to Safeguarding for this statement.

The DCU Sport Mandated Staff who under the Children’s First Act 2015 has a legal obligation to report harm of children is -

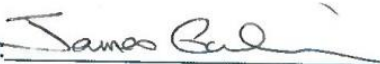
Gemma Dempsey

Email: gemma.dempsey@dcu.ie

Phone: (01) 700 6111

DCU Sport recognise that implementation is an on-going process and are committed to the implementation of this Child Safeguarding Statement and procedures involved. For queries on this Child Safeguarding Statement, please contact DCU Sports’ Mandated Person outlined above.

The Child Safeguarding Statement will be reviewed every year alongside our Child Protection and Safeguarding Policy.

Signed: 

Date: 01/03/2023

James Galvin, Head of Sport
Review No. 6
Next Review March 2024

1st March 2023



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1.1 STATEMENT OF PURPOSE AND INTENT

1.1.1 Purpose of this Policy

The DCU Sport Child Protection & Safeguarding Policy aims to ensure its core values, ethos and the good reputations of DCU Sport are maintained by the highest standards, positive behaviours and attitudes. The DCU Sport Child Protection & Safeguarding Policy shall assist and enable DCU Sport & its Staff in ensuring that every child, young person or adult involved in any sport activity, whether competitive or social within DCU Sport and its facilities is treated with respect and dignity, and is safe and protected from all forms of abuse.

The DCU Sport Child Protection & Safeguarding Policy also ensures that everyone involved in activities at DCU Sport and its facilities is aware of his or her legal and ethical rights and responsibilities.

1.1.2 The DCU Sport Child Protection & Safeguarding Policy and its attachments provide the procedures that support DCU Sport firm commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from its sports activities. As part of this commitment, DCU Sport shall take all appropriate actions including disciplinary action where necessary against any person or organisation bound by this policy if they breach it.

1.1.3 This policy has been endorsed by the Board of Directors, DCU Sport and herewith is now the official DCU Sport Child Protection & Safeguarding Policy for DCU Sport and its affiliates superseding any previous versions of the DCU Sport Child Protection & Safeguarding Policy; associated documentation and other related materials.

1.1.4 The DCU Sport Child Protection & Safeguarding Policy commenced on 1st May 2013 and will operate until replaced. DCU Sport may amend this Child Protection & Safeguarding Policy and/or its attachments or appendices from time to time.

1.1.5 Copies of the DCU Sport Child Protection & Safeguarding Policy and its attachments can be obtained from our website www.dcu.ie/dcusport or, on request from Chief Executive, DCU Sport, Dublin City University, Dublin.

1.1.6 Intent of this Policy

1) Organisational Responsibilities;-

DCU Sport and affiliated DCU organisations must:

- i. Adopt, implement and comply with the DCU Sport Child Protection & Safeguarding Policy;
- ii. Publish, distribute, disseminate and/or otherwise promote the DCU Sport Child Protection & Safeguarding Policy and, the consequences for breaching it as per disciplinary procedures (See Principle 6.9);
- iii. Promote and uphold appropriate standards of conduct at all times;
- iv. Promptly deal with any breaches of or complaints made under DCU Sport Child Protection & Safeguarding Policy in an impartial, sensitive, fair, timely and confidential manner;
- v. Apply DCU Sport Child Protection & Safeguarding Policy consistently without fear or favour;
- vi. Recognise and enforce any penalty imposed under DCU Sport Child Protection & Safeguarding Policy as per disciplinary procedures (See Principle 6.9);
- vii. Ensure that a copy of DCU Sport Child Protection & Safeguarding Policy is available or accessible to the persons to whom this policy applies (See Principle 1.3)
- viii. Appoint or have access to appropriately designated & trained people to receive and handle complaints and/or allegations e.g. Mandated Person or Deputy Mandated Person and display the names and contact details in a way that is readily accessible; and

- ix. Monitor and review the DCU Sport Child Protection & Safeguarding Policy at least annually.

2) Individual Responsibilities:-

Individuals bound by the DCU Sport Child Protection & Safeguarding Policy are responsible for:

- i. Making themselves aware of the DCU Sport Child Protection & Safeguarding Policy and, their compliance with the standards of conduct outlined therein;
- ii. Consenting to vetting in compliance with the current procedural and legal requirements under the existing vetting system operated by the Garda Central Vetting Bureau or, the new procedures and requirements under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.
- iii. Complying with all other requirements of the DCU Sport Child Protection & Safeguarding Policy;
- iv. Co-operating with other DCU Sport Staff in providing for a
 - a. non-discriminatory,
 - b. child & young person friendly,
 - c. violence, abuse and harassment free sporting environment;
- v. Understanding the possible consequences of breaching this policy.

1.1.7 Application

DCU Sport Child Protection & Safeguarding Policy applies to the following, **without exemption** whether they are in a paid or unpaid/voluntary capacity:

- i. Board members of DCU Sport;
- ii. DCU Sport Staff – Full-time; Part-time and volunteers;
- iii. DCU Sport Support personnel (e.g. Physiotherapists, Masseurs);
- iv. DCU Sport Coaches, Assistant Coaches, Managers and Trainers;
- v. Players and participants;
- vi. Guest Referees, Adjudicators, Assessors and other officials;
- vii. Members of DCU Sport facilities;
- viii. DCU Sport Clubs and associated organisations;

- ix. Other invited guest organisations or associations using DCU Sport facilities;
- x. Any other person(s); groups; organisation or associations that may rent or pay for the use of DCU Sport facilities on a casual or formal basis;
- xi. Parents, guardians, carers; spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have stopped their association or employment with DCU Sport if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

In addition, any contractors/bookees who provide services to DCU Sport or any individual/group/organisation that may rent or hire DCU Sport facilities will be advised of the DCU Sport Child Protection Policy and, will be required to meet the Policy requirements as part of their contract terms and conditions.

- 1.1.8 For the purpose of this DCU Sport Child Protection and Safeguarding Policy, a child/young person is any individual under 18 years of age. A child is legally defined under the Child Care Act 1991 as ‘any person under the age of 18 years excluding a person who is or has been married.

1.2 STATEMENT OF EQUALITY, VALUES AND PRINCIPLES

- 1.2.1 DCU Sport and DCU Sport Staff affirm and commit to uphold the principle of equality as set out in Section 1.7 of the Irish Sports Council’s “Code of Ethics & Good Practice for Children’s Sport” (2000) namely:

1. *“All children should be valued and treated in an equitable and fair manner regardless of ability, age, gender, religion, social and ethnic background or political persuasion.*
2. *Children, irrespective of ability or disability should be involved in sports activities in an integrated and inclusive way, whenever possible, thus allowing them to participate to their potential alongside other children.*
3. *Sports Leaders should be aware of and seek to gain competence in addressing the needs of young people with disabilities or any other additional needs.”*

1.2.2 Furthermore, DCU Sport and DCU Sport Staff affirm and commit to the Values and Principles as set out in Paragraph 1.4 of Sport Ireland ‘Safeguarding Guidance for Children and Young People in Sport’ by:

- i. Creating and maintaining an environment that does not discriminate, directly or indirectly, on grounds of gender, marital status, family status, sexual orientation, religious belief, political opinion, disability, age, race or ethnic origin, and membership of the traveller community.
- ii. Respecting and valuing the broad diversity of persons within DCU Sports and reflective of society at large and, is committed to treating all persons in an equitable and fair manner.
- iii. Involving persons with disabilities in DCU Sports activities in an integrated way, thus allowing them to participate to their potential alongside others.

1.3 TYPES AND DEFINITIONS OF CHILD ABUSE

1.3.1 Child abuse can be categorised into four different types:

1. Physical abuse
2. Emotional abuse,
3. Neglect, and
4. Sexual abuse.

A child may be subjected to one or more forms of abuse at any given time.

1.3.2 The definitions of neglect and abuse presented hereafter in this section are not legal definitions but are taken from the “*Children First: National Guidance for the Protection and Welfare of Children*” (2017) and are widely accepted. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised

1.3.3 **Physical Abuse** is defined in the “*Children First: National Guidance for the Protection and Welfare of Children*” (2017) as:-

“Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents.”

1.3.4 Examples of Physical Abuse in Sport:-

Bodily harm that may be caused:

- i. When the nature and intensity of training or competition exceeds the capacity of the child's immature and growing body;
- ii. Dangerous training of athletes;
- iii. Over-playing an athlete;
- iv. If athletes are required to participate when injured;
- v. A failure to do a risk assessment of physical limits or pre-existing medical conditions.
- vi. By person(s) in authority including coaches administering, encouraging or condoning the use of drugs or harmful substances to enhance performance or delay puberty, including failing to intervene in the use of drugs or harmful substances

1.3.5 **Emotional Abuse** is defined in the "*Children First: National Guidance for the Protection and Welfare of Children*" (2017) as:-

"Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver."

1.3.6 Examples of Emotional Abuse in Sport:-

- i. Persistent failure to show any respect to a child e.g. continually ignoring a child.
- ii. Constantly humiliating a child by telling them they are useless or making demeaning statements.
- iii. Issuing threats or continually being aggressive towards a child making them feel frightened.
- iv. Acting in a way which is detrimental to the child's self-esteem.
- v. Being excluded from training practices.

- vi. Having unrealistic goals or expectations of athletes.
- vii. Keeping athletes from participating in games or practices because of assumed limits or underdeveloped skills.

1.3.7 **Neglect** is defined in the *“Children First: National Guidance for the Protection and Welfare of Children” (2017)* as:-

“Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child’s health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety.”

1.3.8 Examples of Physical Neglect in Sport:-

- i. Exposing a child to extreme weather conditions e.g. heat and cold.
- ii. Improperly treating injuries or failing to seek medical attention for injuries.
- iii. Forcing injured athletes to play.
- iv. Exposing a child to risk of injury through the use of unsafe equipment.
- v. Exposing a child to a hazardous environment without a proper risk assessment of the activity.
- vi. Lack of supervision during overnight trips.
- vii. Allowing bullying or hazing by teammates.

1.3.9 **Sexual Abuse** is defined in the *“Children First: National Guidance for the Protection and Welfare of Children” (2017)* as:

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

1.3.10 Examples of Sexual Abuse in Sport

- i. Coaching techniques which involve physical contact with children that can create situations where inappropriate touching may occur and which may go unnoticed.

- ii. The power and authority of, or dependence on, the coach if misused, that may also lead to abusive situations developing.
- iii. Contacts made within sport and pursued e.g. through texts, Facebook or Twitter for the purposes of grooming children for abuse.
- iv. Exposure to sexually explicit inappropriate language or jokes.
- v. Showing a child pornographic material or using a child to produce such material.
- vi. Sexual intercourse and/or sexual activity with a child under the age of consent.

1.3.11 Further details on each type of abuse is given in Appendix 1.

1.3.12 Notwithstanding Subsections 1.13.1 – 1.3.10, other forms of abuse within sport are:

Verbal Abuse is the most commonly occurring type of abuse in sports and includes:-

- i. Name calling and/or comments meant to demean a person's integrity ;
- ii. Hurtful comments regarding performance;
- iii. Swearing, use of foul language and /or expletives at players or game officials;

Examples:

- Trainer to player: *"Fatty, lose some weight so you can actually get down the court."*
- Coach to team: *"You all suck. I thought you were better than that, but I guess I was wrong."*
- Coach to player: *"I hope you aren't proud of yourself. You shouldn't be."*

Hazing - Any activity expected by existing team members or coaches of someone joining a team or to maintain full status on a team that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate.

Examples:

- Instances in which coaches or other players know about or are participants in any harmful or degrading initiation rituals involving new players.
- Forcing participation in rituals such as running through a line of players who mildly assault the player, performing lewd acts or drinking excessive amounts of alcohol.

1.4 CHILD SAFEGUARDING STATEMENT

Section 11(3) of the Children First Act 2015 requires organisations that are providers of relevant services under Schedule 1 of the Act to prepare a Child Safeguarding Statement. This is a written statement that specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child availing of the service is safe from **harm**.

The DCU Sport Child Safeguarding Statement has been circulated to all DCU Sport staff members. DCU Sport displays the Child Safeguarding Statement publicly and, it is also available to parents and guardians, TUSLA and members of the public upon request.

The DCU Sport Child Safeguarding Statement will be reviewed every year in line with best practice, or sooner if there has been a material change in any of the issues to which it refers.

1.5 RISK ASSESSMENT

Section 11(1)(a) of the Children First Act 2015 defines risk as *“any potential for harm to a child while availing of the service.”* Section 2 of the Act defines **harm** as follows:

“harm means in relation to a child –

- a) Assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or*
- b) Sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances or otherwise.”*

Section 11(1)(b) of the Children First Act 2015 includes a duty to carry out and include written risk assessments within Child Safeguarding Statements **and** to specify the procedures that are in place to manage these risks. Accordingly, DCU Sport has conducted and compiled a written risk assessment. Both it and the procedures that are in place to manage any risks identified can be found in Appendix 13 of the accompanying Appendices Handbook to this Policy Document.

2.1 SUPERVISION AND DEPLOYMENT OF DCU SPORT PERSONNEL

2.1.1 DCU Sport Staff working with children and young people should not do so in isolation and unaccompanied. From the associated perspectives of health & safety and child protection & safeguarding, it is important to have the correct level of supervision at all times in order that DCU Sport Staff may reduce and minimise any potential risk of injury to children and young people while ensuring adequate cover remains in case of an emergency.

Accordingly, when working with children and young people and in accordance with the ratio recommended by Irish Sports Council Code of Ethics, DCU Sport will apply the supervision guide ratio standard of :-

Age	No. of Supervisors	No. of Children/Young Persons
Under 12 years	1	8
12 years & over	1	10

2.1.2 Additionally, good practice means that at least one other person in addition to the Coach/Mentor/Team Leader should be present at all activities to safely supervise children and young people. Any additional person(s) does not need to be qualified coaches as long as the ratios of Coach/Mentor/Team Leader to children or young people as participants are met.

As a general guide, the following factors will also be taken into consideration in determining how many persons are required to safely supervise children:

- ❖ The number of children and young people involved in the activity;
- ❖ The age, ability and experience of the children and young people participating in the activity;
- ❖ Any disabilities or special requirements of any child and young person including challenging behaviour;

- ❖ The 'risk assessment' associated with the activity being undertaken;
- ❖ The 'risk assessment' associated with the environment of the facilities being used (i.e. restricted access to sports hall, facilities or outdoor court);
- ❖ The programme of activities.
- ❖ The level of qualification and experience of the Coach/Mentor/Team Leader.

2.1.3 Notwithstanding, there may be other considerations which are specific to the sport, activity or environment in which the activities takes place, namely;

- ❖ Where there are mixed gender groups, it is preferable to have one male and one female as supervisors.
- ❖ DCU Sport Staff are to avoid being alone with one child or young person. However if due to circumstances beyond control, it is necessary that a member of DCU Sport Staff needs to talk to a child or young person separately, they should do so in an open environment and within view of others.

2.1.4 If there is an accident or an incident during the course of an activity which may mean a member of DCU Sports Staff has to leave, DCU Sport should ensure that there are enough people remaining to supervise the group.

2.2 BULLYING

2.2.1 Bullying can be defined as a pattern of aggression or repeated aggressions through verbal, psychological or physical means conducted by an individual or group against another or others, including an adult to young person(s), and by young person(s) to young person(s). It is deliberate and cynically hurtful behaviour that is intentionally aggravating and intimidating and, usually repeated over a period of time. Bullying for children and young person occurs mainly in domestic and social environments such as home; schools, social clubs and sporting organisations involved with children and young people, where it is often difficult for those being bullied to defend themselves especially if there is inadequate supervision.

Bullying contains 7 primary elements;

1. An intention to be hurtful...
2. The intention is carried out...

3. The behaviour harms the intended target...
4. The bully overwhelms the intended target with his or her power...
5. There is often no justification for the action...
6. The behaviour repeats itself again and again...
7. The bully derives a sense of satisfaction from hurting the target...

2.2.2 Anti-bullying policy:

DCU Sport is fully committed to fostering a caring, friendly and safe environment for everyone whether they are competitively or socially involved in any sports activity so they can participate within a relaxed, safe and secure atmosphere. Accordingly, bullying of any kind is unacceptable in sports & its environments and, it will not be tolerated under any circumstances at DCU Sport.

Notwithstanding, it is acknowledged that any sports environment whether it be an event (e.g. a competition or match) or, sports facility (e.g. a singular or multi-sport facility) whether temporary or permanent, may be perceived by a bully(s) as an opportunity to target any potential victim. Not just depending on their personality or circumstances but those persons who can be particularly vulnerable to bullying may be shy, overweight, have a disability or are otherwise different from others (e.g. by reason of faith, culture, sexual preference). Examples of a bully in sport can be:

- ❖ a **parent** who pushes too hard
- ❖ a **coach** who adopts a 'win at all costs' philosophy
- ❖ a **fellow sportsperson** who intimidates or ridicules a peer
- ❖ a **club official** who places unfair pressure on a person
- ❖ a **spectator** who constantly shouts abuse or gestures at players; coaches; club or facility officials and other spectators

In the event where bullying does occur, all participants; DCU Sport coaches; DCU Sport Staff and volunteers or parents should be able to tell and know that incidents will be dealt with promptly and effectively.

2.2.3 Types, signs and symptoms of Bullying:

Bullying can be:

- ❖ **Emotional** – being unfriendly, excluding (emotionally and physically), or tormenting (e.g. hiding sports kit or equipment, threatening & abusive gestures)
- ❖ **Physical** – pushing, kicking, hitting, punching or any use of violence
- ❖ **Racist** – racial taunts, graffiti or gestures
- ❖ **Sexual** – unwanted physical contact or sexually abusive comments
- ❖ **Homophobic** – because of, or focusing on the issue of sexuality
- ❖ **Verbal** – name-calling, sarcasm, spreading rumours, teasing
- ❖ **Cyber** - sending hurtful emails; text messages, stalking etc

A bully(s) can operate and thrive within a variety of environments through using a conduct or combination of conducts such as furtiveness, threats and fear. The damage inflicted through bullying can often go unnoticed or be underestimated resulting in further significant distress to children and young people affected by it and in extreme cases, this may result in significant harm to or fatal consequence for child or young person.

There are a number of signs and symptoms that a child or young person may indicate that he or she is being bullied:

- ❖ Reluctance to come to a venue or take part in activities
- ❖ Physical signs (unexplained bruises, scratches, or damage to belongings)
- ❖ Stress-caused illness – headaches, and stomach aches which seem unexplained
- ❖ Fearful behaviour (fear of walking to a training/match, going different routes, asking to be driven)
- ❖ Frequent loss of, or shortage of, money with vague explanations
- ❖ Having few friends or drop out of newer members
- ❖ Changes in behaviour (withdrawn, stammering, moody, irritable, upset, distressed, not eating, reduced concentration, drop in performance)
- ❖ Anxiety (shown by nail-biting, fearfulness, tics)

This list is not exhaustive and there may be other possible reasons for some of the above happening. Indeed, the presence of one or more of these indicators is not proof that bullying is actually taking place. Adults should be aware of these possible signs and symptoms and, that they should report their concern immediately

2.2.4 Procedures for reporting bullying:

1. Reporting of any bullying incidents may be made by any child or young person or, on their behalf by their Parent or Guardian to a member of DCU Sport Staff or Volunteer or, directly to the Mandated Person or the Deputy Mandated Person.
2. In cases of serious bullying incidents, these reports should be made directly to the Mandated Person or the Deputy Mandated Person. Parents should be informed and will be asked to come in to a meeting to discuss the problem with a view to resolving the matter without delay.
3. If necessary, in cases where more extreme forms of bullying such as physical or emotional abuse are present, the appropriate authorities namely the Child and Family Agency (TUSLA) and/or An Garda Síochána may be consulted.
4. The bullying behaviour or threats of bullying must be investigated without undue delay and the bullying stopped quickly.
5. Reasonable attempts will be made to help the bully (bullies) address and change their behaviour.
6. If mediation fails and the bullying is seen to continue their behaviours, DCU Sport may take whatever appropriate action including sanctions to ensure the safety and wellbeing of the child or young person affected by bullying.

2.2.5 Responding to a report of Bullying:

Having due regard to Principle 2.2.4, if a child or young person tells a member of DCU Sport Staff that she/he is being bullied, the following advice is given to that member to:

1. Listen calmly and accept what is being said by the child or young person...

2. Take notes following the conversation, using the exact words used by the child or young person. Make a record of facts rather than opinions...
3. Reassure the child or young person that the child or young person, it was right to tell...
4. Reassure the child or young person that the child or young person, it is not his or her fault and it could happen to anyone...
5. Reassure the child or young person that help is available and action will be taken...
6. Negotiate confidentiality by reassuring the child or young person, you'll only tell people who need to know...
7. The child or young person's safety is paramount so ensure it is maintained through appropriate supervision...
8. Tell the child or young person that you'll keep her/him informed...
9. Make an intervention bearing in mind that all actions should be guided by the needs of the child or young person...

2.2.6 Prevention of bullying:

Good practices of prevention of bullying may include the following

- i. Ensure that all persons understand and undertake to follow their respective Code of Conduct as set in Appendices 3, 4 & 5 which promotes the rights and dignity of each person.
- ii. Deal with any incidents as they arise.
- iii. Use a whole group policy or 'no-blame approach', i.e., not 'bullying the bully' but working with bullies and the group of young people, helping them to understand the hurt they are causing, and so make the problem a 'shared concern' of the group.
- iv. Reinforce that there is 'a permission to tell' culture rather than a 'might is right'.
- v. Encourage team-work with children and young people through negotiation, co-operation and assistance to others, particularly new or different children
- vi. Offer victim immediate support and put the 'no blame approach' into operation.
- vii. Never tell a child or young person to ignore bullying as they may be unable to do so or it hurts too much

- viii. Never encourage a young person to take the law into their own hands and beat the bully at their own game.
- ix. Tell the victim there is nothing wrong with them and it is not their fault.

2.3 CHANGING ROOM

- 2.3.1 Where practicable, children and young people should be appropriately supervised at all times in the changing rooms by two members of DCU Staff. Where there are mixed gender groups/teams, separate changing room facilities will be utilised and supervised accordingly.
- 2.3.2 If a child or young person is uncomfortable changing or showering in public, no pressure should be placed on them to do so and they should be encouraged to do this at home.
- 2.3.3 If there are children or young people with disabilities, involve them and their parents/carers/guardians in deciding how they should be assisted and ensure they are able to consent to the assistance that is offered. Notwithstanding, DCU Sport Staff should avoid taking on the responsibility for tasks for which they are not appropriately trained.
- 2.3.4 In line with Principle 2.7, all children/young people; parents/guardians; DCU Sport Staff and any other persons who may be present, should be aware that **no** photographic equipment includes cameras, video cameras, mobile phones with photographic capabilities etc. should be used in the changing rooms.
- 2.3.5 Under no circumstances, should DCU Sport Staff
 1. of the opposite gender be present whilst children or young people are showering or changing.
 2. use the changing room facility for their personal use at the same time as children or young people to change or shower.

2.4 TOILETING

2.4.1 When DCU Sport is facilitating or has organised a series of activities or camps for children or young people, to facilitate the smooth operation of rest breaks and/or toilet breaks, DCU Sport Staff shall operate the following toileting system:

1. At least one DCU Staff Instructor/Supervisor must stay at the door of the Hall 1 to control and monitor children/young people going to and coming from the toilets.
2. During lunch periods, there must be a DCU Sport Staff Supervisor present at the toilet facilities situated near the sports side corridor.
3. At no time, shall a DCU Sport Staff Supervisor be on their own with a child or young person who wishes to avail of a toilet break. Therefore, if only one child or young person needs to go to the toilet, at least 2 other children or young people should be asked to accompany that child and DCU Sport Staff Supervisor to the toilet.
4. To use the toilet, children and young people must form an orderly queue at the door and, may go three boys and three girls at a time to the toilets situated at the sports side corridor. Toilets must be checked for cleanliness and other users before and after use.
5. No other child or young person may go to the toilet until the groups of three girls and boys have returned beforehand.
6. If a 4-6 year camp child needs to go to the toilet, three or more children up to a maximum group of 6 must be accompanied to queue outside the toilets.
7. All 4-6 year camp children must be brought to the toilet immediately following lunch.
8. If children or young people are delayed in returning from the toilets, another DCU Staff Supervisor/Instructor who is on lunch duty shall be asked to go and check the toilets as to the presence of the child or young person and ensure their safe return.

2.4.2 Toileting/Intimate Care:

1. *Children with specific toileting/intimate care needs:*

Where a child or young person is considering attending at or participating at any activities or sports camps organised by DCU Sport, has specific toileting needs, it may be necessary that prior to such attendance or participation, that a meeting is held between DCU Sport Staff Manager; DCU Sport Mandated Person, the child or young person wishing to attend along with the child's parents/guardians where the needs of the child or young person should be addressed and agreement reached if DCU Sport can meet those needs.

DCU Sport accepts that it is fundamental to those who may be involved with the intimate care of the child or young person, agree practices which are acceptable to DCU Sport Staff, the child and the parents/guardian. It may be useful to have an Intimate Care Policy outlining the agreed practices. While it may be feasible for the child concerned to have a personal care assistant, practices agreed should be sufficiently flexible to cover unforeseen situations, e.g. if personnel care assistant involved in assisting the child or young person are absent.

If applicable, this should be read in conjunction with Principle 2.8

2. Toileting 'Accidents':

Toileting accidents are not uncommon in sporting activities, particularly with younger children. DCU Sport understand that when these occur, it may cause undue distress or embarrassment for the child or young person concerned and may leave them vulnerable to ridicule from other children present. Cognisant that the parents/guardians of the child or young person concerned may not be in a position to come to DCU Sport immediately in the event of such occurrence, in order to maintain the dignity and respect of the child or young person, consideration will be given to the implications of leaving the child or young person unattended to in this situation.

Accordingly, unless there are specific reasons given by parents/guardians as to why DCU Sport Staff should not attend to the child or young person, procedures which DCU Sport Staff are comfortable with carrying out and, which have due regard to the dignity & respect of the child or young person while minimising any potential distress to the child should be agreed by all concerned. A note should be kept of such incidents and actions taken. Additionally, parents/guardians should be kept informed.

2.5

EMERGENCY PROCEDURES

2.5.1

Accidents procedure:

- i. A Safety Statement has been prepared and is reviewed on an annual basis.
- ii. All DCU Sport Staff must be familiar with the Safety Statement.
- iii. DCU Sport maintains an up-to-date register of the contact details of all children/young people involved in any activities associated with DCU Sport.
- iv. Children's/young people's details should be cross-referenced between the Incident/Accident Book and files.
- v. DCU Sport has public liability insurance.
- vi. External organisations with which DCU Sport has dealings must provide proof of public liability insurance.
- vii. First Aid boxes are readily available and their locations are known to DCU Sport Staff.
- viii. First Aid boxes shall be regularly checked to ensure that they are fully equipped by a designated member of DCU Sport Staff to ensure that any out of date or missing items are replaced. Substances, which may cause allergies, are not to be included in the First Aid box.
- ix. Availability of First Aid is in accordance with DCU Sport Health and Safety guidelines.
- x. Incident/Accident Report Sheets shall be located beside First Aid boxes.
- xi. Children and young people are supervised by adults at all times.
- xii. Care is taken to ensure no child or young person can leave the venue undetected.
- xiii. Where feasible, DCU Sport Staff must know which children and young people are present at any given time, while there are at least two adults supervising activities at all times.
- xiv. Notwithstanding, the nature of activities that takes place under the auspices of DCU Sport, DCU Sport shall regularly conduct a risk assessment and record details of risky equipment and/or exercises used and, take appropriate steps to minimise risk.
- xv. Additionally, all furniture and equipment are laid out to minimize safety risk
- xvi. Only suitable and age appropriate objects are available to children or young people

2.5.2

In the event of an accident:

- i. The First Aid box is always fully equipped, easily identifiable and are location(s) known to DCU Sport Staff.
- ii. At least one member of DCU Sport Staff who holds an up to date First Aid Certificate is present in the facility at all times.
- iii. In case of an emergency, records are accessible to all members of relevant DCU Sport Staff.
- iv. Minor accidents may be treated at DCU Sport facilities and, parents/guardians will be informed of the injury and the action taken when the child/young person is collected.
- v. All accidents including minor ones are recorded in the Incident/Accident Book and the DCU Sport Mandated Person / Deputy Mandated Person informed.
- vi. In case of a serious accident, the DCU Sport Mandated Person/Deputy Mandated Person/Activities leader will phone the ambulance service immediately and child's/young person's parent/guardian
- vii. If the child/young person has to go to hospital before the parent/guardian arrives, an adult known to the child must accompany him/her to the hospital and stay until the parent/guardian arrives.
- viii. All accidents must be reported to the Health and Safety Office, Dublin City University.

2.5.3

Fire Safety Policy

It is the policy of DCU Sports to ensure that all adequate measure are put in place to ensure that children; young people; parents; guardians; DCU Sport Staff and all other persons attending at DCU Sports and using the facilities therein, are safe in the event of a fire.

2.5.4

Fire Safety Procedures:

- i. All fire safety recommendations and arrangements will be implanted in accordance from instructions arising from discussions with the local Fire Chief and Fire service

- ii. All Staff, adults and children are to be made aware of the evacuation procedures at each venue in the event of a fire
- iii. DCU Sport Staff are to be informed as to what procedures to follow in the event of a fire
- iv. Assembly points should be marked clearly
- v. Fire safety equipment should be checked to make sure that the annual check has been carried out and that the records support this by recording inspection dates

2.5.5 Fire Evacuation procedures:

On hearing the fire alarm, DCU Sport Staff must adhere to the following procedure:

1. Stop the activity immediately and get the group of children or young people to line up (with younger groups it is easier to use pairs when getting children to line up)
2. Do a quick head count to make sure all children and young people are present (if one is missing you need to inform a fire warden where the child or young person was last seen prior to evacuating – i.e. in the toilets)
3. Follow the instructions of the fire wardens (wearing High Visibility jackets) and quickly evacuate the facility via the nearest emergency exit to the nearest assembly point.
4. Take a roll call of all children or young people to make sure everyone is present. If not, inform the fire brigade/fire warden immediately.
5. Do not re-enter the facility until the alarm stops and fire wardens/fire brigade gives permission to do so.
6. Lifts should not be used in the case of an emergency
7. Wheelchair users should be escorted to the nearest refuge point and fire brigade/fire wardens should be informed.

2.5.6 If a fire is discovered:

1. A member of DCU Sport Staff shall operate the alarm system
2. DCU Sport Staff shall immediately clear all children and young people from the area and direct them to the nearest fire exit and assembly points

3. Notify the DCU Sport reception desk who will call the Fire Brigade and DCU Security
4. Do not use the lift
5. Close all doors as areas are vacated, checking that nobody is left behind.

2.5.7 DCU Sport Staff should apprise themselves of the DCU Sport Complex map indicating all emergency exits and assembly points. (See Appendix 2)

2.6 LOST / MISSING CHILDREN OR YOUNG PEOPLE

2.6.1 If a child or young person participating at activities/sessions/camps at DCU Sport, gets lost or goes missing going to & from or during such activities/sessions/camps, with due regard for the immediate safety and welfare of the child or young person, DCU Sport shall initiate apply the following procedure:

- i. Ensure that all other children or young people involved in the activity/session/camp are fully accounted for and continue to be supervised appropriately while a search for the child concerned is carried out.
- ii. Without causing alarm to other children or young people, all available DCU Sport Staff or other available responsible adults if necessary, shall be organised to conduct a search of the immediate and/or surrounding area by allocating each individual to a specific area.
- iii. Special attention shall be given to hazardous areas such as swimming pool, climbing apparatus to ensure the child or young person is not at the locations alone or unsupervised.
- iv. Request all those assisting in searching to report back to a central point within a short time, dependent on the size of the area being searched and the child's age and level of development.
- v. If the child or young person cannot be found after a good search of the immediate surroundings, not later than 20 minutes after the initial missing child or young person report, contact the following
 - a) The child's or young person's parents/guardians to advise them of the concern and reassure them that everything is being done to locate the child or young person.

- b) An Garda Síochána.
 - c) DCU Sport Mandated Person or in their absence, the Deputy Mandated Person.
 - d) DCU Sport Chief Executive
- vi. Make a note of the circumstances in which the child or young person has gone missing and where he/she was last seen and prepare a detailed physical description of the child or young person, to include their hair and eye colour, approximate height and build and clothing he/she was wearing, as this will be required by An Garda Síochána.
 - vii. Follow Garda guidance if further action is recommended
 - viii. Maintain close and ongoing contact with the parents/guardian, the Gardai and DCU Sport Staff to aid the early and safe recovery of the lost/missing child or young person.
 - ix. Ensure that all involved including the parents/guardian, searchers and Gardai shall be informed immediately if at any stage the child/young person is located.

2.7 VIDEO RECORDING AND PHOTOGRAPHY

2.7.1 In order to reduce the risk of images of children being used inappropriately, unsolicited or illegally by any person(s), DCU Sport has adopted a policy in respect the taking and usage of images of children and young people via video recording, photography or any other recording device.

This is not to avoid or discourage parents/guardians from taking photographs of their children or young people participating in their activities but to ensure that

1. Best practice is put in place wherever and whenever photographs and recorded images are may be taken and subsequently stored.
2. All video recording and/or photographing is appropriate and non-intrusive.
3. Whenever possible, only those who have a right to take videos and/or photographs, do so provided that before taking any recording or image of a child or young person that is not their own, they obtain written permission from a child's parent/guardian and ensure that the parent/guardian knows the way the image will be used.

4. The privacy of others is to be respected and accordingly, the use of camera phones, videos and cameras inside changing areas, showers and toilets or First Aid areas is strictly prohibited.

2.7.2 To address any concerns about the risks posed directly and indirectly to children and young people through the use of images of children and young people on their own website and/or in other publications, documentation etc., DCU Sport shall:-

- i. where possible, use models or illustrations when promoting any activity associated with DCU Sport;
- ii. when commissioning professional photographers or inviting the press to an activity or event, ensure they are clear about the standards and expectations of them in relation to Child Protection and Safeguarding.
- iii. in the event that a child or young person is being otherwise used (a) avoid the use of the names and surnames of individuals in photographs or, (b) if named, avoid using their photograph.
- iv. only use appropriate images of a child or young person, relevant to sport and its activities and, ensure that the child or young person is suitably clothed in a manner that promotes sport, sports activities, displays its successes, etc.
- v. further reduce the risk to children and young people from any suspected inappropriate taking and/or the use of inappropriate images by creating a recognised reporting procedure ensuring that the Executive Officer DCU Sport and the Mandated Person (in their absence, the Deputy Mandated Person) is immediately notified or, if necessary, the Child and Family Agency (TUSLA) and/or An Garda Síochána are informed.

2.7.3 Provided that they are made fully aware of its use, if possible children and young people should be asked for their permission in respect of the use of any image and/or recording. This shall also ensure they are aware and understand the image is being used to represent the sport and its activities. A Child/Young Person/Parents/Guardian Permission Form as per Appendix 6 is one way of achieving this

2.7.4 As a safety and monitoring measure against the risk of any inappropriate, intrusive, or illegally motivated photographing or video recording practices, the following photography and filming requirements are in place

1. Any **Amateur** photographers/film/video operators wishing to film or photograph any activity associated with DCU Sport in which children and young people may feature directly or indirectly, should first seek accreditation in writing with DCU Sport, through the DCU Sport's Mandated Person or in their absence, the Deputy Mandated Person.
2. Any **Professional** photographers/film/video operators wishing to film or photograph any activity associated with DCU Sport in which children and young people may feature directly or indirectly should first seek accreditation by producing their professional identification for the details to be recorded with DCU Sports through the DCU Sport's Mandated Person or in their absence, the Deputy Mandated Person.
3. Any **Spectator** attending at any activity at DCU Sport and wishing to film or photograph any activity in which children and young people may feature directly or indirectly should first seek permission in writing with DCU Sport through the DCU Sport's Mandated Person or in their absence, the Deputy Mandated Person.
4. If any person indicated at Nos. 1-3, should have a signed Child/Young Person/Parents/Guardian Permission Form, they must notify and give a copy to DCU Sport through the DCU Sport's Mandated Person or in their absence, the Deputy Mandated Person.

Pursuant to Paragraph 2.7.4, DCU Sport shall

- i. Provide a clear brief about what is considered appropriate in terms of content and behaviour from a Child Protection and Safeguarding aspect.
- ii. Keep a record of accreditations and Child/Young Person/Parents/Guardian Permissions Forms.
- iii. Issue the photographer/film/video operator with identification which must be worn at all times
- iv. Inform children, young people and parents that a photographer/film/video operator will be in attendance

- v. Not allow unsupervised access to any child or young people or, one to one photo sessions at any DCU Sport activities
- vi. Not approve/allow photo sessions outside DCU Sport activities or at any child or young person's home

2.7.5 Videoing as a coaching aid:

Video equipment may be used as a legitimate coaching aid. However, permission should first be obtained from the child or young person and/or the child or young person's Parent/Guardian in line with Paragraph 2.7.3.

2.7.6 Anyone concerned about any photography or filming taking place at DCU Sport events or activities training sessions should contact the DCU Sport's Mandated Person, **Gemma Dempsey** or in her absence, the Deputy Mandated Person.

2.8 **DISABLED CHILDREN AND YOUNG PEOPLE**

2.8.1 In accordance with domestic legislation and International obligations, disabled children and young people are entitled to the same rights to protection as any other child or young person. Despite this, research informs that children and young people who have a learning, communication or physical disability are increasingly more vulnerable and accordingly, are at a higher risk of being a victim of some form of abuse.

2.8.2 The vast majority of parents/guardians/carers/adults do have the child's or young person's best interests and welfare at heart, however some people will use their vulnerability as an opportunity to abuse. Therefore, greater levels of understanding, tolerance and protection are necessary for disabled children and young people who may be additionally vulnerable, particularly because:

- ❖ they are often dependent on an individual or a number of people for both their care and handling, some of which can be of an intimate personal nature.
- ❖ they lack a wide network of friends or companions who may support & protect them.

- ❖ due to physical impairment, they may be very dependent on others and may have a reduced capacity to resist, avoid or understand abuse and their abuser.
- ❖ they may have significant communication differences including very limited verbal communication or use of sign language or other forms of non-verbal communications and unable to adequately communicate to others that something is wrong.
- ❖ they may not be believed.
- ❖ they depend on the abuser for their involvement in sport.
- ❖ they may be unable to understand or lack access to peers to discover what is acceptable behaviour or comprehend the inappropriateness of the abusive actions.
- ❖ they may be subject to the negative attitudes, prejudices and/or misconception of others towards them e.g. about their 'attractiveness' to potential abusers or attitudes and assumptions that children and young people with disabilities are not abused.
- ❖ signs of abuse can be misinterpreted as a symptom of the disability.
- ❖ they have medical needs that are used to explain possible signs and indicators of abuse.
- ❖ Due to their dependence on the abuser to provide for their needs, as with other children and other young people, they are fearful of the consequences of disclosing abuse.
- ❖ possible failures to recognise the impact of abuse on children and young people with disabilities.

2.8.3 Particular care should be taken by all DCU Sport Staff and volunteers when working with children and young people affected by a learning, communication or physical disability.

2.9 ETHNICITY OF CHILDREN AND YOUNG PEOPLE

2.9.1 Children and young people from minority cultural or ethnic groups are additionally vulnerable to all forms of abuse because they may be:

- ❖ experiencing or subjected to ongoing racism and racist attitudes.

- ❖ experiencing racism and prejudices through being ignored by people in authority.
- ❖ afraid of exacerbating abuse to higher levels if they challenge or report their abuse and abuser to others.
- ❖ Subjected to myths and stereotyping, e.g. all people of a particular culture are good with or hit their children or young people.
- ❖ Wanting to fit in and not make a fuss.
- ❖ Using or learning English as a second language

2.9.2 In line with Codes of Conduct as set out in Principle 4 of the DCU Sport Child Protection & Safeguarding Policy, particular care should be taken by children; young people; parents; guardians and all DCU Sport Staff and volunteers when working with children and young people from minority, cultural or ethnic groups.

2.10 ARRIVAL AND DEPARTURE OF CHILDREN & YOUNG PEOPLE AT DCU SPORT CAMP ACTIVITIES

2.10.1 Where children or young people are present at the DCU Sport facilities, participating at activities or camps organised by DCU Sport other than occasions where they may be present under the care and control of their parents/guardians, the designated arrival and collection point for children and young people during such activities or camps shall be the entrance to the back offices of the DCU Sport Complex.

Members of DCU Sport Staff shall be in place at the designated point and times set out in the Camp Brochure, namely

each morning

- (i) for early drop off option of free play ahead of camp activities,
- (ii) to assist and facilitate their registration and logging in, and

each evening

- (iii) with conclusion of camp activities,
- (iv) to assist and ensure each child or young person has their personal property, logging out and supervise the collection process.

- 2.10.2 Parents/guardians should be advised that under no circumstances
- i. is a child or young person permitted to arrive at or depart from an entrance point other than the designated point.
 - ii. is a child or young person permitted to walk unaccompanied and unsupervised across DCU campus having been dropped off at the Collins Avenue main entrance or Collins Avenue main entrance **unless** with written consent from parents/guardians

2.10.3 In the event that a person other than the child's or young person's parents/guardian, shall be accompanying the child or young person to or collecting from the designated arrival and collection point, DCU Sport should be notified in writing from that parent/guardian giving their signed authority and consent and, identifying the person.

As this is particularly difficult to monitor in a one-off event or otherwise, as an additional security measure, DCU Sport Staff shall insist on some personal identification (e.g. a current driver's licence), as well as the signed authority mentioned above, if the person collecting the child or young person is different to the one who brought the child or young person to the facility initially.

2.10.4 Late collection:

While DCU Sport accepts that there may be extenuating circumstances or occurrences beyond the control of parents/guardians resulting in the late collection of children or young people at DCU Sport, the issue of late collection of children or young people presents DCU Sports Staff with a potentially difficult supervisory situation. In such circumstances, it is **not** the responsibility of DCU Sport Staff to transport or make alternative arrangements to transport any child or young person home on behalf of parents who may have been delayed.

Accordingly, DCU Sport:

- i. Has assigned a dedicated staff contact number for parents/guardians to contact if there is any likelihood of late collection.
- ii. Advise parents/guardians that due to the very nature of activities and ongoing demands on DCU Sport Staff especially during camp activities, it may not be

possible to answer that dedicated phone during activities/games. However, it should be possible to leave a message.

- iii. Advise parents/guardians to provide an alternative contact name and number to be used if they can't be reached on their usual numbers.

2.10.5 In the event that any child or young person has not been collected within a reasonable time following conclusion of activities, DCU Sport Staff **should**:

- i. attempt to contact the child's or young person's parent/guardian on their contact number.
- ii. use the alternative contact name/number if possible
- iii. wait with the child or young person at the drop off and collection point, with other DCU Sport Staff or with other parents present if possible.
- iv. remind parents/guardians of DCU Sport Policy relating to late collection.

2.10.6 In the event that any child or young person has not been collected within a reasonable time following conclusion of activities, DCU Sport Staff **should not**:

- i. take the child or young person home or to any other location without speaking to their parents/guardians
- ii. send the child or young person home with another person without permission from a parent or guardian
- iii. ask the child or young person to wait in a vehicle or sport facility with them alone.

2.11 COMMUNICATION AND SOCIAL MEDIA

2.11.1 DCU Sport acknowledge the significant impact that communication and social media technologies have for all children, young people and adults and, because of various formats available, DCU Sport advocates & encourages that they are used at all times safely, sensibly, securely and responsibly for their positive benefits and to minimise the potential negative or harmful uses for which they can be used.

2.11.2 Mobile phones:

A mobile phone can be a great form of communication and a potentially safety tool for everyone, especially for children and young people. As mobile phones provide children and young people with that security and enables parents/guardian to keep in touch & make sure that they are safe, DCU Sport does not believe that it would be appropriate to ban children and young people from having them provided that;

- i. such devices are not used inappropriately.
- ii. they are aware to the potential for phone calls, emails, photos or text messages to be misinterpreted by the child or young person or, by their parents/guardian.

2.11.3 DCU Policy on mobile and camera phones is as follows;

- i. No-one is permitted to carry mobile/camera phones during activities/session/camps.
- ii. Anyone who possesses a mobile/camera phone shall leave them with their personal belongings.
- iii. Mobile/camera phones are strictly prohibited from being brought into changing rooms, toilets, first aid and other private areas.
- iv. Camera phones should be used safely and responsibly.
- v. Where photos are being taken, they are taken in conjunction within the parameters as set out at Principle 2.7.
- vi. If any child or young person receives an offensive/abusive communication such as photograph, email or text message via their mobile/camera phone, they should not reply to it but save it, make a note of times and dates and inform their parent/guardian, a DCU Sport Staff member or the Designated Liaison Person as soon as possible. If any offensive/abusive communications are stored, it is usually possible to trace the culprit so that they can be quickly identified.
- vii. DCU Sport shall seek and obtain prior parental consent in the event that children or young people need to be contacted directly on their mobile phones about activities/sessions/camps.

2.11.3 Use of Mobile/Camera Phones by Children and Young Persons:

Children and Young Persons are advised as follows;

- i. Be careful about who they give their phone number to and not to respond to unfamiliar numbers.
- ii. To use mobile/camera phones with care.
- iii. Camera phone users should respect the privacy of others and not take or distribute pictures of other people without their consent and if it could invade their privacy.
- iv. Not to allow others to use their mobile/camera phone.
- v. Change their phone number in cases of bullying or harassment.
- vi. Don't use the phone in certain locations; inappropriate use of the mobile/camera phone may cause upset or offence to another person, e.g. in changing rooms.
- vii. Treat their mobile/camera phones as they would any other valuable item so that they guard against theft.
- viii. avoid sending a message, picture or video to someone they don't know very well.

2.11.4 Use of Mobile/Camera Phones by DCU Sport Staff:

DCU Sport Staff are advised as follows;

- i. Use group texts for communications among players/participants/ & teams/groups and inform parents/guardians of this at the start of the activities/session/camps.
- ii. It is not appropriate to have constant communication for individual participants.
- iii. Don't use the phone in certain locations; inappropriate use of the mobile/camera phone may cause upset or offence to another person, e.g. in changing rooms

2.11.5 Texting:

Texting as a form of communication is helpful to remind young people about the sport and activity sessions that they have signed up to. The use of bulk (or bundled) texts i.e. the same text message being sent to several young people involved with a particular activity or programme. Bulk (or bundled) texting presents fewer opportunities for misuse and abuse than personal, one-to-one texting arrangements between coaches/volunteers and children which should be strongly discouraged.

For children and young people, the safeguarding risks associated with texting include:

- i. inappropriate access to, use or sharing of personal details (e.g. names, mobile phone numbers)
- ii. unwanted contact with children/young people by adults with poor intent; text bullying by peers
- iii. being sent offensive or otherwise inappropriate materials
- iv. grooming for sexual abuse
- v. direct contact and actual abuse

For adults involved risks include:

- i. misinterpretation of their communication with young people
- ii. potential investigation (internal or by statutory agencies)
- iii. potential disciplinary action

2.11.6 Email:

Emailing as a form of communication is helpful to remind young people about the sport and activity sessions that they have signed up to. It is advisable not email participants/players as individuals when disseminating information in relation to activities but do so only as part of a disclosed list, having received prior permission to disclose in group email. Disclosed lists should be used for sending group information via a designated DCU Sport Staff member.

Additionally, as a security measure, group emails should give recipients the opportunity to have their contact details removed from the list by including a statement such as: *“If you wish to be removed from this email list, please contact the administrator”*.

For children and young people the safeguarding risks associated with email include:

- i. inappropriate access to, use or sharing of personal details (e.g. names, email addresses);
- ii. unwanted contact with children/young people by adults with bad intent;
- iii. being sent offensive or otherwise inappropriate material
- iv. online bullying by peers;
- v. grooming for sexual abuse;
- vi. direct contact and abuse.

For adults involved risks include:

- i. misinterpretation of their communication with young people
- ii. potential investigation (internal or by statutory agencies)
- iii. potential disciplinary action

2.11.6 Websites and Social Media:

DCU Sport shall not use social media as a means of communicating with children or young people. Notwithstanding, where children, young people and adults are interacting through Websites or Social Media networks such as Facebook, Snapchat, Instagram or Twitter, they are advised as follows;

- ❖ follow the criteria on the use of images of children (see Principle 2.7)
- ❖ ensure that the content and language on their site or page, including contributions to blogs, forums etc, is not inappropriate for younger visitors and does not link directly to unsuitable material on other sites.
- ❖ provide a clear process for parents/guardians and/or others to report inappropriate content or online bullying and to request that content is removed.
- ❖ have a robust procedure for handling and assessing such a report or request and acting promptly to remove the offending content.

In conjunction with Principle 4.5, under no circumstances should a member of DCU Sport Staff contact any child or young people through chatrooms or social networking

sites (e.g. Facebook, Snapchat, Instagram, and Twitter) and they should not give young people access to their personal social network account/page/ blog

2.11.7 Examples of Unacceptable/Inappropriate Behaviours:

In conjunction with Principle 2.2, the following are regarded as unacceptable and/or inappropriate behaviours by DCU Sport whereby some may be regarded and treated in the same manner as any other form of bullying and may be dealt accordingly;

1. Misuse of mobile/camera phones by a child; young person or other person(s) to bully others by sending threatening and unpleasant text messages, either directly to their victims or to spread malicious rumours.
2. Misuse of mobile/camera phones by a child; young person or other person(s) to bully others by sending pictures that are obscene, indecent or menacing and are discriminatory or inflammatory about other people's gender, colour, religion or personal background.
3. Misuse of mobile/camera phones by a child; young person or other person(s) to bully others by sending threatening and unpleasant emails, either directly to their victims or to spread malicious rumours. This is not harmless and should be treated in the same manner as any other form of bullying.
4. The use and/or misuse of mobile/camera phones in changing rooms, toilets, first aid and other private areas.
5. Members of DCU Sport Staff contacting any child or young people through chat rooms or social networking sites.

2.12 SAFETY STATEMENT

2.12.1 In conjunction with DCU Sport statutory obligation under the Safety, Health and Welfare at Work Act 2005, it is the policy of DCU Sport to promote the health, wellbeing and personal safety of all children; young people and adults involved in all activities associated with DCU Sports.

For that purpose, a Safety Statement has been prepared as required under the Safety, Health and Welfare Act, 2005 and it includes matters such as

- i. Roles and Responsibilities

- ii. Identification specific and potential risks.
- iii. procedures in place for safeguarding against such risks.
- iv. accident procedures and fire safety procedures.

The Safety Statement can be located at DCU Sport Reception and may be inspected on request.

2.12.2 The Health and Safety Officer for DCU Sport as required under the Act is:

Gemma Dempsey

She may be contacted at (01) 7005797 or at gemma.dempsey@dcu.ie

3.1 DCU SPORT STAFF – FULL TIME/PART-TIME AND VOLUNTEER PERSONNEL

3.1.1 DCU Sport is fully committed that all reasonable steps are taken to prevent unsuitable people from working with children and young people within its organisation and its onsite or offsite facilities.

This commitment applies equally to those currently working in roles and positions, either paid (full-time/part-time) or unpaid (voluntary) within DCU Sports and, any potential personal who may recruited into either paid (full-time/part-time) or unpaid (voluntary) positions within DCU Sport in the future.

3.2 RECRUITMENT AND SELECTION OF DCU SPORT PERSONNEL

3.2.1 DCU Sport has a duty and responsibility for having safe and careful recruitment processes in place in respect of all roles within its organisation. Accordingly, it is acknowledged that reference checking, interviewing, attitude and aptitude testing, relevant experience and qualifications are important components of this process. In addition, all recruitment shall to be subject to the vetting process by the National Vetting Bureau as established by the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012.

A Panel of Interviewers, which will include the DCU Sport Mandated Person or the Designated Liaison Person on Child Protection, shall be established to oversee the recruitment process.

3.3 GARDA VETTING OF DCU SPORT PERSONNEL

3.3.1 The National Vetting Bureau provides for staff vetting in organisations registered with the Bureau, who employ personnel to work in a full-time, part-time, voluntary or

student placement capacity with children and/or vulnerable adults. Therefore, all persons who:-

- i. will have significant access to children or young people, or
- ii. hold a position of trust with children and young people with whom they come into contact,

must be vetted to establish whether they have any criminal convictions or other past behaviour that suggests they are unsuitable to work with children or young people, or may present a risk to children or young people.

To ensure compliance to the requirements of DCU Sport's Garda Vetting Policy, DCU Sport use the services of 'Ireland Active' to carry out its staff vetting obligations.

3.3.2 The National Vetting Bureau provides a facility to make an application for Garda Vetting in 2 formats namely:- eVetting online or, using a paper application. The National Vetting Bureau processes the application and forward a vetting disclosure to the relevant organisation who shall review the vetting disclosure and as soon as is practicable provide a copy of the disclosure to the vetting subject. A vetting disclosure shall include particulars of the criminal record (if any) relating to that person, and a statement of the specified information (if any) relating to that person or a statement that there is no criminal record or specified information, in relation to that person.

3.3.3 As per Section 13(6) of the National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016, a person under 18 years of age may undergo the Garda Vetting process with the consent of their parent/guardian.

While a person under 16 years of age cannot undergo Garda Vetting under the National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016, DCU Sport will not consider any person under 17 years for any appointment as a staff member.

3.3.4 The following process set out the stages being applied to recruitment of positions covered by Principle 3.2.1 at DCU Sport and, applies equally to paid or unpaid persons.

Application:-

The following are required:-

- i. Fully completed and signed Application Form
- ii. Submission of full Curriculum Vitae (CV).
- iii. Name, Address and PPN Number.
- iv. 2 written references (non-relatives) as to suitability of applicant.
- v. Previous experience, qualifications and training undertaken.
- vi. Provide a self-disclosure about any actual or potential risk, or any matter that might preclude the applicant from or influence their suitability to work with children and young people (i.e. if the applicant is known to the relevant authorities; if the applicant had or has had action taken previously in relation to child abuse/sexual offences/violence.
- vii. Provide disclosure of any criminal record (including past or pending).
- viii. Consent to Garda Vetting.
- ix. Completed Garda Vetting Form.

Disclosures:-

Applicants are asked to declare:-

- i. all elements of any criminal record, irrespective of status, or
- ii. if they are known to the relevant Social Services authorities within the Child and Family Agency for any matters pertaining to their risk to children or young people, or
- iii. if they we/are subject to disciplinary proceedings/sanctions with another organisation relating to child abuse.

Applicants should be informed that the information disclosed may not necessarily exclude their application for consideration on its merits.

A final decision as to whether the information disclosed is relevant to the position shall be made by the Head of Sport, DCU Sport on the advice of a Designated Panel established to oversee the recruitment process. Should they wish to do so, applicants may request to speak with the Head of Sport, DCU Sport, in total confidence, in relation to this element of the recruitment process

DCU Sport shall treat any disclosures in the strictness of confidence.

Interviews:-

DCU Sport, through the Panel of Interviewers, shall conduct a formal interview of the selected applicants in accordance with established procedures, protocol and recommendations.

Selection:-

DCU Sport is aware that completing the process as set in Principle 3.3.1 does not guarantee that an individual is safe to work with children and young people. However, using all the information available, the Panel of Interviewers shall, to the best of their ability, prepare and recommend a list of persons they believe to be suitable for the filling of positions.

Based on the recommendations of the Panel of Interviewers, the Head of Sport, DCU Sport shall make the final decision as to the selection of personal for the positions.

3.4 MANAGEMENT OF DCU SPORT PERSONNEL

3.4.1 DCU Sport management will ensure that

- i. DCU Sport staff are fully supported through responsible management,
- ii. Procedures are in place to cover training, induction, supervision and the review of work practices.
- iii. New members to DCU Sport Staff receive induction training including awareness of policies and procedures under DCU Sport Child Protection & Safeguarding Policy and DCU Sport Child safeguarding Statement,
- iv. DCU Sport Staff shall be provided with a Staff handbook pertaining to (iii)

Where DCU Sport retains the services of freelance staff, such person(s) must agree to abide by the DCU Sport Child Protection & Safeguarding Policy, in particular to uphold the Code of Conduct pertaining to DCU Sport Staff. In the event that a freelance individual has his or her own Child Protection & Safeguarding Policy, DCU Sport must ensure that it is consistent with its own Policy prior to any retention of their services.

3.4.2 Accordingly, in order to implement the commitment as expressed in Principle 3.4.1, DCU Sport shall implement the following Staff Management Policy Statement:

Staff management policy statement:-

To protect both staff (paid and voluntary) and children/young people, we undertake that:

New DCU Sport staff will:

- ❖ Take part in a mandatory induction training session on the commencement of employment;
- ❖ Be made aware of the DCU Sport Code of Conduct as it pertains to them under Principle 4.4 & 4.5 - child protection procedures,
- ❖ Be aware of the identity and role of the Mandated Person to deal with any issues of concern regarding child protection matters;
- ❖ Undergo a probationary or trial period.

All DCU Sport Staff will:

- ❖ Receive an adequate level of supervision and review of their work practices;
- ❖ Be expected to have read and signed the DCU Sport Child Protection & Safeguarding Policy Statement;
- ❖ Be expected to have read and understood the DCU Sport Child Safeguarding Statement;
- ❖ Be provided with child protection training.

3.5 INDUCTION AND TRAINING OF DCU SPORT PERSONNEL

3.5.1 Induction:-

As part of the training program for all current and new DCU Sport Staff members, who are working with children and young people as described in Principle 3.2, DCU Sport requires all staff (full-time/part-time/volunteer) to undergo an induction course, during which

- i. their qualifications / experience are substantiated;

- ii. they are reminded that they have agreed to abide by the Code of Conduct outlined in DCU Sport Child Protection & Safeguarding Policy (See Appendix 4) and, that they may face disciplinary action if there is an allegation that the Code has been broken;
- iii. the expectations, roles, and responsibilities of the position are discussed and clarified.
- iv. the DCU Sport Child Protection & Safeguarding Policy and implementation procedures therein are explained and training needs established;
- v. if practicable, the new recruit should be assigned for mentoring by an experienced person of DCU Staff.

3.5.2 **Training:-**

DCU Sport is fully committed to the education and training of all DCU Sport Staff on all aspects of Child Protection and the DCU Sport Child Protection & Safeguarding Policy. In accordance with Chapter 4 of the “Children First: National Guidance for the Protection and Welfare of Children” (2017), DCU Sport shall carry out this training as part of a comprehensive Training and Induction programme for all existing and new DCU Sport Staff that come within the remit of Principle 3.2 in order to

- a. substantially reduce potential risk to children and young people and,
- b. help create positive child safe environment within DCU facilities.

As part of its Child Protection Training and Induction programme, DCU Sport will:

- i. Require **all** new staff to complete the TUSLA online ‘An introduction to Children First’ e-training module and on successful completion, forward the certificate issued to the manager for filing.
- ii. This mandatory training is required to be completed **before** any staff member commences work with DCU Sport and/or their first work shift
- iii. In addition to Points I & ii, further requires
 - for all summer camp staff to have this mandatory training completed **before** commencing their first work shift
 - for all lifeguards and swimming teachers to have completed Safeguarding 1 where possible or, to be completed as soon as is practical after commencement of work.*

**While this is not a legislative requirement, however it is a mandatory best practice requirement by DCU Sport in line with industry best practices and standards.*

- iv. Require all staff to attend the DCU Sport Child Protection annual in-house training session.
- v. provide to all existing and new DCU Sport Staff, documents and other materials on DCU Sport Child Protection & Safeguarding Policy and DCU Sport Child Safeguarding Statement;
- vi. incorporate extensive information to all existing and new DCU Sport Staff on their roles and responsibilities including Codes of Conduct under the DCU Sports Child Protection & Safeguarding Policy and, in ongoing staff briefings;
- vii. provide child protection training for DCU Sport Staff assigned to activities where they will work directly with children and young people.

Furthermore, in conjunction with the Training and Induction programme, DCU Sport will promote child safe & child friendly practices that will:

- i. keep children and young people safe not only within the DCU Sport environment but by extension, within their broader community,
- ii. provide information about child protection to the children and young people,
- iii. provide information regarding the reporting of child abuse including the reporting of child abuse where it may concern a DCU Sports Staff member.

3.6 SUPERVISION AND MONITORING OF DCU SPORT PERSONNEL

- 3.6.1 DCU Sport will continuously monitor and appraise all Staff at regular intervals (or following particular programme or events) to ensure that
- a. they are carrying out their duties in accordance with their obligations under the Code of Conduct,
 - b. fulfilling their role to the highest possible standards, and
 - c. with due regard to their 'duty of care'

to each child or young person that they may come in contact with during the course of their work.

Accordingly, DCU Sport shall facilitate and put in place mechanisms whereby in conjunction with DCU Sport management, DCU Sport Staff shall

- a. receive formal (e.g. through an appraisal) or informal feedback,
- b. to identify training needs if necessary, and
- c. set new goals.

3.7 CHILDREN AND YOUNG PEOPLE IN LEADERSHIP ROLES

3.7.1 Notwithstanding Subsection 3.3.3, while DCU Sport encourages children and young people to avail of the opportunity of taking on leadership roles within the variety of sports activities available at DCU Sport complex and intends it to be an enjoyable and positive learning experience in life-skills development for a child or young person, it remains conscious that the child or young person acting in such a leadership role is under 18 years of age **AND** is still legally a child.

It is necessary to recognise that, like adults, children and young people can and do make mistakes when they are learning, and overly critical and unsupportive responses from others may constitute verbal and or emotional abuse. DCU Sport acknowledge their role and responsibility to safeguard such young people who take on such roles and shall ensure that all officials; players/participants, parents/spectators is cognisant of this and that they behave appropriately towards young people taking on such roles.

3.7.2 Notwithstanding, there may be isolated instances that DCU Sport coaches, officials, players/participants, parents/spectators may inadvertently lose sight of that fact as indicated previously and try to take advantage of the inexperience of the young person. Additionally, some young officials/leaders have experienced verbal, physical & emotional abuse from coaches, spectators and players/participants, parents/spectators, and as a consequence for young potential coaches, medics and referees is that they may also resort to carrying out similar abusive behaviours themselves.

In any event, this behaviour is not acceptable at all in sport and/or its associated activities and, is contrary to the Codes of Conduct (See Principle 4.1 - 4.4) as set out in DCU Sport Child Protection & Safeguarding Policy. Any person found by DCU Sport to be in breach of the Code of Conducts applicable to them, shall be dealt it accordingly.

3.7.3 As they themselves are subject to the DCU Sport Child Protection & Safeguarding Policy, DCU Sport shall ensure that any young person acting as officials/leaders/referees roles during sports activities at DCU Sports complex, shall always be supported and supervised by an appropriately qualified adult and, will never have sole responsibility for other young people.

**Applicable to DCU Sport organised activities*

4.1 CODES OF CONDUCT

4.1.1 As DCU Sport requires every individual and/or organisation bound by this policy to:

- i. Be ethical, fair and honest in all their dealings with other people;
- ii. Treat all persons with the utmost respect and due courtesy and in particular, have proper & due regard for their dignity, rights and obligations;
- iii. Always place the safety and welfare of children and young people above other considerations;
- iv. Comply with the rules and policies (including this Child Protection & Safeguarding Policy) of DCU Sport;
- v. Operate and conduct themselves within the rules and spirit of sport;
- vi. Comply with all relevant national legislation in particularly antidiscrimination and child protection laws;

in order to further reduce the potential for risk of harm to any child or young person while using, visiting or otherwise present within the DCU Sport facilities & amenities, as a preventative measure DCU Sport has introduced a series of Code of Conducts which are applicable and unique to particular groups as set out following.

As the best interests, safety and welfare of each child or young person is paramount at **all** times, these groups may be added to further if DCU Sport deem it appropriate and necessary.

4.1.2 A Code of Conduct is a set of rules outlining the responsibilities of or best practices for an individual or organisation. In this particular instance, it sets out clear guidance on the expected standards of behaviour of an individual person within particular groups whether employed by, using, visiting or otherwise present within the DCU Sport facilities & amenities by requiring them to:

- i. Be responsible and accountable for their conduct; and
- ii. Abide by the relevant Role-Specific Codes of Conduct as outlined.

4.1.3 Some examples of failure to comply with DCU Sport Code of Conduct (normally regarded as misconduct) include:

- i. minor breach of DCU Sport policies;
- ii. refusal to follow reasonable instructions from any member of DCU Sport Staff;
- iii. obscene language or other offensive behaviour.

Examples of a serious breach of the code of conduct include:

- i. unlawful discrimination or harassment;
- ii. physical violence or bullying;
- iii. bringing DCU Sports into serious disrepute;
- iv. causing loss or damage or injury through serious negligence;
- v. theft or fraud;
- vi. serious breach of health and safety rules including the misuse of safety equipment;
- vii. serious breach of confidence;
- viii. serious breach of DCU Sports policies and procedures;
- ix. use of banned or illegal substances;
- x. unauthorised use or disclosure of confidential information.

4.2 CODE OF CONDUCT – CHILDREN AND YOUNG PEOPLE

4.2.1 DCU Sport acknowledges and embraces the importance of the role that children and young people play in our activities through a spirit of fairness and respect. Equally, every child and young person should be encouraged to realise that they also have reciprocal responsibilities to treat others similarly with fairness and respect.

4.2.2 Accordingly, each child or young person is invited to read and agree to abide by the Code of Conduct for Children and Young People as set out in Appendix 3 by signing as indicated and having a Parent/Guardian as a co-signatory.

4.3 CODE OF CONDUCT – PARENTS/GUARDIANS

4.3.1 DCU Sport acknowledge that Parents/ Guardians have an influential role to play in assisting their children & young people to adopt positive attitudes through participation in sporting activities, including encouraging them to maintain an ongoing involvement in sport. However, Parents/Guardians should not attempt to meet their own needs for success and achievement through their child's or young person's participation in sporting activities.

4.3.2 Accordingly, Parents/Guardians are invited to read and agree to abide by the Code of Conduct for Parents/Guardians as set out in Appendix 4 by signing as indicated. In summary, the following guidelines will be of assistance to Parents/Guardians in this regard:

- 1) I will respect the rules and procedures set down by DCU Sport.
- 2) I will encourage my child to treat other participants, coaches, sports officials and sport activities organisers with respect.
- 3) I will respect my child's teammates and leaders as well as other participants, parents and coaches from opposing teams.
- 4) I will give encouragement and applaud only positive accomplishments whether from my child, his/her teammates, their opponents or the officials.
- 5) I will respect my child leader(s) and support his/her efforts.
- 6) I will respect the officials and their authority during activities, sessions and events within DCU Sport.
- 7) I will never demonstrate threatening or abusive behaviour or use foul language.

4.4 CODE OF CONDUCT – DCU SPORT STAFF, COACHES AND VOLUNTEERS.

4.4.1 All DCU Sport Staff, Coaches and Volunteers should familiarise themselves with the all Codes of Conduct as set out in the DCU Sport Child Protection and Safeguarding Policy, in particular this Code of Conduct.

4.4.2 Accordingly, each member of DCU Sport Staff, Coaches and Volunteers are invited to read and agree to abide by the Code of Conduct for DCU Sport Staff, Coaches and Volunteers as set out in Appendix 5 by signing as indicated.

4.5 OFF DUTY CONDUCT – DCU SPORT STAFF AND CHILDREN & YOUNG PEOPLE.

4.5.1 At all times, members of DCU Sport Staff must maintain a professional relationship with children and young people in particular during any off duty contact, accordingly should follow the guidelines and policies as set out in this Policy. For that purpose, DCU Sport Staff should be particularly careful to

- i. limit and if possible, eliminate any one-to-one contact,
- ii. including driving children and young people to and from coaching/club/camp sessions.
- iii. in cases of emergency, where an arrangement can be made, ensure to have a second adult in the vehicle.

5.1 MANDATED PERSON**5.1.1 Mandated Person:**

DCU Sport shall, in accordance with Section 14 of the Children’s First Act 2015 and Chapter 3 of the ‘Children First - National Guidance for the Protection and Welfare of Children’ (2017), select and appoint a Mandated Person who shall have a legal responsibility to report if a child is being harmed, has been harmed or is at risk of being harmed, to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected, or where a child believes that he/she has been harmed, is being harmed, or is at risk of being harmed, and discloses this belief to a Mandated Person.

Mandated persons have two main legal obligations under the Children First Act 2015. These are:

1. To report the harm of children above a defined threshold to Tusla (See Appendix 1b);
2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report

5.1.2 The Mandated Person for DCU Sports is:

Gemma Dempsey

She may be contacted at (01) 700 6111 or at gemma.dempsey@dcu.ie

5.1.3 In the event that the Mandated Person is unavailable, the Deputy Mandated Person is:

To be appointed

He/She may be contacted at (01) 700 5797

- 5.1.4 The Mandated Person / the Deputy Mandated Person does not have;
- i. The responsibility of investigating or validating child protection concerns within DCU Sport and,
 - ii. Doesn't have any counselling or therapeutic role to any party involved.
 - iii. These roles are filled by the Statutory Authorities namely the Child and Family Agency and An Garda Síochána as outlined in Chapter 4 of the 'Children First - National Guidance for the Protection and Welfare of Children' (2017) and 'Our Duty of Care' (2002)

Notwithstanding, it is essential that any child protection concerns be brought to the attention of the Mandated Person or in their absence, the Deputy Mandated Person by DCU Sports Staff in order that all concerns pertaining to the matter can be appropriately and confidentially discussed and facilitate the following of the correct reporting procedures with the Mandated Person or in their absence, the Deputy Mandated Person as outlines in Chapter 3 of 'Children First - National Guidance for the Protection and Welfare of Children' (2017).

5.2 DESIGNATED LIAISON PERSON

5.2.1 Notwithstanding the selection and appointment of a person in the role of Mandated Person as set out in Section 5.1, DUC Sports shall appoint a Designated Liaison Person in accordance with Chapter 4 of the 'Children First - National Guidance for the Protection and Welfare of Children' (2017).

5.2.2 The persons selected and appointed to act as Mandated Person or Designated Liaison Person (including their respective Deputies) **may** be the same person.

However, in the event that different persons are appointed to these positions, the statutory obligation of Mandated Persons to report under the Children First Act 2015 must be discharged by the DCU Sports Mandated Person and cannot be discharged by the DCU Sports Designated Liaison Person on their behalf.

5.2.3 The DCU Sports Designated Liaison Person / Deputy Designated Liaison Person shall undertake the following role;

- Ensure that reporting procedures within DCU Sports are followed, so that child welfare and protection concerns are referred promptly to Tusla.
- Record all concerns or allegations of child abuse brought to his or her attention, and the actions taken in relation to a concern or allegation of child abuse.
- Act as a source of advice on child protection and safeguarding matters;
- Co-ordinate action within DCU Sports and with any other Child Protection Liaison Officers;
- Liaise with the Child and Family Agency and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all DCU Sport Staff;
- Keep up to date on current developments in child protections and safeguarding regarding provision, practice, legal obligations and policy.
- Advise other DCU Sport Staff on best practise and ensure that DCU Sport Child Protection and Safeguarding Policy and procedures are followed.
- In the event that a report in accordance with standard procedures has been made, ensure that an individual case record is maintained of the actions taken by DCU Sport, the liaison with other agencies and the outcome. In addition, maintain proper records on all case referred to them in a secure and confidential manner.
- Keep relevant people within DCU Sport, particularly the DCU Sport Chief Executive, informed of relevant issues, whilst maintaining confidentiality at **all** times;
- Ensure that the DCU Sport Child Protection & Safeguarding is reviewed annually.
- Ensure that DCU Sport Child Protection & Safeguarding Policy and procedures are brought to the attention of all DCU Sport Staff.
- The person(s) designated shall ensure that s/he is knowledgeable about child protection and that s/he undertakes any training considered necessary to keep updated on new development.

- Advise DCU Sport of child protection training needs and where necessary, organise and/or facilitate training and workshops on the guidelines for child protection and safeguarding.

5.2.4 The Designated Liaison Person / the Deputy Designated Liaison Person does not have;

- i. The responsibility of investigating or validating child protection concerns within DCU Sport and,
- ii. Doesn't have any counselling or therapeutic role to any party involved.
- iii. These roles are filled by the Statutory Authorities namely the Child and Family Agency and An Garda Síochána as outlined in Chapter 4 of the 'Children First - National Guidance for the Protection and Welfare of Children' (2017) and 'Our Duty of Care' (2002)

Notwithstanding, it is essential that any child protection concerns be brought to the attention of the Mandated Person or in their absence, the Deputy Mandated Person by DCU Sports Staff in order that all concerns pertaining to the matter can be appropriately and confidentially discussed and facilitate the following of the correct reporting procedures with the Mandated Person or in their absence, the Deputy Mandated Person as outlines in Chapter 3 of 'Children First - National Guidance for the Protection and Welfare of Children' (2017).

5.3 RELEVANT PERSON

5.3.1 Relevant Person:

In accordance with Section 14 of the Children's First Act 2015 and Chapter 3 of the 'Children First - National Guidance for the Protection and Welfare of Children' (2017), the Relevant Person in respect of the DCU Sport Child Safeguarding Statement is:

Gemma Dempsey

She may be contacted at (01) 700 6111 or at gemma.dempsey@dcu.ie

5.4 UNAVAILABILITY OF CONTACT PERSONNEL

5.4.1 In the unlikely event that the Mandated Person / Deputy Mandated Person / Designated Liaison Person / Deputy Designated Liaison Person / Relevant Person is unavailable, please contact the Head of Sport, DCU Sport:

James Galvin

He may be contacted at (01) 700 5259 or at james.galvin@dcu.ie

6.1 REASONABLE GROUNDS FOR REPORTING SUSPICIONS OR CONCERNS.

6.1.1 Child abuse can often be difficult to identify and may present in many forms. The ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information.

It is important to stress that no singular indicator should be seen as conclusive in itself of abuse. All signs and symptoms must be examined in the total context of a child or young person's situation. Signs must also be considered in the child's social and family context as child abuse is not restricted to any socio economic group, gender or culture. *(See Appendix 1b for a full list of possible indicators).*

Mindful of reporting obligations under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Bill, 2012 the Statutory Authorities should always be informed when a person has reasonable grounds for concern that a child, young person or vulnerable adult may have been abused, or is being abused, or is at risk of abuse.

6.1.2 While it is important to always be open to alternative explanations for possible physical or behavioural signs of abuse, a cluster or pattern of signs is likely to be more indicative of abuse. Factors which constitute reasonable grounds for concern:

- i. specific indication from the child or young person that s/he has been abused;
- ii. an account by a person or person(s) who saw the child/young person being abused;
- iii. evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way;
- iv. an injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse e.g. a pattern of injuries; an implausible explanation; other indications of abuse or dysfunctional behaviours;

- v. consistent indication, over a period of time that a child or young person is suffering from emotional or physical neglect.

6.1.3 Notwithstanding, it should be noted that:

- i. a suspicion that is not supported by any objective indicator of abuse or neglect would not constitute reasonable grounds of for concern.
- ii. Indicators of abuse are not facts

6.2 IMPEDIMENTS FOR REPORTING SUSPICIONS OR CONCERNS.

6.2.1 Despite the welfare and protection of the child or young person being of the paramount concern, impediments can exist that inhibit the early notification personal and/or organisational to the relevant authorities, for example;

1. Unfamiliarity with the Signs and Symptoms of Abuse and/or Neglect
 - ❖ *Not knowing what to look for; what to ask; what to document...*
 - ❖ *Feeling the need to confirm or diagnose abuse/neglect before considering reporting*
 - ❖ *Deny, minimise or 'explain' away signs that a child/young person may be abused or harmed despite evidence being present.*
2. Social and Cultural concerns
 - ❖ *Understanding of concepts of child abuse different between cultures*
 - ❖ *Language barriers,*
 - ❖ *Social circumstances due to unemployment, poverty, poor housing, mental health issues or isolation*
 - ❖ *Disbelief/lack of acceptance that abuse is actually occurring*
3. *Personal concerns (Uncertainty and fear)*
 - ❖ *Personal safety and/or retaliation*
 - ❖ *Disloyalty if it concerns work colleague*
 - ❖ *Breach of trust if a friend*
 - ❖ *Identify not being kept confidential*
 - ❖ *Possibility of having to testify in court*

4. *Agency or organisational barriers*

- ❖ *Not knowing the reporting procedures within their work setting,*
- ❖ *Little administration support,*
- ❖ *Being asked or told to defer reporting to a colleague or superior*

5. *Reporting:*

- ❖ *Negative past experiences in filing a Report*
- ❖ *Confusing or conflicting communications with the authorities,*
- ❖ *Difficulty in completing form,*
- ❖ *Inconsistencies and/or perceived delays in response,*
- ❖ *Lack of feedback*

6. *Concerns regarding outcomes of filing a Report*

- ❖ *Has the child been helped or harmed?*
- ❖ *Child or young person being removed into care*
- ❖ *Effect on child /family*

6.3 RESPONDING TO, REPORTING & RECORDING OF DISCLOSURES.

6.3.1 DCU Sport affirms that **all** allegations of abuse shall always be taken seriously. False allegations of abuse from children or young people are very rare so if a child or young person discloses or indicates they have been/are being abused or, information is obtained which gives concern that a child or young person is being abused, the disclosure/information must be acted on as soon as possible in line with the following procedures

6.3.2 Responding to Disclosures:-

When a child or young person makes a disclosure or gives information of suspected abuse, it is important that the person receiving the disclosure shall;

DO

Stay calm –

- ❖ *Do not rush into taking rash or inappropriate actions.*
- ❖ *React calmly in order not to alarm the child or young person.*
- ❖ *Do not show any extreme reaction to what the child or young person is saying*

Reassure the child –

- ❖ *That they are not to blame*
- ❖ *Confirm that you know how difficult it must be to confide in someone*
- ❖ *That they have done the right thing in informing or disclosing what has occurred*

Listen sympathetically –

- ❖ *To what the child says*
- ❖ *Show that you take them seriously.*

Be compassionate -

- ❖ *Understand that the child or young person has decided to tell something that is very important to them*
- ❖ *Understand the child or young person is taking a risk by disclosing what has happened to you.*
- ❖ *Understand that following a disclosure, it is a particularly dangerous and vulnerable time for the child or young person as they may have been threatened by their abuser to be silent.*

Be honest –

- ❖ *Tell the child or young person that it is not possible to keep this information secret*
- ❖ *Give some indication what may happen next such as inform his/her parents/guardian/Gardaí/Child and Family Agency*

Keep questions to minimum –

- ❖ *Only ask questions to clarify what the child or young person has said.*
- ❖ *Use open-ended, non-leading questions e.g. Who? Where? When?*
- ❖ *Avoid questions that may later be perceived as leading or suggestive to the child or young person.*
- ❖ *Ask only enough questions to gain basic information to establish the possibility that abuse may have occurred.*

Ensure you clearly understand what the child or young person has said –

- ❖ *In order that the information can be recorded carefully and accurately*
- ❖ *Information can be passed on to the statutory authorities.*

Consult with -

- ❖ *The Mandated Person ensuring that all the information is communicated accurately.*

Maintain Confidentiality –

- ❖ *All incidents will be treated with an open mind and handled in a fair and equitable manner. Information will only be shared on a ‘need to know’ basis.*
- ❖ *Maintain confidentially until the matter has concluded.*

Ensure the safety of the young person –

- ❖ *If urgent medical attention is required then call an ambulance, inform the attending medical staff/nurses/doctors of the concerns and making them aware that it is a child protection issue.*

DON'T

Don't panic – or allow your feelings to be evident.

Don't make promises you cannot keep or agree to keep secrets– explain that you will need to tell other people

Don't make the child or young person repeat the story unnecessarily.

Don't probe for more information than is offered

Don't speculate, make assumptions or make any judgmental statements against the person whom the allegation is made.

Don't approach the alleged abuser.

Don't delay – in making the report to the Mandated Person.

Don't speculate or make assumptions.

Don't take sole responsibility.

If a person fears that a child or young person might be in immediate danger, they should directly contact the Child and Family Agency immediately.

If the Child and Family Agency cannot be contacted/is unavailable or, in case of out-of-hours times, contact An Garda Síochána.

6.3.3 Sharing Concerns with Parents:-

Where there are reasonable causes for concerns that the parent(s)/guardians of the child or young person may be responsible for or, have knowledge of the abuse, sharing concerns with the parent(s)/guardian **may** place the child or young person at further significant risk or harm.

In such cases, advices should be sought from the Mandated Person or, in case of emergency, contact the Child and Family Agency or An Garda Síochána for advice as to who informs the parents/guardian.

6.3.4 Recording of Disclosures:-

It is important that a written record of all the information about the alleged abuse whether disclosed/observed/suspected is made as soon as possible. This should be done using the TUSLA Standard Reporting Form CC01:01:00 (See Appendix 7), completing as much of the form as possible.

This record should be done irrespective of whether the report is subsequently forwarded on to the Child and Family Agency or An Garda Síochána. The advice or assistance of the Mandated Person should be sought if necessary.

The more information included on the Standard Reporting Form, the better as it will greatly assist the Child and Family Agency and/or An Garda Síochána to decide what necessary follow up action is to take next. The TUSLA Standard Reporting Form is relatively self-explanatory but important points to note are;

- ❖ Ensure the Child's or Young Person's name, age and date of birth is inserted.
- ❖ Ensure the Child's or Young Person's home address and telephone number is inserted
- ❖ Whether the child's parents have been informed of the Report.
- ❖ All times, dates or other relevant information is inserted in the 'Details of Report' section including:

- Whether the person making the report is expressing their own concern or the concerns of another person.
- The child's account, if it can be given, of what has happened and how any injuries occurred using the child's own words.
- The nature of the concern (include all of the information obtained during the initial account e.g. time, date, location).
- A description of any visible (when normally dressed) injuries or bruising, behavioural signs, indirect signs (under no circumstances, do not physically examine the child).
- Details of any witnesses.
- Details of anyone else who has been consulted and the information obtained from them.
- If it is not the child making the report, whether the child has been spoken to, if so what was said using the child's own words.
- The child's views on the situation.

Copies of **all** completed Standard Reporting Forms including any notes; documentation; correspondence or contemporaneous notes etc made at the time of disclosures/reporting of the alleged abuse, shall be retained securely by for records purposes by the Mandated Person.

6.3.5 Reporting of Disclosures:-

The properly completed Standard Reporting Form shall be forwarded to the appropriate authorities through the Mandated Person or in their absence, the Deputy Mandated Person.

In case of emergency, the Report can be made verbally by the informer initially to the relevant statutory authority and then, followed up in writing using the Standard Reporting Form as per Principle 6.3.4

6.4 LEGAL OBLIGATIONS TO REPORTING SUSPICIONS AND CONCERNS.

6.4.1 The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Adults) Act 2012 created an offence of withholding information in relation to specified offences committed against a child or vulnerable person, and arises where a person;

- i. knows or believes that a specified offence has been committed against a child or vulnerable person, and
- ii. he or she has information which would be of material assistance in securing the apprehension, prosecution or conviction of another person for that offence, and
- iii. fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of the Garda Síochána.

The Act also establishes some limited defences for persons, such as a parent or guardian or medical professional who is acting in the interests of the health and well-being of the child or vulnerable person. These defences only apply in circumstances where the victim does not have the capacity to report an offence themselves, either because of their age or a mental or physical incapacity.

6.5 LEGAL PROTECTION FOR REPORTING SUSPICIONS OR CONCERNS.

6.5.1 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 designated officers of the Child and Family Agency or An Garda Síochána. The Act also covers the offence of ‘false reporting’.

The main provisions of the Act are:

1. The provision of immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to designated officers of Child and Family Agency or any member of An Garda Síochána;
2. The provision of significant protection for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including, dismissal;

3. 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.

6.5.2 Children’s First Act 2015:

Section 16(3) of the Children’s First Act 2015 provides for protection from civil liability for Mandated Persons reporting suspicions or concerns if required to share information with TUSLA when assisting in the assessment of risk to a child.

6.6 **CONFIDENTIALITY.**

6.6.1 DCU Sport is committed to ensuring people’s right to confidentiality and, that it should be maintained in respect of all issues and people concerned in cases of abuse, welfare or bad practice. Accordingly, the rights of both the child and the person about whom the complaint has been made are protected.

6.6.2 Notwithstanding, the following points should be kept in mind:

- I. A guarantee of total confidentiality or undertakings regarding secrecy cannot be given, as the best interests and welfare of the child or young person will supersede all other considerations.
- II. In order to safeguard the child or young person, all information should be treated in a careful and sensitive manner and, should be discussed only with others on a ‘need to know’ basis.
- III. Giving information to others on a ‘need to know’ basis for the protection of a child or young person is not a breach of confidentiality.
- IV. Unless doing so could put the child or young person at further risk of abuse or harm, information regarding disclosures/reporting should be conveyed to the Parents/Guardians of the child or young person in a sensitive and empathic manner.

- V. Discussion with the Child and Family Agency and/or An Garda Síochána should take place in relation to information sharing with all parties when ongoing investigations are taking place.
- VI. All persons involved in a child protection process (the child, the Parents/Guardians, the alleged offender, their family, DCU Sports Staff) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.
- VII. Information should be stored in a secure place, with limited access only by designated people.
- VIII. The requirements and duties of the Data Protection Acts, 2003 should be strictly adhered to.
- IX. Breach of confidentiality is a serious matter and will be dealt accordingly.

6.7 ALLEGATIONS AGAINST DCU SPORT STAFF, COACHES OR VOLUNTEERS.

6.7.1 Adapted from the guidance as set out in Appendix 9 of the “Children First: National Guidance for the Protection and Welfare of Children” (2011), DCU Sport shall;

- i. where an allegation of child abuse against a staff member is received, it will be assessed promptly and carefully.
- ii. consider any action to be taken following the report shall be based on an opinion formed ‘reasonably and in good faith’.
- iii. if it so decides that, based on reasonable grounds for concern, as outlined in Principle 6.1 and Appendix 1 of the DCU Sport Child Protection & Safeguarding Policy, such grounds do exist, a formal report shall be made to the Child and Family Agency.

6.7.2 In the event of an allegation(s) being made against a member or members of DCU Sport Staff, the protection of the child/young person is the first and paramount consideration, and to ensure that no child or young person is exposed to unnecessary risk. DCU Sport, in having a dual responsibility to both the child or young person and the staff member(s) shall as a matter of urgency take any necessary protective measures or actions that shall;

- i. be proportionate to the level of risk and,
- ii. not unreasonably penalise the staff member, financially or otherwise, unless necessary to protect children.

Where protective measures penalise the staff member, it is important that early consideration be given to the case with any action taken guided by agreed procedures, the applicable employment contract and the rules of natural justice. Protective measures may mean for the staff member;

- a. Increased supervision,
- b. Reassignment to different duties, or
- c. Suspension.

The same DCU Sport Staff member will not have the responsibility for dealing with the child or young person and the staff employment issue.

The Head of Sport, DCU Sport shall be informed about the allegation as soon as possible.

6.7.3 When DCU Sport becomes aware of an allegation of abuse of a child/children or young person(s) by a member of staff during the course of that staff member's duties, the Head of Sport, DCU Sport shall privately inform the employee of the following:

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

The staff member shall be afforded an opportunity to respond. The Head of Sport, DCU Sport shall note the response and pass on this information if making a formal report to the Child and Family Agency.

6.7.4 DCU Sport and its designated personal will take care to ensure that any actions taken by them do not undermine/compromise/frustrate any investigations and/or assessments being carried out by the Child and Family Agency or An Garda Síochána. Accordingly, DCU Sport shall maintain a close liaison with the statutory authorities to achieve this.

6.7.5 DCU Sport and its designated personal will be notified of the outcome of an investigation and/or assessment and consequently, assist in reaching a decision about further possible actions that may be taken in the longer term concerning the staff member.

6.7.6 The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers within the Child and Family Agency (See Appendix 7) or, to any member of An Garda Síochána.

This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion / concern of child abuse or neglect proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the suspicion / concern had not acted 'reasonably and in good faith'.

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

6.8 'WHISTLE-BLOWING'

6.8.1 'Whistle-blowing' is essentially an in-house early warning system whereby concerns or suspicions can be raised regarding allegations of abuse; inappropriate conducts or practices within an organisation, its facilities or by individual(s) associated with it. In this instance, this may potentially involve the abuse of a child or young person by another work colleague or member of staff working with children or young people in whatever role or capacity they hold within the organisation or facilities.

It is acknowledged that very emotive feelings may:

- a) be generated by a suspicion/discovery/disclosure that a member of staff is, or may be abusing a child or young person, may
- b) raise further concerns among other staff members or volunteers, including
- c) the difficulties inherent in reporting such matters.

6.8.2 Consequently, DCU Sport recognise that there may be circumstances where individual Staff members of DCU Sport; children and young people feel that they are unable to raise concerns or suspicions regarding alleged incidents of abuse within DCU Sport and its environment, on the grounds that they believe or have a reasonable doubt that these concerns or suspicions would not be taken seriously or dealt with adequately.

However, it is important to remember that the safety and welfare of the child or young person is paramount at all times over any other consideration and accordingly, any suspicion/discovery/disclosure should be reported immediately and without delay.

6.8.3 Accordingly, DCU Sport shall:

1. remind all members of DCU Sport Staff that, in accordance with their statutory obligation, they have a legal duty and moral obligation to raise their concerns or suspicions with the appropriate authorities where they believe that a child or young person is being abused or is at serious risk of harm.
2. fully support and protect any member of DCU Sport Staff who, in good faith, reports his or her concern that a colleague is, or may be abusing a child or young person.
3. remind DCU Sport Staff of the legal protection accorded to them under the Protection for Persons Reporting Child Abuse Act, 1998 (Principle 6.5)

6.8.4 In the event that individual Staff members of DCU Sport; children and young people feel that they are unable to raise concerns or suspicions directly through the DCU Sport Mandated Person or in their absence, the Deputy Mandated Person in line with Principle 6.3, they should report their concerns/suspicions directly with the statutory authorities namely the Child and Family Agency (TUSLA) and An Garda Síochána

6.9 DISCIPLINE.

6.9.1 DCU Sport has its own complaints and disciplinary procedure (Appendix 10) for dealing with breaches of the DCU Sport Child Protection and Safeguarding Policy and will take disciplinary action against any person/organisation/bookee that are found to have breached the DCU Sport Child Protection and Safeguarding Policy including the making

of false and malicious allegations. Any disciplinary measure imposed under the DCU Sport Child Protection and Safeguarding Policy shall:

- ❖ Be applied consistent with any contractual and employment rules & requirements;
- ❖ Be fair, reasonable and appropriate;
- ❖ Be based on the evidence and information presented and, the seriousness of the breach;
- ❖ Be determined by principles of natural justice.

Possible measure(s) that may be taken include:

- ❖ verbal and/or written warning;
- ❖ additional training and/or mentoring to address behaviour and conduct;
- ❖ suspension or termination of DCU Sport membership rights, privileges or benefits;
- ❖ suspension or cancellation of any contractual agreement between DCU Sport and organisation/bookee;
- ❖ suspension from participation or involvement in any role or activity at DCU Sport for a period of time or permanent termination;
- ❖ any other form of discipline that DCU Sport considers to be reasonable and appropriate.

6.9.2 In the event where a case is being investigated by the Child and Family Agency (TUSLA) and/or An Garda Síochána, DCU Sport may suspend the person concerned whilst such investigation is taking place. This is a neutral act only and is **not** intended nor should it be perceived as to prejudice the outcome of the investigation, but simply to remove the individual from contact with children and young people until the investigation is concluded.

Once the investigation by the Child and Family Agency (TUSLA) and/or An Garda Síochána has been completed, and irrespective of its findings, DCU Sport will assess the matter following its own disciplinary procedures. Notwithstanding, the fact that the

person involved has not been prosecuted or been found guilty does not mean that they are appropriate to work with children and young people in the future.

6.9.3 Breaches of DCU Sport Child Protection and Safeguarding Policy

It is a breach of DCU Sport Child Protection and Safeguarding Policy for any person/organisation/bookee to which this policy applies, to have been found to have;

- ❖ Done anything contrary to the DCU Sport Child Protection and Safeguarding Policy;
- ❖ Breached the DCU Sport Code of Conduct and Role-Specific Codes of Conduct;
- ❖ Brought DCU Sport, DCU Sport Staff and its activities into disrepute;
- ❖ Failed to follow DCU Sport policies and procedures for the protection, safety and welfare of children;
- ❖ Appointed or continued to appoint a person to a role that involves working with children and young people contrary to the DCU Sport Child Protection and Safeguarding Policy;
- ❖ Discriminated against or harassed any person;
- ❖ Victimised another person for reporting a complaint;
- ❖ Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- ❖ Disclosed to any unauthorised person or organisation any information or data retained by DCU Sport that is of a private, confidential or privileged nature;
- ❖ Made a complaint they **knew** to be untrue, vexatious, malicious or improper;
- ❖ Failed to comply with any sanction imposed after a finding that the person/organisation/bookee has breached the DCU Sport Child Protection and Safeguarding Policy;
- ❖ Failed to comply with a direction given to the person/organisation/bookee during the discipline process.

6.9.4 Factors to consider

The form of discipline to be imposed by DCU Sport on an individual/organisation/bookee will depend on factors such as:

- ❖ Nature and seriousness of the breach;
- ❖ If the person knew or should have known that the behaviour was a breach;
- ❖ Level of contrition;
- ❖ The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- ❖ If there have been relevant prior warnings or disciplinary action;
- ❖ Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy); and/or
- ❖ Any other mitigating circumstances.

6.9.5 As per Principle 6.6, confidentiality will be maintained for all concerned.

6.10 ANONYMOUS COMPLAINTS.

6.10.1 Anonymous Complaints:-

Anonymous complaints can be difficult to deal with but under no circumstances, shall they be ignored as the safety and welfare of the child/children is the paramount consideration in all cases. Therefore, any such complaints relating to inappropriate behaviour should be brought to the attention of the Mandated Person, or in their absence, the Deputy Mandated Person in the manner as set out in Principle 6.3, who shall ensure that the information will be checked out and handled in a confidential manner.

6.10.2 Rumours:-

Rumours (including insinuations or innuendos) should not be allowed to hang in the air or go unchallenged as they can have a detrimental effect to a safe environment for children and young people and, potentially compromise the smooth and efficient running of activities. Accordingly, any member of DCU Sport Staff should bring any rumours (including insinuations or innuendos) relating to possible abuse or inappropriate behaviours to the attention of the Mandated Person, or in their absence, the Deputy Mandated Person in the manner as set out in Principle 6.3, who shall ensure that they are checked out without delay and in a confidential manner.

6.11 VEXATIOUS COMPLAINTS & VICTIMISATION

6.11.1 DCU Sport strives to ensure its complaints procedure is conducted with the utmost integrity and on the principle of natural justice. However, if at any point during the complaint process, the Mandated Person or in their absence, the Deputy Mandated Person or, the Designated Liaison Person or in their absence, the Deputy Designated Liaison Person considers that a complainant has knowingly made an untrue complaint or, that the complaint made is vexatious or malicious, the matter may be referred to the Head of Sport, DCU Sport for their consideration of appropriate action thereafter which may include disciplinary action against the complainant.

If a person has knowingly made an untrue complaint or, that the complaint made is vexatious or malicious, having regards to all the circumstances of the matter, the Head of Sport, DCU Sport may consider the matter to be of such gravity that it should be referred to An Garda Síochána for their consideration.

6.11.2 DCU Sport shall take all necessary steps to make sure that any person involved in the making of a complaint is not victimised by any other person(s) for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be initiated and imposed on any person(s) who victimises another person for making a complaint.

6.12 FREEDOM OF INFORMATION.

6.12.1 Under the Freedom of Information Acts 1997 and 2003, members of the public have a right of access to records concerning them held by any public body and a right to

- i. have official information about themselves amended where it is incorrect, incomplete or misleading,
- ii. be given reasons for decisions made concerning themselves.

Requests to see records are processed in the first instance through the public body that holds the records. In the event of refusal of access, the decision may be appealed and the ultimate arbiter is the Information Commissioner. These Acts apply to both the Child and Family Agency (TUSLA) and An Garda Síochána.

6.12.2 The Data Protection Acts 1988-2018 afford similar rights to individuals to access personal data held about them by any entity whether in the public or private sector. The right to access applies to records held by the Child and Family Agency (TUSLA) and An Garda Síochána. However, the right to access does not apply in a range of circumstances that may be relevant in a child welfare context. Equally, the right of access does not extend to any information that identifies a third party where that third party had an expectation of confidence.

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

6.12.3 Notwithstanding, Section 17 of the Children First Act 2015 makes it an offence for a Mandated Person to disclose information to a third party which has been shared by TUSLA during the course of an assessment, unless TUSLA has given written authorisation to do so.

6.13 RECKLESS ENDANGERMENT OF CHILDREN.

6.13.1 The Criminal Justice Act 2006 provides for an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or an abuser and who intentionally or recklessly endangers a child by:

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

6.14 REASONABLE CHASTISEMENT OF CHILDREN.

6.14.1 Since the 11th of December 2015, under Section 28 of the Children's First Act 2015 has removed the defence of 'reasonable chastisement' from the common law. This change

in the law means that if any parent / guardian / carer who administers corporal punishment to a child or young person, s/he will no longer be able to rely on a defence of 'reasonable chastisement' should the matter end up in a court of law.

7.1 DCU SPORT STAFF**7.1.1 No member of DCU Sport Staff shall investigate allegations of abuse or decide whether or not a child or young person is/has been abused.**

DCU Sport Staff are reminded that the possibility that someone may be abusing a child or young person, in particular if they suspect that it is someone they know, will raise personal feelings and concerns. Although it can be difficult to report such matters, DCU Sport Staff must remember that:

- ❖ the welfare of the child is paramount
- ❖ being vigilant helps to protect children
- ❖ everyone has a duty of care to report any concerns they have immediately
- ❖ a good reporting structure ensures that concerns are dealt with fairly

Comprehensive flowcharts, showing the different routes for concerns arising in and outside DCU Sport, are available (Appendix 11) and illustrate the complete referral process through to the appeal stage where applicable.

7.1.2 In a summarisation of the flowcharts and in conjunction with Principle 6.3;

1. All Child Protection incidents; suspicions or concerns should be recorded and reported to the Mandated Person or where unavailable, to the Deputy Mandated Person or, the Designated Liaison Person or in their absence, the Deputy Designated Liaison Person
2. DCU Sport Staff should be aware of what constitutes 'reasonable grounds for concern' when reporting incidents.
3. Information will be shared on a strictly 'need to know' basis (Principle 6.6 - Confidentiality).
4. DCU Sport's Mandated Person or Deputy Mandated Person will then do the following:

- I. Act without delay
 - II. Discuss the incident with the parent, carer or adult responsible for the child/young person unless this would put the child at further risk
 - III. Decide if the disclosure/report has reached the thresholds of 'harm' as set out in Chapter 3 of the 'Children First - National Guidance for the Protection and Welfare of Children' (2017), and if so, under Section 14 of the Children's First Act 2015, they will complete and submit the standard reporting form available from the Child and Family Agency (TUSLA) **as soon as practicable** (see Appendix 7).
 - IV. Notwithstanding, reports to the Duty Social Worker can be made verbally and then followed by the standard form.
5. If the Mandated Person or Deputy Mandated Person is not available, the Duty Social Worker or Child and Family Agency (TUSLA) can be contacted directly (contact details for all local Child and Family Agency Duty Social Workers are included as Appendix 9).
 6. In the event that the Duty Social Worker or Child and Family Agency cannot be contacted or where they are unavailable especially in situations that threaten the immediate safety of the child/young person, it may be necessary to contact An Garda Síochána directly.

7.2 INVESTIGATIVE PROCESS – STATUTORY AUTHORITIES.

7.2.1 Only An Garda Síochána and the Child and Family Agency (TUSLA) have the responsibilities of investigating allegations of the abuse of children, young people and vulnerable persons in Ireland. Current and pending legislation set out the two separate and distinct measures in recognition of the very separate and distinct roles of the Garda Síochána and the Child and Family Agency with regard to the protection of children, young people and vulnerable persons.

7.2.2. An Garda Síochána:-

Only Gardaí can investigate allegations of a **criminal** nature against a child, young person or vulnerable person. It is the role of the Child and Family Agency (TUSLA) to provide the necessary supports and monitoring of children, young person or vulnerable

person at risk. Gardai derive their lawful authority through powers accorded under legislation (as set out in Appendix 8) enacted. Notwithstanding, In relation to the investigation of criminal offences against a child, young people and vulnerable persons, legislation such as the Criminal Justice (Withholding Information on Offences Against Children and Vulnerable Adults) Act 2012 requires any person who has evidence that a person has committed a serious offence against a child or vulnerable person must provide the Gardaí with that information so that the Gardaí can investigate that alleged crime.

7.2.3 **Child and Family Agency (TUSLA):-**

The Children First Act (2015) addresses the role of the Child and Family Agency (TUSLA). It requires that relevant persons in a position to assess children at risk of abuse to provide the Child and Family Agency with the information necessary to monitor and provide supports to a child, young person or vulnerable person who may have been abused. Any criminal investigation will be conducted in a parallel investigation by the Gardaí.

