

Child Welfare and Protection Procedures

Triathlon accepts that organisations, including young people among its members, are vulnerable to child abuse. Below are the procedures for dealing with any welfare or protection issue that may arise. Child welfare and the protection of young people is always the concern of all adults, irrespective of their role within the organisation.

If there are grounds for concern about the safety or welfare of a young person, you should react to the situation. Persons need clarification about whether certain behaviours are abusive; therefore, reportable should contact the duty social worker in the local health services executive or social services department where they will receive advice. Grounds for concern include a specific indication from a child, a statement from a person who witnessed abuse or an illness, injury, or behaviour consistent with abuse.

Any organisation member may make a report, but it should be passed on to the Lead Officer, who may have to pass the concern to the local Statutory Authorities. It is not the responsibility of anyone working within Triathlon Ireland, in a paid or voluntary capacity, to take responsibility or decide whether child abuse is occurring. That is the job of the local statutory authorities. However, there is a responsibility to protect children by assisting the appropriate agencies so that they can then make enquiries and take any necessary action to protect the young person.

Everyone should follow both procedures outlined below: the procedure for responding to a child in distress and the process for reporting the concern.

Response to a Child Disclosing Abuse

When a young person discloses information of suspected abuse, you should:

- a) Deal with any allegation of abuse sensitively and competently by listening to and facilitating the child to talk about the problem rather than interviewing the child about details of what happened.
- b) Stay calm, and don't show extreme reactions to the child's words. Listen compassionately and take what the child is saying seriously.
- c) Understand that the child has decided to say something significant and has taken a risk. The experience of telling should be positive so that the child will not mind talking to those involved in the investigation.
- d) Be honest with the child and tell them that it is not possible to keep the information a secret.
- e) (Make no judgmental statements against the person to whom the allegation is made. (f) The only question for the child is if the nature of what s/he is saying is unclear.
- f) Leading questions should be avoided. Open, non-specific questions should be used, such as "Can you explain to me what you mean by that".
- g) Check out the concerns with the parents/guardians before making a report unless doing so would endanger the child.
- h) Give the child some indication of what would happen next, such as informing parents/guardians, police, or social services. It should be kept in mind that the child may have been threatened and may feel vulnerable at this stage.

- i) Carefully record the details.
- j) Pass on this information to the Lead Officer.
- k) Reassure the child that they have done the right thing in telling you.

Reporting Suspected or Disclosed Child Abuse

The following steps should be taken in reporting child abuse to the statutory authorities:

- a) Observe and note dates, times, locations and contexts in which the incident occurred or suspicion was aroused, together with any other relevant information.
- b) Report the matter to the Lead Officer responsible for reporting abuse as soon as possible. If the Lead Officer has reasonable grounds for believing that the child has been abused or is at risk of abuse, s/he will make a report to the local social services that have a statutory responsibility to investigate and assess suspected or actual child abuse.
- c) In emergency cases, where a child appears to be at immediate and severe risk, and the Lead Officer cannot contact a duty social worker, the police authorities should be contacted. Under no circumstances should a child be left in a dangerous situation pending intervention by the Statutory Authorities.
- d) If the Lead Officer is unsure whether reasonable grounds for concern exist, s/he can informally consult with the local social services. S/he will be advised whether.
- e) Or not, the matter requires a formal report.

A Lead Officer reporting suspected or actual child abuse to the Statutory Authorities will first inform the family of their intention to make such a report unless doing so would endanger the child or undermine an investigation.

The Protection for Persons Reporting Child Abuse Act, 1998 (ROI only) provides immunity from civil liability to persons who report child abuse 'reasonably and in good faith' to the Health Services Executive or the Gardaí. 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 the Health Service Executive or any member of An Garda Síochána
2. The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination, including dismissal.
3. The creation of a new offence of false reporting of child abuse where a person reports child abuse to the appropriate authorities "knowing that statement to be false". This new criminal offence is designed to protect innocent persons from malicious messages.

Allegations against Sports Leaders

Triathlon Ireland has agreed on procedures to be followed in cases of alleged child abuse complaints concerning Leaders. If such an allegation is made against a Sports Leader working within the organisation, two procedures will be followed:

- The reporting procedure regarding suspected child abuse (reported by the Lead officer), see the previous page.
- The process for dealing with the Sports Leader (carried out by the organisation's chair, senior officer, or a person not already involved with the child protection concern).

The safety of the child making the allegation should be considered, and any other children who may be at risk should be considered. The organisation will take any necessary steps that may be needed to protect the children in its care.

The issue of confidentiality is essential. Information is on a need-to-know basis, and the Sports Leader will be treated with respect and fairness.

While the Lead Officer makes the report to the local statutory authorities, the senior officer of the organisation should deal with the Leader in question.

- Triathlon Ireland will privately inform the Leader that (a) an allegation has been made against them and (b) the nature of the allegation. They should be allowed to respond. Their response should be noted and passed on to social services.
- The Leader may be asked to step aside pending the outcome of the investigation. When a person is asked to step aside, it will be made clear that it is only a precautionary measure and will not prejudice any later disciplinary proceedings.

Disciplinary action against the Leader may be considered, but this will not interfere with the investigation of the Statutory Authorities. The study's outcome and any implications it might have will be considered. The fact that the alleged abuser has not been prosecuted or found guilty does not automatically mean that they are appropriate to work with young people in the future.

Irrespective of the findings of the Statutory Authorities, Triathlon Ireland Disciplinary Committees will assess all individual cases to decide whether a member of staff or volunteer should continue or be reinstated and, if so, how this can be sensitively handled. This may be a difficult decision, especially where there needs to be more evidence to uphold any action by the statutory authorities. In such a case, the Triathlon Ireland Disciplinary Committee will reach a decision based on the available information, which could suggest that on the balance of probability, it is more likely than not that the allegation is accurate and the implications of this for the safety of children. The welfare of the child will remain of paramount importance throughout. Triathlon Ireland may need to disclose information to protect young people in its care.

Confidentiality

Confidentiality should be maintained for all issues and people involved in abuse, welfare, or bad practice cases. The child's rights and the person about whom the complaint has been made must be protected.

Triathlon Ireland will consider the following when discussing concerns:

- A confidentiality guarantee or undertakings regarding secrecy cannot be given, as the child's welfare will supersede all other considerations.
- All information should be treated carefully and sensitively and discussed only with those who need to know.
- Information should be conveyed to the parents/guardians of the child in a sensitive way.
- Giving information to others on a 'need to know' basis for protecting a child is not a breach of confidentiality.
- All persons involved in a child protection process (the child, their parents/guardians, the alleged offender, their family, and Leaders) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.
- Information should be stored in a secure place, with limited access only to Lead Officers and appropriate personnel.
- The requirements of Data Protection laws should be adhered to.
- Breach of confidentiality is a serious matter.

Anonymous Complaints / Rumours

Anonymous complaints can be challenging to deal with but will not be ignored. Rumours should not be allowed to hang in the air. All concerns relating to inappropriate behaviour should be brought to the attention of the Lead Officer, and any such complaints brought to the attention of the Lead Officer will be dealt with. The information should be checked out and handled confidentially. In all cases, the safety and welfare of the child/children are paramount.