



Child Protection Policy



Mission Statement

To contribute to the development of all young people through the achievement of personal challenges.

Cover images, clockwise from top-right:

The Patron of Gaisce, President Mary McAleese; Bronze Participant, Ashling Daly on the Defence Forces Adventure Training Programme; Chairman of Gaisce, Dr. Laurence Crowley with Bronze Participants, Jeffrey Corr and Laura Hughes playing snooker in the Moyross centre; President's Award Leader and Civic Merit Award Holder, Brídín Ní Cheallaigh.



Plain English
Approved by NALA



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Procedures for Staff and President's Award Leaders (PALs)

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Gaisce – The President’s Award is fully committed to safeguarding the well-being of participants by protecting them from physical, sexual and emotional harm and neglect.

Gaisce accepts that in all matters concerning child protection, the welfare and protection of the young person is paramount. This child protection policy and code of behaviour aims to protect young people, staff and President’s Award Leaders (PALs) involved in the Award programme.

It covers the following topics:

- 1 Defining and identifying child abuse**
- 2 Reporting and procedures**
- 3 The role of the Designated Person**
- 4 Codes of behaviour for staff, PALs and participants involved with Gaisce**
- 5 Procedures for selecting and vetting PALs**
- 6 Dealing with allegations against staff or PALs**

Introduction

Child abuse is a difficult subject, and it is understandable that people may be reluctant to acknowledge that it exists. Members of the public or professionals may be afraid of being thought of as insensitive, breaking confidences or appearing disloyal if they report suspected child abuse. However, early intervention may reduce the risk of serious harm occurring to a child at that time or in the future.

This policy document should be read with the Child Protection Policy that has been put in place by any organisation with which a participant or a President's Award Leader (PAL) is involved.

Who Does this Child Protection Policy Apply to?

This child protection policy applies to all employees of Gaisce – the President's Award as well as all PALs and other volunteers. Everyone to whom the policy applies is required to familiarise themselves with the policy before becoming involved with Gaisce.

Responsibility to Report Suspected or Actual Abuse

Any person who suspects that a child is being abused, or is at risk of abuse, has a responsibility and a duty of care to report their concerns to the Health Service Executive, either directly or through the Designated Person. *The Protection for Persons Reporting Child Abuse Act, 1998* provides immunity from civil liability to people who report child abuse 'reasonably and in good faith' to a Designated Person (in this instance the person specified in Section 3 of this document), the Health Service Executive or the Gardaí (*Children First, National Guidelines for the Protection and Welfare of Children 1999 p.37*).

1 Defining and Identifying Child Abuse

A child is defined as an unmarried person under the age of 18 years. Child abuse generally falls into four categories.

1.1 Neglect

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, medical care or attachment to and affection from adults. The threshold of significant harm is reached when the child's needs are neglected to the extent that their well-being and/or development are severely affected. (*Children First, National Guidelines for the Protection and Welfare of Children 1999, p. 31.*)

1.2 Emotional Abuse

Emotional abuse is normally found in the relationship between a care-giver (an adult person who has responsibility for a child in the short or long term) and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical symptoms. Children show signs of emotional abuse by their behaviour (for example excessive clinginess to or avoidance of the parent or carer), their emotional state (low self-esteem, unhappiness) or their development. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and parent or carer. (*Children First, National Guidelines for the Protection and Welfare of Children 1999, p. 31-32.*)

1.3 Physical Abuse

Physical abuse is any form of non-accidental injury or any injury that results from wilful or neglectful failure to protect a child. Examples of physical injury include:

- shaking,
- use of excessive force in handling,
- deliberate poisoning,
- suffocation,
- Munchausen's Syndrome by proxy (where parents make up stories of illness about their child or cause physical signs of illness), or
- allowing or creating a substantial risk of significant harm to a child.
(*Children First, National Guidelines for the Protection and Welfare of Children 1999, p. 32.*)

1.4 Sexual Abuse

Sexual abuse occurs when a child is used by another person for their gratification or sexual arousal, or for that of others. Examples of sexual abuse include:

- exposing sexual organs or intentionally performing any sexual act in the presence of a child,
- intentional touching or molesting the body of a child, by a person or object, for the purpose of sexual arousal or gratification,
- masturbating in the presence of a child or involving the child in the act of masturbation,
- engaging in sexual intercourse with the child, whether oral, vaginal or anal,

Defining and Identifying Child Abuse

- sexually exploiting a child, or
- consensual sexual activity between an adult and a child under 17 years.

In relation to child sexual abuse, it should be noted that, for the purposes of criminal law, the age of consent to sexual intercourse is 17 years. (*Children First, National Guidelines for the Protection and Welfare of Children 1999, p. 33.*)

Aggressive Behaviour

While bullying is not a category in itself, it is important to be aware of it in relation to child abuse. Bullying can be defined as repeated verbal, psychological or physical aggression, that is conducted by an individual or group against others. Bullying behaviour may take place in any setting: in schools, in the home or in a Gaisce setting. In the first instance, it is the responsibility of the PAL/employee to deal with bullying that may take place within the organisation. The more extreme forms of bullying behaviour would be regarded as physical or emotional abuse, and are reportable to the statutory authorities.

Each Gaisce group should have a clear policy on countering bullying behaviour. Participants should be aware of that policy and PALs should implement it. Incidents should not be tolerated under any circumstances and should be dealt with immediately. For more information on bullying, “*Let’s beat bullying*” is a complete anti-bullying resource for those working with young people in youth work settings and is available as a download on www.youthhealth.ie.

2 Reporting Procedures

Gaisce provides an environment that encourages security, confidence and trust, so enabling young people to share their concerns. A young person will carefully select a person to confide in. That chosen person will be someone they trust and have confidence in.

It is important that a young person who discloses child abuse feels supported and facilitated in what may be a frightening and traumatic process for them. A young person may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings they may have are not made worse by the kind of response they receive. A young person who divulges child abuse to a PAL has engaged in an act of trust and their disclosure must be treated with respect, sensitivity, urgency and care.

2.1 How to Respond

It is of the utmost importance that disclosures are treated in a sensitive and discreet manner. Anyone responding to a young person making such a disclosure should take the following steps.

- Take what the young person says seriously.
- React calmly, as over-reaction may intimidate the young person and increase any feelings of guilt that they may have.
- Reassure the young person that they were correct to tell somebody what happened.
- Listen carefully and attentively.
- Never ask leading questions.

Reporting Procedures

- Use open-ended questions to clarify what is being said and try to avoid having them repeat what they have told you.
- Do not promise to keep secrets.
- Advise that you will offer support but that you must pass on the information.
- Do not express any opinions about the alleged abuser to the person reporting to you.
- Explain and make sure that the young person understands what will happen next.
- Do not confront the alleged abuser.
- Write down immediately after the conversation what was said, including all the names of those involved, what happened, where, when, if there were any witnesses and any other significant factors and note any visible marks on the individual making the report or any signs you observed.
- The person recording the event must sign and date all reports and indicate the time the notes were made.
- Ensure that the information is restricted to those who need to know it.
- Pass any allegations to the Designated Person immediately. Allegations should not be investigated by Gaisce staff or PALs.

2.2 What Does a PAL Do if They Suspect that a Young Person is Being Abused or Neglected?

- Try to ensure in so far as is possible that no situation arises that could cause any further risk to the individual.
- Record the facts as you know them. Include the young person's name, address, nature of the concern, allegation or disclosure and, where possible, information about a parent or guardian. Give a copy to the Designated Person. The Designated Person will keep this information in a secure place.
- Provide a report to the Designated Person in Gaisce, who is Marion Irwin. She can be contacted on **01 475 8746** or **087 629 0788**. If she is unavailable, give a copy of the report to the Deputy Designated Person, who is John T. Murphy. He is available on **01 475 8746** or **087 254 7430**.

2.3 What Happens if there are Reasonable Grounds for Concern?

If reasonable grounds for concern exist, the Designated Person will provide a report to the Duty Social Worker of the Health Service Executive. The following examples would constitute reasonable grounds for concern.

- Specific indication from the participant that they were abused.
- An account by a person who saw the young person being abused.
- Evidence, such as an injury or behaviour, that is consistent with abuse and unlikely to be caused another way.

Reporting Procedures

- An injury or behaviour that is consistent both with abuse and with an innocent explanation but where there are indicators supporting the concern that it may be an incidence of abuse. An example of this would be a pattern of injuries, an implausible explanation and other indications of abuse or dysfunctional behaviour.
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect. (*Children First, 1999, p. 38.*)

If there is an immediate risk to a young person, the PAL should contact An Garda Síochána.

The Designated Person will ensure that the most appropriate person, in other words, the Gaisce Regional Development Officer or PAL, will consult with the young person's parents or guardian in relation to the concern and the possibility of a report being made to the Health Service Executive, unless it is not in the best interests of the young person to do so.

A suspicion that is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern.

However, these suspicions should be recorded or noted internally by the Designated Person only, as future suspicions may lead to the decision to make a report. Earlier suspicions may provide important information to the Health Service Executive.

3 Designated Person

The Designated Person is the title given to the person appointed by Gaisce to deal with child protection issues reported by PALs, Gaisce staff or young people participating in the Award programme.

The Designated Person for Gaisce is Marion Irwin, who can be contacted at **01 475 8746** or **087 629 0788**.

The Deputy Designated Person if Marion Irwin is not available is John T. Murphy, who can be contacted at **01 475 8746** or **087 254 7430**.

The Designated Person will ensure they do the following or, in their absence, that another person in the organisation will do so.

- Operate within the guidelines approved by Gaisce.
- Report suspicions and allegations of child abuse to the Health Service Executive where there is a concern.
- Create and maintain links with the Health Service Executive and other relevant agencies and resource groups.
- Facilitate follow-up action.
- Advise Gaisce members of staff about individual cases as appropriate.
- Advise on best practice and ensure that Gaisce's Child Protection Policy and procedures are followed.
- Organise and/or facilitate training and workshops on the guidelines for child protection.
- Maintain proper records on all cases referred to them in a secure and confidential manner.

Designated Person

- Keep up to date on current developments regarding provision, practice, legal obligations and policy.
- Ensure that this Child Protection Policy is reviewed annually.
- Ensure that Gaisce's policies and procedures are brought to the attention of to all Gaisce staff and PALs.
- Inform the Chief Executive of relevant child protection issues as they arise.

All allegations or suspicions about a member of Award staff or a PAL, no matter how insignificant, must be referred immediately and directly to:

- *the Designated Person (Marion Irwin 01 475 8746 or 087 629 0788), or if not available*
- *the Deputy Designated Person (John T. Murphy 01 475 8746 or 087 254 7430).*

4 Code of Behaviour for Staff, PALs, Volunteers and Participants Involved with Gaisce

- PALs, other volunteers and Gaisce staff should be sensitive to the risks involved in taking part in some contact sports with young people. They should exercise caution in areas such as swimming pools, showers, changing areas and so on.
- PALs, other volunteers and Gaisce staff should be sensitive to the fact that jokes of a sexual nature may be offensive to others and should never be told in the presence of young people.
- PALs and staff should be sensitive to the implications of becoming too involved with or spending a lot of time with any one young person.
- PALs, other volunteers and Gaisce staff should be sensitive to the potential risk to personal safety that may arise when they meet alone with a young person in a room. Where it is feasible, they should leave the door open or inform another colleague that they will be alone in the room with the individual in question.
- Where a PAL, other volunteer or Gaisce staff member has a concern about the nature of a particular relationship involving themselves or another staff member, volunteer or young person, they should discuss it with a supervisor or experienced colleague.
- A PAL, other volunteer or Gaisce staff member should not have a physical relationship with a young person or Award participant.
- Each operating body of the Award should implement a code of conduct and set ground rules, including an anti-bullying policy, that all participants understand, agree on and sign up to.

Code of Behaviour for Staff, PALs, Volunteers and Participants Involved with Gaisce

- Attempts should be made among young people to develop a positive attitude that respects the personal space, safety and privacy of their peers.
- If a PAL, other volunteer or staff member provides transport for participants in the course of their involvement with Gaisce, there should, if possible, be two or more participants in the car. Any transport should only be provided with the full knowledge and consent of the young people's parents or guardians.
- PALs, other volunteers and Gaisce staff must never physically punish or be verbally abusive to a young person.
- The ratio of adult leaders to participants is important when doing various activities. There should be at least one adult to every ten participants and a minimum of two adults per group. This number may need to be varied in accordance with the ratio of male to female participants, the gender of the leaders, the type of activity being undertaken and the ability of the participants.

4.1 Procedures for PALs, Volunteers and Gaisce Staff Involved in Overnight Activities

When taking young people away on their venture activity, PALs and Gaisce staff should consider the following matters.

- **Safety** – A hazard analysis and risk assessment should always be completed, particularly if it is envisaged that an Award participant will be taking part in a high-risk activity such as mountaineering, climbing, water sports and so on.

- **Communications** – A PAL should always carry a mobile phone with the battery fully charged in case of emergencies. Emergency contact numbers for the parents or guardians of participants should be available to leaders at all times.
- **Insurance** – A PAL should ensure that insurance is obtained and is adequate to cover all aspects of the trip.
- **Consent** – Written consent should be obtained from parents or guardians before taking young people under the age of 18 away on a trip. (See Appendix 1.)
- **Medical Concerns** – PALs should ensure that they possess a fully-stocked first aid kit and that they possess any relevant medical information about Award participants, for example allergies, medication regimes and so on. (See Appendix 2.)
- **Sleeping Arrangements** – Sleeping areas for males and females should be separate and supervised by two adults of the same gender as the group being supervised.
- **Conduct** – Maintaining standards and good practice in the relaxed atmosphere of a trip away from home may be difficult, as normal boundaries and standards of behaviour can be inadvertently crossed over. PALs and Gaisce staff should agree a code of behaviour and ground rules with the participants before they leave.
- **Leader to Participant Ratio** – A ratio of one leader to every ten participants should be adhered to and there should be a minimum of two leaders participating in the actual activity in case an accident or incident occurs that could leave the group vulnerable.

Code of Behaviour for Staff, PALs, Volunteers and Participants Involved with Gaisce

4.2 Adults Other than PALs Involved in Assisting with the Award

PALs should make every effort to make other adults who assist with the Award aware of the code of behaviour and duty of care handbook. This handbook is available from the Head Office in Dublin Castle or may be downloaded from the Gaisce web site, www.gaisce.ie.

4.3 Guidelines on the Use of Technology

Mobile phones, camera phones, cameras and audio-visual equipment.

- A mobile phone can be a great communication method and a potential safety tool for everyone, including young people. However, mobile phones can be used by some to bully others through threatening and unpleasant text messages or picture messages. This behaviour should be treated in the same manner as any other form of bullying.
- PALs and participants together should agree a policy or ground rules on the use of mobile phones when undertaking Gaisce activities.
- Young people should be advised to save any offensive messages or pictures and to always tell an adult immediately. If messages are stored, it is usually possible to trace and identify the culprit.
- PALs should advise young people of the need to use mobile phones with care and not to be tempted to use their phone to bully others or to allow others to use their mobile phones to bully them.

- Mobile phones can be a safety tool, particularly when on the venture activity. However, it can happen if there is an emergency that the mobile phone may not work due to poor reception. Therefore, the reliance on a phone should never replace the skill and competencies required for such activities.
- If a Gaisce participant or a PAL gives their mobile number as the contact phone when carrying out the venture, ensure that the facility to keep the phone charged is available and that the phone has credit.

4.4 Code of Conduct on the Use of Camera Phones

PALs and Gaisce participants should agree a code of conduct and ground rules about the use of camera phones, particularly on the venture section of the Award. Here are some basic guidelines.

- Camera phones should be used safely and responsibly.
- Camera phone users should respect the private lives of others and not take or distribute pictures of other people if it is an invasion of their privacy.
- Sending obscene, indecent or menacing pictures should not be tolerated.
- Young people should be warned of the dangers of sending photographs of themselves to someone they do not know very well.

Code of Behaviour for Staff, PALs, Volunteers and Participants Involved with Gaisce

4.5 Policy on the Use of Cameras and Audio Visual Images

PALs and Gaisce participants should agree a policy and ground rules on the use of cameras and audio visual images before going on their venture expedition to avoid any misuse. The following guidelines will be used.

- Gaisce will undertake as far as possible to get permission to use images of Gaisce participants and PALs before using their images for publicity purposes.
- Gaisce will seek parents' or guardians' permission for the use of photographs of Gaisce participants under the age of 18 for any publicity purposes.
- Only images of Gaisce participants in appropriate dress will be used.
- Inappropriate use of images of Gaisce participants or PALs will be brought to the attention of the Designated Person.
- At Award ceremonies and other public events, Gaisce will publicly announce the use of photographic and audio visual equipment so that anyone who would rather not be photographed or videoed can remove themselves.

5 Procedures for Selecting and Vetting PALs

5.1 Selecting PALs

- 1 Alongside the formal vetting process, all prospective PALs will be asked to complete a PAL Commitment Form, which requires them to disclose any criminal convictions they have. The form also requests the names of two referees.
- 2 The referees will be asked to complete and return a PAL Reference Form. Gaisce also reserves the right to contact the referees by telephone and request an oral reference.
- 3 If the forms are not returned within a reasonable timeframe, the referee will receive a second letter.
- 4 If the reference form is not returned following the second letter, the referee will be telephoned by Gaisce and asked to respond to the letter.
- 5 If the information received in the reference form or from the referee verbally is deemed to be in conflict with the role of the PAL, the Designated Person or a person appointed by the CEO will:
 - request a meeting with the prospective PAL to discuss the implications of the information and offer the prospective PAL the opportunity to explain
 - or**
 - inform the prospective PAL that they have not been successful in their application due to information received about them through the selection or formal vetting process.
- 6 Once the selection and formal vetting process has been satisfactorily completed, the PAL will be informed.

Procedures for Selecting and Vetting PALs

- 7** All new PALs will receive an outline of the role of a PAL and a copy of Gaisce's Child Protection Policy and will be requested to attend a PAL workshop before starting their role as a PAL.

5.2 Vetting PALs

- 1** Prospective PALs will be vetted according to the recommendations in the report of the Inter-Departmental Committee on Garda Vetting as they apply to the Voluntary Youth Work Sector.
- 2** Gaisce has been registered with the Garda Central Vetting Unit and, as such, all vetting will be pursued directly with the Garda Central Vetting Unit.
- 3** The information disclosed by An Garda Síochána will only be used for the purposes for which it was sought having full regard to the competing rights of the PAL applicant and the young people who are likely to be entrusted to their care.
- 4** Gaisce will endeavour to maintain the confidentiality of information in the interest of ensuring that the applicant's entitlement to privacy is not infringed.
- 5** If information on convictions are received from the Garda Central Vetting Unit, the applicant will be given the opportunity to discuss the information with Gaisce.
- 6** Further to that discussion, if the information received as a result of Garda vetting is deemed to be in direct conflict with the role of the PAL, the applicant PAL will be informed of this.

6 Dealing with Allegations Against Staff and PALs

When an allegation is made against a PAL or staff member, the following steps will be taken:

- 1** Any action will be guided by the agreed procedures, the applicable employment or volunteer contract and the rules of natural justice. The priority will be to ensure that no child is exposed to unnecessary risk.
- 2** The Designated Person (unless the allegation is being made against them) and the Chief Executive will be informed as soon as possible.
- 3** The Chief Executive will, as a matter of urgency, take any necessary immediate action. This action should be in proportion to the level of risk involved and will be guided by natural justice.
- 4** The follow up on an allegation of abuse against a staff member of Gaisce or PAL will be made in consultation with the Health Service Executive and An Garda Síochána.
- 5** The Chief Executive will ensure that actions taken do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána.

Appendix 1

Sample Consent Form



I am aware that (*insert name of participant in full*) is about to undertake the Venture section of the Bronze, Silver or Gold (*delete as appropriate*) Award. I understand that this entails (*insert required number of days*) days away from home, including (*insert required number of nights*) overnights.

I consent to their participation in this section of the Award and I have been made aware of Gaisce's Child Protection Policy. I have signed the health form indicating any medical needs of (*insert name of participant in full*).

Relationship to the young person:

Date:

Signature:

Full name (*please print*):

Contact phone number

Mobile:

Land line:

Appendix 2

Sample Health Form



All information is strictly confidential and should be as detailed as possible.

Name of participant:

Address:

Date of birth:

Telephone number:

Location and nature of activity:

Contacts for Emergencies

Contact people should be in a position to collect this young person if necessary.

Contact 1 Parent or guardian

Name:

Address:

Relationship to this young person:

Telephone number work:

Telephone number home:

Telephone number mobile:

Contact 2

(Should be different contact details from Contact 1)

Name:

Address:

Relationship to this young person:

Telephone number work:

Telephone number home:

Telephone number mobile:

Doctor's Details

Name:

Address:

Telephone number:

Emergency contact number:

Medical Details

Does this young person suffer from any medical conditions?

Yes No

If Yes, please give details.

Do they suffer from any food allergies (for example fish or nut allergies)?

Yes No

If Yes, please list.

List any related medicines or inhalers used.

Do they have:

Impaired hearing: Yes No

Impaired vision: Yes No

Other disability: Yes No

Please detail:

Current Medication

Are they taking any medication or treatment?

Yes No

Please detail:

For the purposes of the venture section or overnight activity:

Please ensure that this young person has enough medication for the full Venture.

If the young person is unable to give the medication themselves:

I give permission for the PAL/person in charge to give (*young person's name*) the (*medication, dosage and frequency*). I enclose a letter from the GP stating that the person in charge can give the medication.

In the unlikely case of an emergency, it is important to know if they can take:

Paracetamol: Yes No

Aspirin: Yes No

Other (*please describe*):

When did they last have a tetanus injection?

Have they had any adverse reaction to an anaesthetic?

Yes No

If yes, please give details.

Any Other Relevant Information?

In the case of an emergency, PALs or those in charge will do everything possible to contact the parents or guardians so that appropriate medical decisions can be made for the young people in their care.

In extreme circumstances, where medical treatment is required without delay and it has become impossible to contact those named above, I authorise the PAL or person in charge to give consent for any medical treatment on my behalf/on our behalf (*please delete as appropriate*).

Signature:

Date:

Full name (*please print*):

Relationship to the young person:

Consent must be provided by the person with parental responsibility.



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