

Recognising and Reporting Child Abuse Policy

There are statutory obligations on organisations working with young people to recognise and report child abuse. Individuals working with young people in Swim Ireland must be aware of what child abuse is and understand that it can happen in any setting. By implementing Swim Ireland policies, you undertake to create a safe and fun environment for young people to enjoy their sport. By understanding child abuse and knowing what to do if you have a concern, allegation or a disclosure from a child you strengthen the protection of young people in sport.

This policy provides an awareness of abuse and how to report it, and is divided into two sections:

Recognising child abuse

Reporting child abuse

Recognising child abuse

There are defined categories of abuse: neglect, emotional abuse, physical abuse and sexual abuse. Further consideration must be given to exploitation and bullying in understanding the different forms that abuse can occur. A young person may be subjected to one or more forms of abuse at any given time. The definitions of the categories of abuse are taken from Children First Guidance (ROI) and from Co-operating to Safeguard Children and Young People in Northern Ireland (NI).

Neglect

Child neglect is the most frequently reported category of abuse. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences. 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.

Emotional Abuse

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. Emotional abuse may also involve bullying including online bullying through social networks, online games or mobiles phones and can be perpetrated by the child's peers.

Physical Abuse

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 and take many forms including hitting, biting, pinching, throwing, poisoning, burning drowning or suffocating a child. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts such as masturbation, fondling, oral or penetrative sex or exposing the child to sexual activity directly or through pornography forcing a child to look at sexual images or watch sexual activities. Sexual abuse can be perpetrated by males and females

Exploitation (recognised in NI)

Exploitation is the intentional ill-treatment, manipulation or abuse of power and control over a young person or to take selfish or unfair advantage over a child for personal gain. Exploitation may take many forms such as child labour, slavery, engaging a child in criminal activity or fraud, begging or trafficking. Exploitation can be sexual in nature.

Bullying

Bullying behaviour is the repeated and intentional use of power or aggression by one or more persons to harm, hurt or adversely affect the rights and needs of another individual or group. An individual or individuals may be targeted through a variety of methods e.g. through social media sites, physically or verbally harmed, through text or other messaging services. Bullying may manifest in different forms such as cyberbullying, exclusion bullying, extortion bullying, gesture bullying, physical bullying and /or verbal bullying.

See the Anti-Bullying Policy for further information.

Signs of Abuse:

You should be alert to and believe the possibility that a welfare or protection concern may arise in relation to young people in the club or region. Young people need to know they can trust an adult and to know that they will be believed and get the help they need.

Reporting child abuse

There is a statutory requirement to report harm to a child and Swim Ireland follows the statutory guidance for reporting. The two documents used as guidance for the reporting process in this document are Children First: National Guidance for the Protection and Welfare of Children 2017 (ROI) and Co-operating to Safeguard Children and Young People (NI) 2017 (NI).

People involved

The following people are involved in reporting allegations, concerns or disclosures of abuse:

1. Mandated Person – for Swim Ireland this is the Youth Development Director with a statutory obligation to report concerns thought to meet or exceed the threshold of significant harm. The Mandated Person is required to co-operate with the statutory authorities where requested to do so.
2. Designated Liaison Person (DLP) – for Swim Ireland this is a Children Officer (CO) in either a club or region. The DLP has the responsibility to consult informally with statutory authorities or to report where a reasonable concern exists.
3. Members of Swim Ireland – as a member of Swim Ireland anyone who has a concern or has received a disclosure of abuse from a young person has the responsibility to pass this on to the DLP or directly to the Mandated Person. Anyone can report a concern or a disclosure directly to the statutory authorities.
4. Anyone external to Swim Ireland – reporting a concern of abuse to a child is the responsibility of everyone and we encourage individuals to raise concerns about a Swim Ireland member to the appropriate person. The club, region or national level Child Safeguarding Statement has details of who to contact or the individual can use the whistle-blowing policy to contact Swim Ireland directly.
5. An external Mandated Person – there are individuals who are a Mandated Person in their professional role. However, only members of the An Garda Síochána are Mandated Persons at all times regardless of any other voluntary or otherwise role they may have, e.g. a school teacher is a Mandated Person when in the role of a school teacher, however as a CO in a club the individual would not be a Mandated Person as this is not a mandated role. Contracted individuals such as doctors, physiotherapists, psychologists are also Mandated Persons when working in their professional role in Swim Ireland. You cannot be appointed as a Mandated Person; it is a role set out in the Children First Act 2015 (ROI).

Grounds for concern

Where there are concerns about a child it can be difficult to decide if the matter should be reported or meets the threshold of significant harm. If an allegation or a disclosure is made it should be reported, the statutory authorities will decide if the threshold of significant harm is met.

The following examples would constitute reasonable grounds for concern:

- A specific indication from the child that he or she was abused
- An account by a person who a child disclosed to or who strongly believes a child is being abused (allegation)
- A child may show signs of abuse such as an injury or behaviour, that is consistent with abuse and unlikely to be caused in another way (concern)
- An admission or indication from an adult or child of an alleged abuse they committed (disclosure)

- Any concern about possible sexual abuse (concern)
- Consistent signs that a child is suffering from emotional or physical neglect (concern)
- The behaviour of an adult towards a child that is inappropriate or makes you feel uncomfortable (allegation/concern)
- Evidence of non-contact abuse as through social media, online or other form of technology (concern)

Some young people are more vulnerable to harm. It is important that young people know they will be listened to and taken seriously if they raise a concern or talk to a trusted adult about any harmful situation. Young people are more vulnerable to continued abuse if they think those around them will not listen or take their concerns seriously and they won't get the help they need.

There are other factors that make young people more vulnerable, **however the presence of any of these factors does not automatically mean a child is being abused.**

Such factors to consider are:

- Family/carer circumstances e.g. substance abuse, mental health issues, additions etc.
- The young person e.g. age, ability, communication difficulties, sexuality etc.
- Community factors e.g. cultural or religious norms outside expected child protection practices etc.
- Environmental factors e.g. housing, poverty, bullying or social media concerns etc.
- Poor engagement of parents/careers e.g. lack of understanding, reluctance to engage etc.

Responding to an allegation from a young person

If a young person makes an allegation that they are being harmed or abused it is important to be sensitive and to listen. The young person has chosen to tell you because they trust you. Young people may also make an allegation in different ways, there may be a hint about what is happening to them, a reluctance to take part in an activity or looking to talk to someone they trust.

If a child makes an allegation to you, you need to:

Stay calm, the child trusts you and has decided to tell you about what has happened

Listen and hear by giving the child time to speak and by accepting what you have heard

Reassure the child that they have done the right thing

Record in writing as soon as you are able to and, if possible, remember the child's words

Report to the DLP, and record this is done

Hearing an allegation from a child it is easy to feel panicked, angry or even disgusted, however remember to keep your emotions under control and to let the child speak. Don't ask leading questions or promise to keep any information a secret – this doesn't help the child. Only listen to what the child tells you, don't make enquiries into the details of the abuse and don't ask the child to repeat their account unnecessarily. The report must be made immediately to the DLP or directly to the Mandated Person, do not delay in this.

Responding to grounds for concern

If you have a concern you need to share any significant information with the DLP – the safety and well-being of the child takes priority. The statutory authorities will decide and/or investigate if a situation is abusive or abuse has occurred. The role of the Mandated Person, DLP or Swim Ireland member is to report any concern and not to attempt to deal with the matter.

Where a concern or allegation is brought to the DLP the DLP should consider the following:

- Is any child in immediate danger and has any assistance has been sought?
- Is the concern a safeguarding/poor practice issue? It may be necessary to check out some details, without stepping into an investigative role
- Advice from Tusla or the HSCT Gateway Team on an informal basis to determine the best course of action
- Report to statutory authorities where there is concern of abuse or on the advice of Tusla/HSCT Gateway Team

Where a DLP decides not to report the matter to the statutory authorities the reasons must be recorded as well as any action taken as a result of the concern. The person who raised the concern must be informed with the reason why the matter is not reported. Any individual is free to report a concern they have directly to the statutory authorities.

Responding to information uncovered from other sources

It may be that during an enquiry into a complaint or disciplinary matter or during an investigation into poor practice you uncover significant information and become concerned about abuse occurring or an abusive practice – this is when an informal consultation is required. The DLP must be informed and advice from the Mandated Person sought.

Record keeping

Concerns or allegations of abuse must be clearly and factually recorded. Where the matter has been brought to the attention of the DLP, the following information should be included in the record:

Date and time

Nature of the concern – i.e. disclosure, allegation, indication

People involved

Advice taken

Action taken immediately

Action advised to follow up with

This information must be kept by the DLP safely and securely and should only be used for the intended purpose i.e. to pass on a concern about a young person. Such records should be kept for six years as currently specified by the Swim Ireland Data Retention Policy 2019. Records should be updated and reviewed if necessary, by the DLP.

Confidentiality of records and sharing information

Information concerning the welfare of a child should be shared on a need to know basis. The best interests of the young person take precedence over the needs of any adult involved. Passing on or sharing information to assist statutory authorities is not a breach of data protection or confidentiality. There may be other people who need to know and if there is any doubt advice should be sought from the Mandated Person.

In a case involving a complaint or disciplinary action relating to a child, a parent must always be informed; however, where there is a concern of abuse it may not be possible to share significant information with a parent if this would endanger the child or the person reporting the concern.

Reporting in ROI

In ROI there are two statutory authorities you can contact if you have a concern about a child or have a disclosure or allegation of abuse concerning a child. The statutory authorities are Tusla (Child and Family Agency (CFA)) and An Garda Síochána.

Tusla

If you want to report a concern, allegation or disclosure of abuse or you are seeking an informal consultation you should contact the social work office locally to where the young person lives. You can report your concern in person, by telephone or in writing, including by email or online.

The details of each office can be found here:

www.tusla.ie/children-first/contact-a-social-worker3/

If you make the report verbally, you should follow it up by completing the Child Protection and Welfare Report Form. Mandated persons must make mandated reports on the Child Protection and Welfare Report Form.

Reporting forms can be found here:

www.tusla.ie/children-first/report-a-concern/

An Garda Síochána

If there is an immediate danger to the safety of a child or children, you should contact An Garda Síochána using the emergency number (112 or 999).

Out-of-Hours Service

There is a social work service that deals with any emergencies that occur outside of office hours, available by contacting An Garda Síochána. If you have concerns for the immediate safety of a child or where a child is at immediate risk of harm you can contact An Garda Síochána in an out-of-hours situation. Emergency placements can be made when necessary.

Reporting in NI

In NI there are two statutory authorities you should contact if you have a concern about a child or have a disclosure or allegation of abuse concerning a child.

The statutory authorities are the Health and Social Care Trusts (HSCT) and the Police Service of NI (PSNI).

Health and Social Care Trusts (HSCT)

Each HSCT has a Gateway team, contactable by telephone, to deal with reports of abuse and can provide more local contacts for ongoing professional liaison for advice on concerns. Even where individuals are unsure about whether a concern needs to be referred, they can contact the HSCT to obtain advice. Advice can also be obtained from the NSPCC helpline (0808 8005000). There is a sample form for recording and reporting concerns, allegations or disclosures of abuse and you should request one when contacting the HSCT.

The HSCT telephone numbers, available between 9.00am to 5.00pm, are:

Northern HSC Trust	Tel: +44 03001234333
South Eastern HSC Trust	Tel: + 44 03001000300
Southern HSC Trust	Tel: +44 08007837745
Belfast HSC Trust	Tel: +44 28 90 507000
Western HSC Trust	Tel: +44 28 71314090

Out-of-Hours Service

The Regional Emergency Social Work service is available to deal with child protection emergencies out of hours and can be contacted by phone on: 028 9504 9999

The service is available from:

Monday to Thursday each evening from 5.00pm to 9.00am

Weekends from Friday 5.00pm to Monday 9.00am

Public holidays there is 24 hour cover

Police Service of NI (PSNI)

If there is an immediate danger or concern about the safety or welfare of a child or young person you should contact the PSNI using the emergency number (999). This will enable the PSNI to initiate an emergency protective response if necessary. The PSNI can also be contacted using the number 101, however this is used where there is no emergency. A referral may also be made directly to the PSNI where a crime is alleged or suspected.

Information to provide when reporting

To help the person receiving your report you should provide as much information as possible. It may not be possible to have all the details, so you just need to answer what you can. It is not your responsibility to seek out information you don't know. You should provide as much relevant information as you can about the child, his/her home circumstances and the grounds for concern.

Information should include:

Name and address of the child; include any further information about their location if different in an emergency

Nature of the harm

Any need for immediate medical attention
Concerns that abuse is taking place
Any action already taken
Details of disclosure if given
Other persons involved and action taken if member of Swim Ireland

You may be asked about their school, siblings, name of parents etc. Remember to give as much accurate information as you can without investigating. This will help identify if a child has been referred to the statutory authorities previously or the family is known to the social workers. If a child is in immediate danger the social workers can decide how to act on this, and the more information they have the better their response will be.

Reporting peer to peer abuse

Any individual involved in a concern of abuse under the age of 18 must be reported to the statutory authorities. This means if the person suspected of being responsible for the abuse is under 18 this young person must be included in a report. Peer to peer abuse requires reporting in the same way as any other concern with the same information.

If peer to peer abuse is suspected, it is important to take steps to protect all young people. Abusive behaviour should be stopped, and clear explanations as to what is happening and why it is wrong. If possible, accounts from any young person involved should be gathered and parents informed, unless this would endanger the child or the reporter.

Advice should be sought as soon as possible from the statutory authorities and if a criminal offence is suspected this may require intervention from An Garda Síochána or the PSNI. Advice may also be sought from the Mandated Person.

Reporting retrospective abuse

Allegations of retrospective abuse can be made, where an adult makes an allegation of an abusive event or situation from their childhood. This must be reported to determine any current or potential future risk to young people. Retrospective abuse can be difficult for the statutory authorities to investigate however it is important in identifying potential future risks. Anyone who receives a retrospective allegation should report this to the DLP and/or the Mandated Person. Where necessary advice is sought from the statutory authorities. There is a specific Retrospective Abuse Form for reporting to Tusla (ROI) which cannot be submitted online. To report retrospective abuse in NI you should report directly to the HSCT.

Concern, allegation or disclosure of abuse against a Swim Ireland member

If report of a concern, allegation or disclosure of abuse involves an allegation against a member of Swim Ireland the response must be consistent with the primary concern being the well-being of any young person involved. All protective measures must be taken to ensure no young person is exposed to an unnecessary risk.

A concern, allegation or disclosure of abuse must be reported to the Mandated Person and the Membership Risk Assessment policy will be followed to determine the course of action to be taken. This process will be started immediately to ensure fair treatment of any individual recognising the paramountcy of protecting young people. If an individual does not engage with the Membership Risk Assessment policy this will be deemed a withdrawal from the process and from membership of Swim Ireland.

Where an allegation involves an existing member of Swim Ireland the chair of the relevant committee may be required to inform the individual of the allegation and the need to step down from their position. At regional and club level the CO is responsible for liaising with the statutory authorities and possibly, the family of the young person/people involved. At national level the NCO and CEO will initiate the required action to remove or suspend an individual.

All concerns, allegations or disclosures of abuse must be reported to the Mandated Person and support can be given to the club or region.

Importance of dealing with issues

Being involved in any type of concern is very distressing for a member and for others who may not be directly involved e.g. poor mental health may affect a group of friends or where there has been a concern of abuse or poor practice others may be on the periphery, not directly involved but have an understanding that something has happened. For a young person in our sport this impact can be felt throughout the networks of people involved with that young person, i.e. their own groups of friends (in and outside the sport) , adults who are coaching or teaching that young person and associated adults responsible for their care whilst in the sport. Any traumatic incident needs to be dealt with sensitively and calmly and it is helpful to recognise those who may need to be involved, whilst also recognising that help and support needs to come from those professionally qualified to provide this and this will usually be outside the organisation.

People to help

A lead person, who is seen as a leader within the club or region, e.g. the chair or CO, should take on a coordination role. This person should be calm and promote an environment of safety whilst being empathetic to the matter. The lead person identifies external organisations to help or provide the necessary support and ensures, where necessary, the statutory authorities have been informed. The lead person will check anyone else appointed to help has carried out the required actions to avoid unnecessary repetition that may cause further trauma.

A person should be appointed to communicate with others; this person should have access to the various means of communication and can contact people or organisations where needed. The communications person will liaise with the lead person to ensure the correct message is being conveyed, and that any members' privacy is not invaded.

A person who will liaise with family or members, usually someone well known or respected for their position e.g. CO or coach. This person will be able to put together a cohesive support plan, ensuring that any assistance suggested is not pulling in different directions, leading to confusion of messages, e.g. linking in with a young person's school, family or other supportive networks outside the club or region.

Media involvement

If there is media interest in the matter or any individual is contacted for information on an incident that has happened it is better not to engage nor to provide a comment. Members should be encouraged to not get involved with media as speculation or incorrect information can lead to more hurt and distress for those involved. All media interest should be directed to the person responsible for communications who can contact the Swim Ireland PR department for advice and guidance.

Further guidance

Any on-going care and support given to those involved in a traumatic incident should be given by professionally qualified people working in recognised agencies trained to provide the necessary and required intervention. The extent of what a club or region can be expected to provide is akin to first aid care and support, ensuring that the correct interventions can then be sought. Swim Ireland, regions and clubs have an important role in signposting where this support and help can be found. The National Children's Officer can be contacted for help.