



## Recognising, Responding, Referring & Recoding

### Dealing with Concerns of Child Abuse:

We are asking all Cork Harlequins volunteers and staff, even if they are having difficulty believing what the child is telling them that the person does the right thing and follows the club procedures. A simple way to explain how to deal with child abuse concerns are remembering the 4 R's. We will deal with each of these in turn- recognise, respond, refer, and record.

**Recognise** – that you/others have a concern or have noticed a problem. One of the biggest challenges to child safeguarding is those providing care for the young people accepting that a child they know could be at risk or an adult would deliberately harm a child. When recognising the possibility of child abuse, you should also consider do you have “Reasonable Grounds for concern”.

The following are reasonable grounds for concern:

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way.
- Any concern about possible sexual abuse.
- Consistent signs that a child is suffering from emotional or physical neglect.
- A child saying or indicating by other means that he or she has been abused/harmed.
- Admission or indication by an adult or a child of an alleged abuse they committed.
- An account from a person who saw a child being abused/harmed.

There are many reasons a leader/volunteer may be concerned about the welfare or protection of a child or young person. You should always inform Tusla/NI Gateway Services if you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. Persons unsure about whether certain behaviours are abusive and therefore reportable, can at any time, contact a social worker for an informal discussion.

You can find details of who to contact to discuss your concern on the

Tusla website <https://www.tusla.ie/children-first/contact-a-social-worker3/>

NI Gateway Team <https://www.nidirect.gov.uk/publications/gateway-service-teams-contact-details>

It is important to remember that children/young people are sometimes abused by members of their own family, by peers or by others outside the family environment such as strangers, workers, or trusted adults. It is important to remember that abuse is not always committed through personal contact with a child or young person, sometimes it is perpetrated through social media or the use of information and communication technology.

**Responding** – Cork Harlequins staff/ volunteers **must** respond to a direct allegation and reassure the individual concerned. Tell them what you will need to do. Remember to follow our Club guidelines and talk to the Child welfare officer for your section and/ or Club DLP, it is not an option to do nothing!

Wherever appropriate, any issues should be checked with the parents/carers when considering whether a concern exists, unless doing so may further endanger the child or the person considering making the report.

In ROI the individual employee or leader/volunteer has protection under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently.

In NI this does not exist, but an individual who reports a concern in “good faith” is not deliberately attempting to slander another person's name.

**Responding to a child/young person who alleges abuse:** A child or young person may say to a leader/volunteer that they have been or are being harmed or abused. Children/ young people will often have different ways of communicating that they are being abused. If a child or young person hints at or tells a leader/volunteer that he or she is being harmed by someone, be it a parent/carer, another adult or by another child/young person (peer abuse), it should be treated in a sensitive way.



- Remember, a child/young person may allege abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.
- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. The experience of telling should be a positive one so that the child will not mind talking to those involved in the investigation.
- Do not panic.
- Be aware that talking about what happened to them can be very difficult for the child/young person.
- Remember, the child or young person may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child/young person has to say. Give them the time and opportunity to tell as much as they are able and wish to. See when listening to young people below.
- Do not pressurise the child/young person. Allow him or her to talk at their own pace and in their own language.
- Conceal any signs of disgust, anger, or disbelief.
- Listen to what the child or young person has to say and follow Hockey Ireland procedures.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself.
- It is important to reassure the child/young person that they have done the right thing in talking about what was worrying them.
- Be honest with the child/young person and tell them that it is not possible to keep information a secret, but you will maintain confidentiality.

#### When listening to the young person, ask open questions:

- Questions should be supportive and for the purpose of clarification only.
- Avoid leading questions, such as asking whether a specific person carried out the abuse.
- You should also avoid asking about intimate details or suggesting that something else may have happened other than what you have been told.

Let the person talk - do not interview. Allow the child to talk by facilitating them with open questions like.

- Tell me what happened?
- Tell me more about the part were?
- What happened next?

To gather basic information, you may need to ask specific closed questions, (who, where, when, what, how).

**Referring (reporting)** - Follow your procedures to report a concern and after you have referred on, please record what people have said and what they have committed to do.

Regardless of how a concern comes to a leader/volunteer's attention, it **must** be reported to the Designated Liaison Person (DLP) and National Children's Officer. **In addition**, a leader can report directly to Tusla/Gateway directly.

The Designated Liaison Person (DLP), in consultation with the person who raised the concern, will decide if reasonable grounds for concern exist (see above). If reasonable grounds for concern exist, the Designated Liaison Person will report to a Tusla/Gateway duty social worker. If as the DLP you decide not to report a concern to Tusla/Gateway, the following steps will be taken:

- The reasons for not reporting should be recorded.
- Any actions taken as a result of the concern should be recorded.
- The employee or leader/volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla/Gateway.
- The employee or leader/volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla/Gateway team or An Garda Síochána/PSNI.

A report may be made by anyone in the organisation but **must** be passed on to the Club Children's Officer and/or Designated Liaison Person, who may in turn have to pass the report to the local Statutory Authorities. It is not the responsibility of anyone working within Cork Harlequins, in a paid or voluntary capacity, to take responsibility or decide



whether child abuse is taking place. 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 child.

### **Reporting concerns about a Child to Statutory Authorities**

Cork Harlequins have the following procedures in place for reporting concerns 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 as soon as possible to the Mandated Person and/or Designated Liaison Person within Cork Harlequins who has responsibility for reporting abuse. If the Mandated Person & Designated Liaison Person have reasonable grounds for believing that the child has been abused or is at risk of abuse, they will make a report to local Statutory Authorities who have statutory responsibility to investigate and assess suspected or actual child abuse.

The following forms will be used where reasonable grounds for concern exist – Republic of Ireland – Tusla report form - <https://www.tusla.ie/children-first/individuals-working-with-children-and-young-people/how-do-i-report-a-concern-about-a-child/>

Northern Ireland - <https://thecpsu.org.uk/resource-library/forms/incident-reporting-form/>

In cases of emergency, where a child appears to be at immediate and serious risk and the Mandated Person & Designated Liaison Person is unable to contact a duty social worker, An Garda Síochána/Police authorities should be contacted. Under no circumstances should a child be left in a dangerous situation pending intervention by the Statutory Authorities

- (c) If the Mandated Person & Designated Liaison Person is unsure whether reasonable grounds for concern exist, they can informally consult with the Statutory Authorities. They will be advised whether the matter requires a formal report
- (d) Where the person allegedly causing harm to a child is another child (peer abuse), reports should be made to Tusla/Gateway services for both children.
- (e) The Retrospective Abuse Report Form is to be completed and submitted to Tusla for cases of adults alleging childhood abuse <https://www.tusla.ie/children-first/publications-and-forms/> See Non-Recent abuse for more detail.

**Recording**– Try to use a reporting form to record who has been harmed or put at risk, their DOB/age, address, parents contact. Details of what the concern/complaint is, where it is alleged to have happen and where there any witnesses, when it may have happened, action you have taken and who you report on to.

### **Cork Harlequins Recording Procedure:**

- Records should be factual and include details of contacts, consultations and any actions taken, try to use a standard recording form which should capture
  - who has been harmed or put at risk,
  - their DOB/age, address,
  - parents contact details
  - what the concern/complaint is,
  - where it is alleged to have happen
  - where there any witnesses,
  - when it may have happened,
  - action you have taken
- All agencies dealing with children must cooperate in the sharing of records with the statutory authorities where a child protection or welfare issue arises.
- Records on child protection concerns and allegations are kept securely and safely in a locked cabinet within The Club Office and these records are only accessed by the Club Designated Liaison Person and any other relevant



person on a need-to-know basis

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- Record who you report to, their role/agency if outside the Club and their contact details.
- Records are only used for the purpose for which they are intended.
- Records are only shared on a need-to-know basis in the best interests of the child/young person.
- Record next steps or any advice given.

### **Other areas for consideration**

**Confidentiality:** It is essential that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

- Where child protection and welfare concerns arise, information must be shared on a 'need to know' basis in the best interest of the child/young person with the relevant statutory authorities and with parents/guardians (see 4<sup>th</sup> bullet point).
- No undertakings regarding secrecy can be given. Those working with children/young people and families and in adult services should make this clear to parents/guardians and to the child/young person.
- The proportionate provision of information to the statutory agencies necessary for the protection of a child is not a breach of confidentiality or data protection.
- Parents/guardians and children/young people have a right to know if personal information is being shared, unless doing so could put the child/young person at further risk or may put the reporter at risk.

**Talking to parents/carers:** You do not need to inform the family that a report is being made, if by doing so, the child will be placed at further risk or in cases where the family's knowledge of the report could impair Tusla's/Gateway's ability to carry out an assessment. Also, it is essential Cork Harlequins consult statutory services for advice when considering informing the family if the person making the report reasonably believes it may place them at risk of harm from the family.

**Responding to Non-Recent Allegations of Abuse:** It is possible that non-recent allegations of abuse can be made a number of years after the actual incident. This may be because of a change in circumstances for either the survivor or the alleged perpetrator. Any non-recent allegations must follow the current Hockey Ireland safeguarding procedures. If there are grounds for concern, then statutory authorities must be informed (Police or TUSLA/ Gateway Teams). The following points should also be considered.

- Clearly establish with the adult complainant if there may be any children currently at risk of harm from the person, they are saying abused them as a child.
- Advise the person making the complaint that they should inform the Police/An Garda Síochána. Encourage them to do so while acknowledging the brave steps they have already taken in beginning to talk about their experience as a child. It is important that the person knows that there is a likelihood that an abuser will not have stopped abusing after their individual abuse ended and if the person harmed them, they could be continuing to cause harm to others. This needs to be done without reinforcing the inappropriate guilt the survivor may already have for not coming forward earlier.
- If the complainant refuses to talk to the statutory authorities but has provided you with enough identifying factors, then this information MUST be shared with the police/ An Garda Síochána. This breach of the complainants' confidence is only appropriate if there is any potential that the alleged perpetrator is still a risk to children or could face prosecution (i.e. they are alive). Remember, the welfare of any children currently at risk is paramount. This must take priority over any request of confidentiality from the person providing you with the information/complaint. This should be explained to them at the earliest possible stage
- Offer support to the complainant when they are making a formal complaint to the police/An Garda Síochána.
- Signpost the complainant to support agencies that can provide counselling.

When an adult making a complaint chooses not to report the matter to the police/An Garda Síochána and you have already discussed the possibility of any child still being at risk you must follow Cork Harlequins reporting procedures and inform the Police/ An Garda Síochána or TUSLA/Gateway Team immediately of any identifying features of the allegation including the name of the alleged abuser. The person making the complaint should be informed that this is the organisation's moral and legal responsibility. If the individual wishes to remain anonymous this should be respected but again explaining that without



any further cooperation, there may be little action the others. Encourage them

Police/An Garda Síochána can take to protect

to talk directly to the TUSLA/Gateway Teams, if not the Police/An Garda Síochána, in order to enable social services to consider if there is any action they can take to protect children at risk, as their threshold for intervention is lower than the evidence required for any criminal justice prosecution.

**Anonymous Complaints:** Anonymous complaints can be difficult to deal with but should not be ignored. In all cases the safety and welfare of the child/children is paramount. Any such complaints relating to possible child protection concerns should be brought to the attention of the National Children's Officer/Designated Liaison Person. The information should be checked out and handled in a confidential manner.

**Rumours:** Should not be allowed to hang in the air. Any rumours relating to possible child protection concerns should be brought to the attention of the Designated Liaison Person/National Children's Officer and checked out without delay.

#### **Allegations of abuse against Cork Harlequins Leaders**

If such an allegation is made against a Cork Harlequins leader/volunteer/staff member the following procedures will be followed:

- The reporting procedure to Tusla/Gateway Services in respect of the child/ young person and the alleged abuser (see previous pages)
- The internal personnel procedure for dealing with the leader/ volunteer.

An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child/ young person;
- Possibly committed a criminal offence in relation to a child/young person;
- Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
- Behaved in a way that is contrary to Hockey Ireland's code of conduct;
- Behaved in a way that is contrary to Hockey Ireland guidelines.

If an allegation is made against a hockey leader/volunteer, the allegation should be dealt with appropriately and in accordance with Cork Harlequins child safeguarding procedures, the rules of natural justice and any relevant employment law.

The safety of the child making the allegation and any others who are/may be at risk should be ensured and this should take precedence over any other consideration. In this regard, Cork Harlequins will take any necessary steps which may be immediately necessary to protect children.

#### **The procedure for dealing with the Hockey leader**

The Mandated Person & Designated Liaison Person makes the report to the Statutory Authorities and seeks advice about how and when to inform the person the allegation is made against.

- Cork Harlequins, following advice from statutory agencies will inform the hockey leader that
  - (a) an allegation has been made against them and
  - (b) the nature of the allegation. They will be afforded an opportunity to respond, and their response will be noted and passed on to the Statutory Authorities
- The leader may be asked to step aside pending the outcome of the investigation. When a person is asked to step aside it should be made clear that it is only a precautionary measure and will not prejudice any later disciplinary proceedings. This task will be undertaken by a senior office holder other than the designated liaison person/mandated person who takes the responsibility for reporting.

Disciplinary action for the Leader should be considered but only if this does not interfere with the investigation of the Statutory Authorities. It is important to consider the outcome of the investigation and any implications it might have. The fact



that someone an allegation has been made against has further action (NFA) by statutory agencies, does not automatically mean that they are appropriate to work with children in the future.

not been prosecuted, been found guilty or no

Irrespective of the findings of the Statutory Authorities, Cork Harlequins Case Management Group will assess all individual cases to decide whether a member of staff or volunteer should be reinstated and if so, how this can be sensitively handled. This may be a difficult decision, especially where there is insufficient evidence to uphold any action by the Statutory Authorities. In such case Cork Harlequins Case Management Group must reach a decision based upon the balance of probability that an incident happened or not. This means that if the decision is made on the balance of probability that it is more likely than not that the allegation is true, there are implications of this for the safety of children and sanctions may be required. The welfare of the child will remain of paramount importance throughout. Cork Harlequins may need to disclose information to ensure the protection of children in its care, in NI clubs/organisations are obliged to pass information to the Disclosure and Barring Service (DBS, see below).

All persons involved in a child protection process (the child, his/her parents/carers, the alleged offender, his/her family, Hockey Leaders) will be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.

**Duty to refer to Disclosure and Barring Service (NI only):** Under the Safeguarding Vulnerable Groups (NI) Order, all organisations have a duty to refer information to the Disclosure and Barring Service (DBS) in certain circumstances. In all cases there are two conditions, both of which must be met, to trigger a referral to the DBS by a regulated activity provider.

A referral MUST be made to the DBS if Hockey Ireland or a club in Northern Ireland:

- a. withdraws permission for an individual to engage in regulated activity, or would have done so had that individual not resigned, retired, been made redundant or been transferred to a position which is not regulated activity; because
- b. they think that the individual has:
  - engaged in relevant conduct;
  - satisfied the criteria set out in the Harm Test; or
  - received a caution or conviction for a relevant offence.

If both conditions have been met, Hockey Ireland or the club will refer the information on to the DBS.

The referral must be made to the DBS when Hockey Ireland or the club has (in following with good practice) gathered sufficient evidence as part of its investigations to support its reasons for withdrawing permission for the person in question to engage in regulated activity, consulted with the relevant social services or police if appropriate.

#### **Categories of Abuse:**

In ROI and NI the statutory authorities define a number of different categories of abuse.

Children First: National Guidance for the Protection and Welfare of Children 2017 (ROI) defines four categories of abuse: neglect, emotional abuse, physical abuse and sexual abuse. A child/young person may be subjected to one or more forms of abuse at any given time.

Cooperating to Safeguard Children and Young People 2017 (NI) defines categories of abuse: neglect, emotional abuse, physical abuse, sexual abuse, and exploitation.

When working with children/young people it is important to be aware of the categories of abuse these are as follows:

**Neglect:** Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. 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. In NI it is recognised that emotional abuse may involve bullying – including online bullying through social networks, online games or mobile phones – by a 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. 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.

**Physical abuse can include the following:**

- Physical punishment.
- Beating Slapping, hitting or kicking.
- Pushing Shaking or throwing.
- Pinching Biting, choking or hair-pulling.
- Use of excessive force in handling.
- Deliberate poisoning.
- Suffocation.
- Fabricated/induced illness.
- Female genital mutilation.

**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 contact and non-contact sexual acts such as masturbation, fondling, oral or penetrative sex or exposing the child to sexual activity directly or through pornography. Sexual abuse is not solely perpetrated by adult males. Women can commit acts of sexual abuse, as can other children.

**Exploitation ( NI definition only):** Exploitation is the intentional ill-treatment, manipulation or abuse of power and control over a child or young person; to take selfish or unfair advantage of a child or young person or situation, for personal gain. It may manifest itself in many forms such as child labour, slavery, servitude, engagement in criminal activity, begging, benefit or other financial fraud or child trafficking. It extends to the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. Exploitation can be sexual in nature.

NB: If you require further information on any of the categories of abuse listed above please consult Children First Guidance directly via the following link:

[https://www.tusla.ie/uploads/content/Children\\_First\\_National\\_Guidance\\_2017.pdf](https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf)

or

Cooperating to Safeguard Children and Young People: <https://www.health-ni.gov.uk/publications/co-operating-safeguard-children-and-young-people-northern-ireland>

**Signs of Abuse:**

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you meet. A child needs to have someone they can trust to feel able to turn to for help or advice about a worry they may have or abuse they may be experiencing. They need to know that they will be listened to and taken seriously to assist in getting them the help they need. Without these things, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to the risk of abuse than others. There may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help your organisation/club identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

**Parent/Carer Factors:**

- Drug and alcohol misuse.



- Addiction, including gambling.
- Mental health issues.
- Parental disability issues, including learning or intellectual disability.
- Conflictual relationships.
- Domestic violence.
- Adolescent parents.

**Child Factors:**

- Age.
- Gender.
- Sexuality.
- Disability.
- Mental health issues, including self-harm and suicide.
- Communication difficulties.
- Trafficked/Exploited.
- Previous abuse.
- Young carer.





**Community Factors:** Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction.

Culture-specific practices, including:

- Misogynistic attitudes
- Female genital mutilation.
- Forced marriage.
- Honour-based violence.
- Radicalisation.

**Environmental factors:**

- Housing issues.
- Children who are out of home and not living with their parents, whether temporarily or permanently.
- Poverty/Begging.
- Bullying.
- Internet and social media-related concerns

**Poor motivation or willingness of parents/guardians to engage:** You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla/Gateway.

- Non-attendance at appointments or parents meetings.
- Lack of insight or understanding of how the child is being affected.
- Lack of understanding about what needs to happen to bring about change.
- Avoidance of contact and reluctance to work with services or cooperate with club/Hockey Ireland.
- Inability or unwillingness to comply with agreed plans to improve the experience for the young people.

**Statutory Contacts Republic of Ireland & Northern Ireland**

**TUSLA-Child & Family Agency**

If in the Republic of Ireland if you have any concerns about a child you should report it to the Child & Family Agency please see website for contact details

<http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/>

Any query or concern in relation to children out of hours should be reported immediately to An Garda Síochán

**Northern Ireland Health and Social Care Trusts**

Each trust will have a Gateway team to deal with reports of abuse and also more local contacts for ongoing professional liaison for advice on concerns.

**Regional Emergency Social Work service. Available 5.00 PM – 9.00 AM Monday to Thursday and 5.00 PM on Friday to 9.00 AM on Monday. There is a 24 hour cover over public holidays. Tel: 028 9504 9999**

**Gateway Numbers**

Northern HSC Trust	Tel: 03001234333
South Eastern HSC Trust	Tel: 03001000300
Southern HSC Trust	Tel: 08007837745
Belfast HSC Trust	Tel: 028 90 507000



Western HSC Trust

Tel: 028 71314090