



CHILDREN FIRST ACT AND NATIONAL GUIDANCE

Information and Guidance for GAA Clubs

11TH DECEMBER 2017

CHILDREN FIRST

INFORMATION AND GUIDANCE FOR GAA CLUBS

On 11 December 2017 the remaining provisions of the Children First Act commenced in full. Most notably for the GAA our immediate requirements include adopting all provisions in relation to mandatory reporting of child abuse, ensuring the appointment of what can be termed key child safeguarding officers which include Designated Liaison Persons and Children's Officers at Club and County level and also appointing the Association's Mandated Person, we must also provide certain child safeguarding training programmes and commence the process to agree a Child Safeguarding Statement for all Clubs.

The commencement of the Act and the publication of the Children First Guidance documents have all thrown up a number of questions and issues of clarification that Coaches, Parents, Children and Club and County Officials have been asking of late.

It is worth noting that where aspects of the Act impose certain requirements on our Associations or raise the threshold of good practice in our work with children in the Republic of Ireland all of these requirements, as they arise, will apply not just within the geographical jurisdiction of the Act but across the island of Ireland as well.

This leaflet seeks to raise awareness as to the implications of the Act on GAA Clubs in particular and to draw attention to the links between the Children First Act and other childrens' related legislation, all of which promote the safety and protection of children.

GAA Clubs should have no apprehensions about the full commencement of the Act as any Club that has engaged with our safeguarding requirements to date will have knowledge of child safeguarding training requirements, the need to vet various personnel that work with children and the requirements to appoint key child safeguarding officers as described above (Designated Liaison Persons, Children's Officers or the Association's Mandated Person) all of whom should now be in place. In addition to the above we recognise and support the principle that anybody in our Association who may have a reasonable concern about a child's welfare should report their concern to Tusla and if any of our safeguarding personnel can assist in this process, they should willing do so.

What is Children First?

Children First is the title for both the National Guidance that promotes the protection of children from abuse and neglect and it is also refers to the legislation of the same name.

What's the difference between the Children First Act and the Guidance?

Both The Children First Act 2015 (the Act) and the Guidance work in tandem with each other. It's not unusual for legislation to be accompanied by guidance but in relation to this Act it is vital that such a publication is made available to statutory and voluntary bodies so

as to assist us and guide us in adhering to our responsibilities. The Children First Act, initially passed into law in 2015, provides for the framework in which regulations on mandatory reporting, inter-agency cooperation and the statutory obligations on organisations and agencies that work with children apply.

The Children First Guidance 2017 is a resource booklet reflecting what is contained in the Children First Act 2015. It is intended that the Guidance will assist people in recognising different forms of child abuse, and in reporting reasonable concerns to Tusla. It outlines what organisations need to do to keep children safe, and what different bodies and the general public should do if they are concerned about the safety and welfare of children.

What is Tusla - the Child and Family Agency?

Tusla – the Child and Family Agency is the dedicated State agency responsible for improving wellbeing and outcomes for children. The agency operates under the [Child and Family Agency Act 2013](#), a major piece of legislation which has children at its heart and views families as the foundation of a strong healthy community where children can flourish.

What are the major issues that a GAA Club should be aware of now?

Children First Guidance makes references to aspects of the Act that commenced on 11 December with other sections that require to be fulfilled or to be in place by 11 March 2018, three months later. The Act also by extension references other matters including vetting.

To simplify matters this leaflet highlights a number of issues that arise immediately or issues that we must address by March 2018, with relevant on-line links provided as appropriate.

Vetting

In accordance with vetting legislation, also referred to in the Children First Guidance, all persons who have a regulated role with children, (i.e. coaches, referees, Bord na nÓg members, parents who regularly assist in the GAA) must be vetted under the Vetting Act by 1 January 2018. Indeed, according to GAA rules and Children First they should have been vetted by now. There are no exceptions to this directive. If a person, who has not been vetted, continues to act in any of the above roles after 1st January 2018 they will be breaking the law as may their Club for offering or facilitating such a role. Vetting regulations stipulate that a vetting applicant must be at least 16 yrs. of age when submitting their application. The GAA Vetting Policy states that once vetted an applicant shall be re-vetted within a five year period.

GAA vetting links:

National (Garda) Vetting Bureau Vetting <http://www.gaa.ie/the-gaa/child-welfare-and-protection/vetting> or

AccessNI vetting: <http://ulster.gaa.ie/safeguarding/access-ni/>

Appointing a Children's Officer

The recent Child Welfare & Safeguarding Audit shows that of the 1,038 GAA Clubs that participated in the Audit only 7 had yet to appoint a Club Children's Officer. This is encouraging as the role and its remit shall be a key component of the Club

Safeguarding Statement to be published in March 2018. If your Club has yet to appoint your Club Children's Officer please do so immediately and also ensure they are actively in membership of your Club Executive Committee.

Appointing a Designated Liaison Person (DLP)

Each Club and County Board must appoint a Designated Liaison Person (DLP) who shall act as a resource, and is responsible for ensuring that reporting procedures within the Club/County are followed so that child welfare and protection concerns are referred promptly to Tusla. They will naturally liaise with the Association's Mandated Person as required. The DLP should record all concerns brought to their attention and the actions taken.

If a DLP is making a report to Tusla they should do by using the Child Protection and Welfare Report Form (CPWRF) <http://www.tusla.ie/children-first/publications-and-forms#SRP>

The Club or County Chairperson automatically assumes the role of DLP unless another person is chosen and ratified to undertake the role. The DLP should have a knowledge of categories and indicators of abuse, attend the DLP training workshop, and be familiar as required with GAA reporting procedures. The DLP should be ratified on an annual basis by their Club or County and must attend the Association's DLP training in 2018.

In the GAA if a DLP is in receipt of a child welfare and protection concern and they report this to Tusla or for whatever reason they choose not to report to Tusla they are required, regardless of which option taken, to also report their actions to the GAA Mandated Person. This shall assist the Association in fulfilling any necessary and legal follow up requirements. Reports to the GAA Mandated Person should be forwarded to mandatedperson@gaa.ie.

Appointing a Mandated Person

The Act imposes a statutory obligations on the GAA, and many others, to appoint a Mandated Person whose role shall be to report child protection concerns over a defined threshold to Tusla and to assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report. Other sectors also have Mandated Persons and these include social workers, medical practitioners, teachers, members of an Garda Síochána, youth workers and many more. The Mandated Person shall by the nature of their role, liaise regularly and as required with Association DLPs. DLPs are not Mandated Persons within the meaning of the Act. The GAA Mandated Person is Gearóid Ó Maoilmhichíl. mandatedperson@gaa.ie

What is Mandated Reporting?

Mandated persons are required to fulfil their obligations attached to mandated reporting and to be aware that the legal obligations to report mandated concerns rest with them and not with the DLP. The Mandated Person's role shall be to report child protection concerns over a defined threshold to Tusla and to assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

❑ **Child Safeguarding (Protection) Training**

Child Safeguarding Training is highlighted in Children First as being mandatory and is required for the level of child safeguarding engagement one has in the Association. While we have maintained this level of training to date including a requirement that a basic coaching qualification cannot now be achieved without such training all such practices are now mandatory. Three levels of Child Safeguarding Training are now in place in the GAA as follows and attendance is dependent on what role a person may have in relation to children. All training is delivered in workshop format and all are of three hours duration each and are endorsed by agreement with Sport Ireland.

Safeguarding 1 - Child Protection in Sport Awareness Workshops relevant to coaches and others who work in a regulated role with children in the Association.
Safeguarding 2 – Club Children’s Officer Training for Club Children’s Officer
Safeguarding 3 – Designated Liaison Person Training for DLPS in Clubs

❑ **Coaching Qualification**

GAA safeguarding codes have for a number of years promoted the practice that all coaches who work with children must have a minimum coaching qualification. It makes sense and such practices have benefitted not just the coaches but also the children and the Clubs with whom they play. Given the standards contained in Children First this requirement is even clearer now and it has been enshrined in our Code of Best Practice in Youth Sport and will also be referenced in our Child Safeguarding Statement. Confirmation of compliance shall be required by March 2018.

❑ **Risk Assessment procedures and publishing a Child Safeguarding Statement**

- **Risk Assessment:** The Children First Guidance states that providers of relevant services to children must carry out a comprehensive risk assessment of their services and develop Child Safeguarding Statements thereafter. The purpose of the risk assessment is to ensure as far as is reasonably practicable, that a child availing of our services in the GAA is safe from ‘harm’ and we must specify the procedures in place to manage any identified risks. Each Club Executive shall be provided with a risk assessment template which must be formally discussed at an Executive meeting. The Executive must minute and date the discussion. Following completion of this process they may then proceed to ratify a Child Safeguarding Statement for their Club and to display the statement as well.

- **Child Safeguarding Statement**

The GAA Child Safeguarding Statement shall specify the services provided by the GAA and the principles and procedures to be observed to ensure, as far as practicable, that a child availing of our services is safe from harm. Reflective of our risk assessment procedure it shall be issued in poster format highlighting procedures such as Recruitment, the new Code of Behaviour (Underage), Safeguarding Training, Reporting Procedures, Children’s Officers roles, DLPs etc. It shall be provided by the GAA for all of our Clubs.

❑ **New Code of Behaviour (Underage)**

To coincide with certain obligations under Children First, which come into effect in March 2018, the GAA in collaboration with LGFA, Camogie, Handball and Rounders shall publish a new and enhanced joint Code of Behaviour (Underage). This Code will replace the existing Code of Best Practice in Youth Sport (Our Games Our Code) and while limited copies may be printed for distribution it shall primarily be made available in disc format and on-line. It shall in updated format reflect much of what is contained in the current Code of Best Practice in Youth Sport with some additional sections devised in response to needs highlighted of late by Clubs and County Boards.

❑ **Can you appoint a 15 yr. old as a coach?**

In accordance with the 'Vetting Act' and Children First Guidance 2017 it is compulsory for any person who is carrying out relevant work with children to obtain a vetting disclosure. In the GAA this applies to coaches, referees, Bord na nÓg members, parents who regularly assist in the GAA and other roles as may be defined at local level. Vetting regulations do NOT permit us to vet an individual unless they are at least 16 yrs. of age. Given this legal requirement it is not therefore permissible for a 15 yr. old to be a coach as they cannot be vetted. It is also not permissible for a person to undertake a coach Educating Qualification in the GAA unless they are 16 yrs. of age.

GAELIC GAMES MANDATED PERSONS

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|-----------------|-------------------------------|--|
| GAA | Gearóid Ó Maoilmhichíl | mandatedperson@gaa.ie |
| HANDBALL | John Kelly | mandatedperson.handball@gaa.ie |

To download the Tusla Child Protection and Welfare Report Form (CPWRF) go to:
<http://www.tusla.ie/children-first/publications-and-forms#SRP>

NÓTAÍ

CHILDREN FIRST GAA REQUIREMENT CHECK LIST AND TIME FRAME

| REQUIREMENTS | WHO | DATE OF COMPLIANCE |
|-------------------------------------|--|--|
| VETTING | Vetting of all persons who work with children | Required immediately under legislation |
| CHILDREN'S OFFICER | The Club Children's Officer in all Sports Clubs is required by agreement with Sport Ireland | Required immediately |
| DESIGNATED LIAISON PERSON | DLPs must be appointed in each Club in accordance with the Guidance | Required immediately |
| MANDATED PERSON | Appointed by GAA Central Council | Required immediately |
| MANDATED REPORTING | A function of the Mandated Person to fulfil | Required immediately |
| SAFEGUARDING TRAINING | Three levels of Safeguarding Training available: 1 - Child Protection in Sport Awareness Workshops 2 – Club Children's Officer 3 – DLP | Required immediately |
| COACHING QUALIFICATON | Will form part of the new Code of Behaviour (Underage) and the Child Safeguarding Statement | Required by March 2018 under GAA Child Safeguarding statement |
| RISK ASSESSEMNT PROCEDURE | The GAA shall issue a risk assessment procedure for all Clubs that must be discussed and agreed by the Club before they display the follow up Child Safeguarding Statement | Required by March 2018 |
| CHILD SAFEGUARDING STATEMENT | To be issued by all Clubs and must be put on display by March 2018. Statement shall be provided by the GAA for our Clubs. | Required by March 2018 |
| CODE OF BEHAVIOUR (UNDERAGE) | This Code replaces the Code of Best Practice in Youth Sport and shall be launched to coincide with the GAA | Available March 2018 |

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| | Child Safeguarding Statement | |
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GAA County Children's Officers 2017 (*subject to 2017 County Conventions)

| COUNTY OFFICER | NAME | E MAIL | TELEPHONE |
|----------------|--------------------|--|----------------|
| Antrim | Barney Herron | childrensofficer.antrim@gaa.ie | 07756 713111 |
| Armagh | Seán McCann | childrensofficer.armagh@gaa.ie | 079 7418 1736 |
| Carlow | George Darcy | childrensofficer.carlow@gaa.ie | 087 2890773 |
| Cavan | Anne Fortune | childrensofficer.cavan@gaa.ie | 087 9874 758 |
| Clare | Fearghal Gray | childrensofficer.clare@gaa.ie | 087 8319 324 |
| Cork | Des Cullinane | childrensofficer.cork@gaa.ie | 086 8969246 |
| Derry | Paul Gaile | childrensofficer.derry@gaa.ie | 077 8523 8608 |
| Donegal | Gary Duffy | childrensofficer.donegal@gaa.ie | 086 040040 |
| Down | *Claire Murnin | childrensofficer.down@gaa.ie | 078 2655 9147 |
| Dublin | Aileen Connolly | childrensofficer.dublin@gaa.ie | 085 1273 012 |
| Fermanagh | Finola Owens | childrensofficer.fermanagh@gaa.ie | 00447595184884 |
| Galway | Pat Monaghan | childrensofficer.galway@gaa.ie | 087 9592068 |
| Kerry | Bernie Reen | childrensofficer.kerry@gaa.ie | 087 2020143 |
| Kildare | Pauline McBride | childrensofficer.kildare@gaa.ie | 087 7779 608 |
| Kilkenny | Caroline Clifford | childrensofficer.kilkenny@gaa.ie | 086 2330026 |
| Laois | Seamus Lahart | childrensofficer.laois@gaa.ie | 087 6628132 |
| Leitrim | Gerry Gallogly | childrensofficer.leitrim@gaa.ie | 0876860261 |
| Limerick | Gerry McNamara | childrensofficer.limerick@gaa.ie | 085 1901900 |
| Longford | Marie Keenan | childrensofficer.longford@gaa.ie | 087 9032887 |
| Louth | Dermot Clarke | childrensofficer.louth@gaa.ie | 087 82 86 128 |
| Mayo | *Padraig Walsh | childrensofficer.mayo@gaa.ie | 087 2233094 |
| Meath | Michael Bennett | childrensofficer.meath@gaa.ie | 087 7692951 |
| Monaghan | John McArdle | childrensofficer.monaghan@gaa.ie | 087 250 8557 |
| Offaly | *Dolores Slevin | childrensofficer.offaly@gaa.ie | 086 3768013 |
| Roscommon | Oliver Donagher | childrensofficer.roscommon@gaa.ie | 087 2981462 |
| Sligo | Eamonn Mullen | childrensofficer.sligo@gaa.ie | 087 2218 486 |
| Tipperary | Nicholas Moroney | childrensofficer.tipperary@gaa.ie | 087 8369630 |
| Tyrone | Adrian Nugent | childrensofficer.tyrone@gaa.ie | 077 1773 2011 |
| Waterford | Neil Moore | childrensofficer.waterford@gaa.ie | 087 9119445 |
| Westmeath | *Frank Mescall | childrensofficer.westmeath@gaa.ie | 087 9843737 |
| Wexford | Des Croke | childrensofficer.wexford@gaa.ie | 08602944249 |
| Wicklow | Frances Stephenson | childrensofficer.wicklow@gaa.ie | 087 2499 362 |
| Ulster | Bernie Fox | bernie.fox.ulste@rgaa.ie | 00447920429205 |

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|-----------------|------------------------|--|--------------|
| Britain | Julie Duffy | childrensofficer.britain@gaa | 07780 762969 |
| National | Gearóid Ó Maoilmhichíl | nationalchildrensofficer@gaa.ie | 087 2301420 |