



# **The National Yacht Club (NYC) Dun Laoghaire**

## **Safeguarding Policy for Children and Vulnerable Adults**

**(Amended from the ISA Safeguarding Policy 2018)**



## Safeguarding Policy



### Child Safeguarding Statement

The National Yacht Club provides sailing activities and opportunities for young people through participation in clubs, centres regional/provincial events and through our national teams.

The National Yacht Club is committed to safeguarding children and by working under the guidance of our Sport Ireland Safeguarding Policies our staff, both volunteers and employed, working with our young people, throughout the organisation, seek to create a safe environment for young people to grow and develop.

The National Yacht Club's written Risk Assessment document indicates the areas of potential risk of harm, the likelihood of the risk occurring, and gives the required policy, guidance or process documents required to alleviate these risks. The list of risks identified are contained in the following categories: Club and Coaching Practices; Complaints & Discipline; Reporting Procedures; Use of Facilities; Recruitment; Communications; and General Risk of Harm.

The Risk Assessment was undertaken in May 2018.

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, (the Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice). In addition to our Risk Assessment document described above, there are further procedures that support our intention to safeguard children while they are availing of our activities.

The National Yacht Club has the following procedures in place as part of our Safeguarding Policies:

- Procedures for the management of allegations of abuse or misconduct by staff or volunteers against a child availing of our activities
- Procedures for the safe recruitment of staff and volunteers to work with children in our activities
- Procedures for access to child safeguarding training and information, including the identification of the occurrence of harm
- Procedure for reporting of child protection or welfare concerns to Statutory Authorities

The Mandated Persons for Irish Sailing is Ciarán Murphy, 087 8800744 or [ciaran.murphy@sailing.ie](mailto:ciaran.murphy@sailing.ie)

We recognise that implementation is an ongoing process. The National Yacht Club, Dun Laoghaire is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our activities.

This Child Safeguarding Statement will be reviewed in April 2020.

Signed: -----

Date: April 2018

On behalf of The National Yacht Club, Dun Laoghaire

Name:-----

For queries on this Child Safeguarding Statement, all relevant concerns, allegations, complaints and their outcomes should be notified to The National Yacht Club's Mandated Children's Officers please contact: Helen Heneghan 087 131 3139 [heneghah@tcd.ie](mailto:heneghah@tcd.ie) and Alison Piggot 086 838 6020 [alison.alip@gmail.com](mailto:alison.alip@gmail.com)

## Safeguarding Policy



### Underlying Principals

The guidelines in this document are based on the national guidelines as outlined in the following documents

**Code of Ethics and Good Practice for Children's Sport,**  
Sport Ireland and Sports Council Northern Ireland, 2006.

**Children First Act 2015 (Commenced on 11<sup>th</sup> December 2017)** *Download at:*  
[http://www.dcy.gov.ie/viewdoc.asp?fn=%2Fdocuments%2FChildren\\_First%2FChildrenFirstLegislation.htm](http://www.dcy.gov.ie/viewdoc.asp?fn=%2Fdocuments%2FChildren_First%2FChildrenFirstLegislation.htm) *Order from*  
Government Publications Tel: 01 647 6834, Fax: 01 647 6842

Additional information as well as templates for policies and forms are included in

#### **Irish Sailing Policies and Procedures Manual**

Guidelines on developing an organisations policies & procedures including safety statements, risk assessments, standard operating procedures etc.

Available from ISA Office or to download at:

<http://www.sailing.ie/wp-content/uploads/2015/12/Policies-Procedures-manual-2005.pdf>

#### **Irish Sailing Training Centre Recognition Requirements**

Providing details on;

- Those requirements Irish Sailing makes of Irish Sailing Training Centres and
- Policies relating to training and coaching activities.

Available from Irish Sailing Office or to download at:

<http://www.sailing.ie/wp-content/uploads/2015/12/ISA-Training-Centre-Recognition-Requirements-2016.pdf>

## Safeguarding Policy

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**Irish Sailing Bernie Priestley Ethics Dept. in Sport Ireland**

**Niamh McCutcheon, Kallane O'Leary and Valerie O'Brien Hogan.**

## Safeguarding Policy

### Underlying Principles

The work of Irish Sailing is based on the following principles that guide the development of sport for young people.

- Children and Young People's experience of sport should be guided by what is best for the young person.
- The stages of development and the ability of the young person should guide the types of activity provided.
- Adults need to have a basic understanding of the needs of young people, including physical, emotional and personal.

#### **Safety**

Young people participating in water sports have a right to expect that those organising and running the activity will do all they can to ensure the safety and well being of those participating.

#### **Integrity in relationships:**

Adults interacting with young people in sport should do so with integrity and respect for the child. There is a danger that sporting contexts can be used to exploit or undermine children. All adult actions in sport should be guided by what is best for the child and in the context of quality, open working relationships. Verbal, physical, emotional or sexual abuse of any kind is unacceptable within sport.

#### **Quality atmosphere and ethos**

Sport for young people should be conducted in a safe, positive and encouraging atmosphere. A child-centred ethos will help to ensure that competition and specialisation are kept in their appropriate place.

#### **Equality**

All children should be treated in an equitable and fair manner regardless of age, ability, sex, religion, social and ethnic background or political persuasion. Children with disability should be involved in sports activities in an integrated way, thus allowing them to participate to their potential alongside other children.

#### **Fair Play:**

Fair play should be the guiding principle when organising and participating in children's sport.

Fair Play is "much more than playing within the rules". It incorporates the concepts of friendship, respect for others and always playing with the right spirit. Fair play is defined as a way of thinking, not just behaving. It incorporates issues concerned with the elimination of opportunities, excessive commercialisation and corruption.

(European Sports Charter and Code of Ethics, Council of Europe, 1993).

#### **Competition**

A balanced approach to competition can make a significant contribution to the development of young people, while at the same time providing fun, enjoyment and satisfaction. Leaders and parents must be aware that when competitive demands are placed on children too early, it may result in excessive levels of pressure on them. This can contribute to an elevated level of drop out from sport. The welfare of the child must be placed first and competitive standards second. A child-centred approach will help to ensure that competition and specialisation are kept in their appropriate place.

## Roles & Responsibilities

### National Children's Officer

The Irish Sailing Children's Officers have as the primary aim the establishment of a child centred ethos within Irish Sailing.

- They provide a link between the children represented by the Association and those adults running it.
- They are responsible for monitoring and reporting to Irish Sailing Management Committee, how policy decisions etc. impact on children and those working with them.
- They act as a resource for members of Irish Sailing and the Irish Sailing Management Committee, regarding children's issues.

The role also involves;

- the promotion of the values, attitudes and structures which make The Irish Sailing's water sports safe and enjoyable for all children
- circulation of all relevant information and resource materials on children's sailing courses
- communication with Children's Officers from affiliated organisations to ensure the widespread dissemination of the Code of Ethics and Good Practice and the publicising of related education programmes, materials and events
- liaison with affiliated organisations, to ensure drop-out rates and transfers are monitored so that unusual developments or trends can be addressed
- familiarisation with Children First and Our Duty to Care to ensure they can act as an information source to other members of the organisation
- commitment to attendance at training as required to act as a resource to members in relation to children's needs
- co-ordination of training for others, as appropriate

The National Children's Officers do not have responsibility for investigating or validating child protection concerns within the club and have no counselling or therapeutic role. These roles are filled by the statutory authorities as outlined in "Children First Our Duty to Care". In the event of the NCO becoming aware of child protection concerns they should use Irish Sailing's procedures for reporting these issues. These involve referring the issue to The National Yacht Club's "Designated Officer" for reporting to the statutory authority.

The National Children's Officer for Irish Sailing is Ciarán Murphy and can be contacted at: [ciaran.murphy@sailing.ie](mailto:ciaran.murphy@sailing.ie) or 087 8800744

### Organisation Leader

Within The National Yacht Club this is the Commodore. The organisation leader is ultimately responsible for all the actions in or by their organisation including the implementation of appropriate policies, procedures and actions to protect and care for children participating in activities organised or run by their organisation.

### Designated Officer

The Designated Officer is the person within an organisation responsible for reporting suspected statutory abuse to the relevant authorities. They are usually the same person as the organisation leader. The Designated Officer should ensure that they are aware of the contact details for local Social Work departments and what constitutes statutory abuse.

## Roles and Responsibilities (Continued)

### Children's Officer

All Irish Sailing Affiliated Organisations admitting children to their membership or activities must have a Children's Officer. The Children's Officer should be a member of or have access to, the Club Management Committee, have completed their Safeguarding 1 & 2 Course, cleared Garda Vetting and should be introduced to the young people in an appropriate forum. The Children's Officer should have the following role:

- To promote awareness of the code within the organisation, among young members and their parents/guardians.
- To influence policy and practice within the club to prioritise children's needs
- Establish contact with the Irish Sailing's National Children's Officer.
- To ensure that children know how to make concerns known to appropriate adults or agencies.
- To encourage the appropriate involvement of parents/guardians in the club activities
- To act as an advisory resource to Leaders on best practice in children's sport
- To report regularly to the organisations Management Committee where this exists.
- To monitor changes in membership and follow up any unusual dropout, absenteeism or club transfers by children or Leaders
- To ensure that the children have a voice in the running of their club and ensure that there are steps young people can take to express concerns about their activities / experiences.
- Establish communication with other branches of the club, e.g. facilitate parent's information sessions at the start of the season
- Ensure that records are kept on file for members / participants & leaders.
- Where appropriate, ensure each member / participant helps design and signs up to the code of conduct
- Ensure that the club rules and regulations include: -
  - complaints, disciplinary and appeals procedures
  - an anti-bullying policy
  - safety statement
  - rules in relation to traveling with children
  - supervision and recruitment of leaders

It is recognised by The National Yacht Club that the Children's Officers, while not sitting on the committee, should have right of hearing at all management committee meetings dealing with matters likely to affect children within that organisation.

## **Roles and Responsibilities (Continued)**

### **Managers and or Committee members**

Managers and committee members would usually have responsibility for the setup of any activities including scheduling, bookings and recruitment of leaders.

### **The Centre Principal**

The National Yacht Club Centre Principal is Olivier Prouveur. This should be the person who has overall responsibility for the implementation of The National Yacht Club accredited training and coaching activities within the organisation.

The Centre Principal is responsible to The National Yacht Club for the conduct of The National Yacht Club accredited activities within that organisation including the issuing of certificates on behalf of The National Yacht Club .

The Centre Principal is the primary contact for The National Yacht Club and will be the person with whom The National Yacht Club communicates. The Centre Principal may however inform The National Yacht Club of other people assuming those roles within the organisation defined below.

### **Junior Organiser Michele Halpenny**

The National Yacht Club affiliated sailing clubs running Junior Sailing courses for young sailors has a Junior Organiser to administer this programme. Where the club run no other sailing training courses the JO would also usually assume the role of Centre Principal.

Irish Sailing recommends that the Junior Organiser is not the Children's Officer.

### **Leaders**

Leaders are those people like instructors & coaches and team managers who are responsible for organising and running activities and whom would be expected to have direct responsibility for the safety and conduct of children while they are under their care

### **Officials**

These are people with responsibility for overseeing the conduct of activities run by the National Yacht Club affiliated organisations and would include club committee members, race officers, judges, etc.



## Safeguarding Policy

### Children

For the purposes of this Safeguarding Policy anyone under the age of 18 years old should be considered as a child.

### Vulnerable Adults

Definition of a vulnerable person for the purposes of this Safeguarding Statement uses The Garda Vetting Bureau Act 2012, which defines a vulnerable person as a person, other than a child, who (a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia, (b) has an intellectual disability, (c) is suffering from a physical impairment, whether as a result of injury, illness or age, or (d) has a physical disability, which is of such a nature or degree— (i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or (ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

## Policies & Procedures

The National Yacht Club has in place policies and procedures setting out that organisations commitment to, and methods for, ensuring their wellbeing and happiness while taking part in activities & events run by that organisation for children.

These must include;

- Policy statement on participation by children and / or vulnerable adults
- Procedures to be used to report statutory abuse

Other statements on policy or procedure should be developed as required and recommended in this Code.

### General Supervision

Probably the most critical element to ensuring children's wellbeing both on and off the water is the provision of appropriate adult supervision. The number of adults required and the skill or competencies they should have, will depend on the nature of the activity, the age of the participants and any special needs of the group.

- Specific ratios for on the water training and coaching activities are set out in Irish Sailing Training Centre Operating Requirements. These are a good guideline for *any* on the water activities.
- The guideline ratio for safety boat cover at competition events is 1 safety boat : 10 sailing boats
- Otherwise, a ratio of 1:8 for under 12 years of age and 1:10 for participants over 12 years of age would normally be considered adequate.
- Of course, all of these are guides or maximums and will change depending on the circumstances, e.g. environment, conditions, participants with special needs or away trips.

Apart from the numbers, organisers should also consider the following when deciding on appropriate supervision;

- Leaders should be competent. For on the water activities this would typically mean they hold an Irish Sailing instructor or coaching qualification. Safety boat drivers should hold the appropriate powerboat certificate.

- Leaders should try to have more than one adult present.
- Where there are mixed groups there should be leaders of both genders
- In changing rooms, ask parents to take responsibility and supervise in pairs of appropriate gender. If parents are not available, leaders should provide this supervision. Beware of leaving groups unsupervised in changing rooms for any length of time as this is area / period where bullying is more likely to occur.
- Clearly state time for start and end of training sessions or competitions, leaders should not be left alone with young people at the end of sessions. If there are late collections leaders should remain in pairs until participants have left.
- Keep attendance records and record of any incidents / injuries that arise
- Ask parents to stay and supervise sessions, (for safety and supervision, not necessarily for their 'technical' expertise)

## Safeguarding Policy

### General Safety

All clubs / organisation should have a safety statement, including an assessment of specific and potential risks attached to their activities. They should also have procedures in place for safeguarding against such risks.

The Irish Sailing document "Guidelines on Developing Policies & Procedures" provides information on how to conduct a risk assessment and develop policies & procedures.

Accredited Irish Sailing Training Centres will have this documentation examined as part of their accreditation / inspection process.

In addition, organisations should;

- Ensure activities are suitable for age and stage of development of participants
- Keep a record of any specific medical conditions of the participants
- Keep a record of emergency contact numbers for parents / guardians
- Ensure any necessary protective equipment, particularly personal floatation devices, are of a correct type, in good condition, properly fitted and properly used.
- Ensure First Aid kit is close at hand with access to qualified first-aider
- Know the contact numbers of emergency services
- Have available appropriately stocked first aid kit(s).
- Ensure easy access to medical personnel if needed and have an emergency plan
- If an incident occurs, make a brief record of injury and action taken. Make a brief record of the problem/action/outcome. Contact the participant's parents and keep them informed of all details
- Officials and leaders should ensure that participants conduct themselves properly.



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- Participants should know and keep the rules of their sport, keeping in mind that many rules are there for safety
- Instructors & coaches should hold appropriate qualifications required by the governing body
- Ensure there is adequate insurance cover for all activities
- Ensure parents / guardians are present at finishing time of sessions or events

## Safeguarding Policy

### Transport

There is extra responsibility on leaders when they transport young people to events. Adults should:

- Ensure that there is adequate insurance cover on their car / boat
- Not carry more than the permitted / safe number of passengers
- Avoid being alone with one participant,
- Have agreed central pick up & drop off locations,
- Seek parental permission to transport an individual participant on a regular basis
- Clearly state times of pick- up and drop off.
- Parents should check with young people about the plans and be happy with the transport arrangements.
- When using vehicles
  - Follow the rules of the road, including legal use of seat belts
  - Put passenger in the back seat,
- When using boats
  - Ensure coxswains are qualified & competent
  - Ensure everyone wears an appropriate, properly fitted personal floatation device.
    - Ensure all passengers are secure.
    - Ensure that the boat is fit for purpose and properly equipped.

### Overnight & Away trips

Separate permission forms should be signed by parents and participants, containing emergency contact number

Young participants should sign a behaviour agreement

Appoint a group leader who will make a report on returning home

A meeting with parents and participants is useful to communicate travel times, competition details, other activities, gear requirements, medical requirements, special dietary needs and any other necessary details

Rooming arrangements – adults should not share rooms with children, children share rooms with those of same age and gender and adults should knock before entering rooms

All group socialisation should take place in communal areas (i.e. no boys in girls' rooms and vice versa).



Alcoholic drink, smoking, doping or other illegal substances are forbidden to players. Leaders should act as role models in this respect

There must be at least one adult of each gender with a mixed party, there should be a good adult – child ratio, 1:5/6, and proper access to medical personnel

Lights out times should be enforced

Young players should be under reasonable supervision always and should never leave the venue or go unsupervised without prior permission

## **Safeguarding Policy**

### **Physical Contact**

Physical contact during sport should always be intended to meet the child's needs, NOT the adult's. The adult will probably use appropriate contact when the aim is to assist in development of the skill or activity or for safety reasons, e.g. to prevent or treat an injury. This should be in an open environment with the permission and understanding of the participant. In general

- Contact should be determined by the age and developmental stage of the participant - Don't do something that a child can do for themselves
- Never engage in inappropriate touching such as touching of groin, genital areas, buttocks, breasts or any other part of the body that might cause a child distress or embarrassment

## Guidelines for Young People

The National Yacht Club wishes to provide the best possible environment for all young people involved in the sport. Young people deserve to be given enjoyable, safe sporting opportunities, free of abuse of any kind. These participants have rights, which must be respected, and responsibilities that they must accept. Young people should be encouraged to realise that they have responsibilities to treat other participants and sports leaders with fairness and respect.

### Young participants are entitled to:

- Be safe and to feel safe
- Be listened to
- Be believed
- Be treated with dignity, sensitivity and respect
- Have a voice in the club / organisation
- Participate on an equal basis
- Be happy, have fun and enjoy sport
- Experience competition at a level at which they feel comfortable
- Make complaints and have them dealt with
- Get help against bullies
- Say no
- To protect their own bodies
- Confidentiality

### Suggested Code of Conduct for Young People

#### Young participants should always:

- Treat instructors, coaches and other leaders and organisers with respect
- Play fairly at all times, do their best
- Respect fellow participants, even when things go wrong
- Respect opponents, be gracious in defeat
- Abide by the rules set down by team managers when travelling to away events.
- Behave in a manner that avoids bringing the sport of sailing into disrepute
- Talk to children's officer if they have any problems. **Young players should never:**
- Cheat
- Use violence or physical contact that is not allowed within the rules
- Shout or argue with officials, team mates or opponents
- Harm team members, opponents or their property
- Bully or use bullying tactics to isolate another player
- Use unfair or bullying tactics to gain advantage
- Take banned substances
- Keep secrets, especially if they have been caused harm
- Tell lies about adults / young people
- Spread rumours



## Safeguarding Policy

### Guidelines for Parents

The National Yacht Club believes that parents should....

- Be a role model for their child and maintain the highest standards of conduct when interacting with children, other parents, with officials and organisers.
- Always behave responsibly and not seek to unfairly affect the competition.
- Never intentionally expose any young participant to embarrassment or disparagement using flippant or sarcastic remarks
- Always recognise the value and importance of the volunteers who provide sporting/recreational opportunities for their child.
- Not publicly question the judgement or honesty of officials, coaches or organisers. Respect referees, coaches, organisers and other players.
- Encourage their child to play by the rules. Teach their child that honest endeavour is as important as winning and do all they can to encourage good sportsmanship.
- Set a good example by recognising achievement and encouraging mutual respect for other participants, teammates and opponents.
- Support all efforts to remove abusive behaviour and bullying behaviour in all its forms.

### Suggested Code of Conduct for Parents:

1. I will respect the rules and procedures set down in The National Yacht Club Code of Ethics for Children's Activities.
2. I will respect my child's fellow participants, leaders, (eg. Instructors coaches, officials, judges), and parents including those against which my child is competing.
3. I will encourage my child to treat other participants, coaches, selectors, and managers with respect.
4. I will give encouragement and recognise only positive accomplishments whether from my child, their fellow participants, their opponents or the officials.
5. I will respect my child's leader(s) and support their efforts
6. I will respect the officials and their authority during sessions and events
7. I will never demonstrate threatening or abusive behaviour or use foul language.



## Safeguarding Policy

### Guidelines for Leaders

Leaders in children's sport should strive to create a positive environment for the children in their care. They have an overall responsibility to take the necessary steps to ensure that positive and healthy experiences are provided.

The National Yacht Club recognises the key role leaders (instructors, coaches, junior organisers, team managers, etc.) play in the lives of children in sport.

All Leaders should have as their first priority the children's safety and enjoyment of the sport and should adhere to the guidelines and regulations set out in the organisations own policies & procedures.

Leaders must respect the rights, dignity and worth of every child and must treat everyone equally, regardless of sex, ethnic origin, religion or ability.

Leaders working with young people in water sports should be suitable and appropriately qualified. Leaders should go through appropriate recruitment and selection procedures that apply to all persons with substantial access to young people, whether paid or unpaid. References should be required and must be followed up.

There should be a 'sign-up' procedure, whereby the appointed/reappointed leaders agree to abide by the *Code of Ethics and Good Practice for Children in Sport* and to the policies and code of the club / association.

Leaders should all be given a copy of the club / association's code of ethics and they should be made aware of the procedures contained within it.

Once appointed the Leader must act as a role model and promote the positive aspects of water sports and maintain the highest standards of personal conduct.

The use of drugs, alcohol and tobacco must be actively discouraged as being incompatible with a healthy approach to sporting activity.

Leaders should remember that their behaviour to participants, other officials, and opponents will influence the participants in your care.

Leaders should be generous with praise and never ridicule or shout at participants for making mistakes or for losing a game. All young participants are entitled to respect.

Leaders should be careful to avoid the "star system". Each child deserves equal time and attention.

Care must be taken not to expose a child intentionally or unintentionally to embarrassment or disparagement by use of sarcastic or flippant remarks about the child or his/her family.

Physical punishment or physical force must never be used. Never punish a mistake - by verbal means, physical means, or exclusion.

Leaders should insist that participants in their care respect the rules, participate fairly and ensure participants are aware that they will not tolerate cheating or bullying behaviour.

Young participants are there to have fun and enjoyment and that skill development and personal satisfaction have priority over highly structured training or competition. Never make winning or achieving the only objective.

Encourage the development of respect for opponents, officials and other coaches and avoid criticism of fellow instructors and coaches.

Organisations should have in place specific policies and procedure for use when travel/overnight travel is involved.

Leaders are responsible for setting and monitoring the boundaries between a working relationship and friendship with players. It is advisable for Instructors and coaches not to involve young players in their personal life. Visits to coach's home or overnight stays etc.



## Safeguarding Policy

### Guidelines for Leaders (Continued)

Leaders should avoid working alone and ensure there is adequate supervision for all activities.

It is important to realise that certain situations or friendly actions could be misinterpreted by the participant or by outsiders.

When approached to take on a new participant, ensure that any previous coachstudent relationship has been ended by the student/others in a professional manner.

When young participants are invited into adult groups/squads, it is advisable to get agreement from a parent/carer. Boundaries of behaviour in adult groups are normally different from the boundaries that apply to junior groups/squads.

Leaders who become aware of a conflict between their obligation to their participants and their obligation to their club, association, organisation or governing body must make explicit the nature of the conflict and the loyalties and responsibilities involved, to all parties concerned.

Leaders should communicate and co-operate with medical and ancillary practitioners in the diagnosis, treatment and management of their participant's medical or related problems. Avoid giving advice of a personal or medical nature if you are not qualified to do so. Any information of a personal or medical nature must be kept strictly confidential unless the welfare of the child requires the passing on of this information

The nature of the relationship between leader and a participant can often mean that a leader will learn confidential information about a participant or participant's family. This information must be regarded as confidential and except where abuse is suspected, must not be divulged to a third party without the express permission of the participant/family

Set realistic goals for the participants and do not push young participants. Create a safe and enjoyable environment

Do not criticise other leaders, (officials, instructors and coaches). You are the role model for the children in your care

Leaders should avoid the use of alcohol, before coaching, during events, on trips with young players

- Avoid being alone with one participant, if you need to talk separately do so in an open environment, in view of others



## Safeguarding Policy

### Leader's Code of Conduct

*Leaders should be*

- Positive during session, praise and encourage effort as well as results
- Plan and prepare appropriately
- Putting the welfare of young participants first, strike a balance between this and winning / results
- Encouraging fair play, treat participants equally
- Recognising, and being sympathetic to, developmental needs
- Qualified and up-to-date with knowledge and skill of sport for young people
- Involving parents where possible and inform parents when problems arise
- Keeping records of attendance at training
- Keeping a brief record of injury(s) and action taken
- Keeping a brief record of problem/action/outcomes, if behavioural problems arise

*Where possible Leaders should avoid:*

- Spending excessive amounts of time with children away from others
- Taking sessions alone
- Taking children to your home
- Taking children on journey's alone in their car

*Sports Leaders should not:*

- Use any form of punishment or physical force on a child
- Exert undue influence over a participant in order to obtain personal benefit or reward
- Engage in rough physical games, sexually provocative games or allow or engage in inappropriate touching of any kind, and /or make sexually suggestive comments about, or to a child
- Take measurements or engage in certain types of fitness testing without the presence of another adults
- Undertake any form of therapy (hypnosis etc.) in the training of children

A copy of Irish Sailing **Instructors & Coaches Charter** signed by all ISA qualified Instructors & Coaches completing training since June 2017 is included in **Appendix 1**.



# Safeguarding Policy

## Disciplinary, Complaints and Appeals Procedure

The National Yacht Club has a complaints procedure in place that allows all members or participants who are dissatisfied to register their complaint in a formal way.

The following principals / recommendations are adapted to the organisations structure and adopted.

- The National Yacht Club, on receiving a complaint, should appoint a disciplinary committee to resolve problems relating to the conduct of its members. This should include bullying. The complaint should be in writing to the secretary or Children's Officer and should be responded to within 5 working days. The committee should consist of a representative from the Management Committee, the Children's Officer and ordinary registered members of the club.
- If the complaint involves suspected abuse or a criminal offence the children's officer/designated person should be consulted and the disciplinary committee disbanded. The statutory authorities will then be informed
- The disciplinary committee should review any relevant paper work and hold any necessary meetings with all parties to proceed with complaints into any incident of suspected misconduct that does not relate to child abuse. It should, as soon as possible, inform the Management Committee of the progress of the disciplinary process. This should be done within 10 working days
- The disciplinary committee should furnish the individual with the nature of the complaint being made against him/her and afford him/her the opportunity of providing a response either verbally or in writing, but usually at a meeting with the disciplinary committee
- Written confidential records of all complaints should be safely and confidentially kept and club procedures should be defined for the possession of such records in the event of election of new officers
- Where it is established that an incident of misconduct has taken place, the disciplinary committee should notify the member of any sanction being imposed. The notification should be made in writing, setting out the reasons for the sanction. If the member is under 18 years of age, correspondence should be addressed to the parents/guardians
- If the person against whom the complaint was made is unhappy with the decision of the disciplinary committee s/he should have the right to appeal the decision to an appeals committee (independent of a disciplinary committee). Any appeal should be made in writing within an agreed period after issue, usually 10 days of the decision of the disciplinary committee. The chairperson of the appeals committee should be a member of the Management Committee. The appeals committee should consult with the Children's Officer in relation to issues of child welfare and codes of conduct. The appeals committee should have the power to confirm, set aside or change any sanction imposed by the disciplinary committee
- If any party is not satisfied with the outcome the matter can be referred to Irish Sailing for mediation or arbitration. However, efforts to resolve the issue at local level should be exhausted before Irish Sailing is engaged in attempts to resolve the matter



## **Safeguarding Policy**

### **Recruitment and Selection of Leaders.**

Organisations recruiting leaders to work with young people should take all reasonable steps to ensure that leaders are appropriately qualified and suitable to work with young people. These procedures apply to all persons with substantial access to young people, whether paid or unpaid.

The responsibilities of the role and the level of experience/qualifications required should be drawn up and clearly stated beforehand.

Applicants should complete an application form which should include a selfdeclaration section / form.

Copies of all relevant qualifications should be requested and if necessary validated with The National Yacht Club.

Formal Garda Vetting procedures must be availed of. (See Appendix 3 – Garda Vetting Page 36)

References should be verified and reports recorded by the club/organisation.

A probationary period is advisable and should be established through an informal interview, which can be used to assess the leader's commitment and interest to the club

Every effort should be made to manage and support appointed Leaders, including awareness of the code of conduct. Adequate supervision should be provided; a leader should not have to work alone.

A decision to appoint a Leader is the responsibility of the club / organisation and not of any one individual within it. The club / organisations management / committee should ratify all recommendations for appointment.

Information in relation to applicant's information should be treated as sensitive and confidential. It should be kept in a secure place that is only accessible to nominated officers.



# Safeguarding Policy

## Bullying

Bullying can be defined as repeated aggression be it verbal, psychological, physical or cyber conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating and occurs mainly in social environments such as online, schools, clubs and other organisations working with children and young people. It includes behaviours such as teasing, taunting, threatening, hitting and extortion behaviour by one or more children against a victim.

### How would you know if a child is being bullied?

All bullies operate using furtiveness, threats and fear. Bullying can therefore only survive in an environment where the victim does not feel empowered to tell someone who can help or in which it is not safe to do so.

The following indicators are warning signs that a young person might be bullied.

- Reluctance to come to a venue or take part in activities
- Physical signs (unexplained bruises, scratches, or damage to belongings)
- Stress-caused illness – headaches, and stomach aches which seem unexplained
- Fearful behaviour (fear of walking to a meeting, going different routes, asking to be driven)
- Frequent loss of, or shortage of, money with vague explanations
- Having few friends
- Changes in behaviour (withdrawn, stammering, moody, irritable, upset, distressed)
- Attempting suicide or hinting at suicide
- Anxiety (shown by nail-biting, fearfulness, tics) *There are other possible reasons for many of the above*

### Who should deal with bullying?

While the more extreme forms of bullying would be regarded as physical or emotional abuse and are reported to the health board or An Garda Síochana, dealing with bullying behaviour is normally the responsibility of all Leaders within this club / organisation.

### How can it be prevented?

- Ensure that all members follow the code of conduct, which promotes the rights and dignity of each member.
- Deal with any incidents as they arise.
- Use a whole group policy or 'no-blame approach', i.e., not 'bullying the bully' but working with bullies and the group of young people, helping them to understand the hurt they are causing, and so make the problem a 'shared concern' of the group, (see below)
- Reinforce that there is 'a permission to tell' culture rather than a 'might is right'
- Encourage young people to negotiate, co-operate and help others, particularly new or different children
- Offer the victim immediate support and put the 'no blame approach' into operation
- Never tell a young person to ignore bullying, they can't ignore it, it hurts too much

## Safeguarding Policy

- Never encourage a young person to take the law into their own hands and beat the bully at their own game

### **Bullying** (Continued) **What is the 'No Blame' Approach?**

#### **Step 1 – Interview with the victim**

If you find that there has been an incident of bullying, first talk to the victim. At this stage find out who was involved and what the victim is now feeling. Try asking the following questions:

- Was it verbal or physical intimidation?
- How hurt is the victim?
- Was it within his/her own peer group?
- Ensure the victim that his/her name will not come out in the investigation
- Actively listen

#### **Step 2 – Meet with all involved**

Arrange to meet with all those involved; this should include some bystanders, those who may have colluded, those who joined in and those who initiated the bullying.

- Have a maximum of six to eight in the group – keep the number controllable
- Make a point of calling a 'special' meeting
- Ensure the severity of the topic is understood by all
- Speak only of the hurt caused in general terms with no reference to the victim
- Play on the conscience of all – ask questions like: How would you feel? Would you like it done to you?

#### **Step 3 – Explain the problem**

The distress being suffered as a result of the bullying incident is explained. At this stage the details of the incident or the allocation of the blame is not discussed. Explain the feelings of loneliness, feeling left out, rejected, laughed at. Try asking questions:

- Would they like it if it happened to them?
- "Someone here in this group was bullied by someone within the group, what could we do to see it does not happen again?"
- Listen, watch out for reactions, and pick up on any without isolating anyone

#### **Step 4 – Share the responsibility**

Explain what steps / controls may have to be introduced to prevent further incidents and how everyone will lose out as a result

#### **Step 5 – Ask the group for their ideas**

At this stage the group is encouraged to suggest ways that would make the victim feel happier. All positive responses are noted. Use phrases "if it were you" to encourage a response. Listen to all suggestions and note them

#### **Step 6 – Leave it to them**

Now the problem has been identified, solutions suggested, the problem is now handed over to the group to solve. Arrange to meet again in a week's time. Pass responsibility over to the group and give a time frame within which something must be done



## Safeguarding Policy

### Step 7 – Meet them again

Each member of the group, including the bully, discuss how things are going, who is doing what and have there been other incidents. This allows for continual monitoring and keeps all involved in the process.

Again, enforce the idea of the ‘team’ looking after each other at regular intervals to ensure it is known that bullying or intimidating behaviour will not be tolerated.

## Use of Photographic and Mobile Equipment

The National Yacht Club adopts a policy in relation to the use of images of participants on their websites and other publications, as there have been concerns about the risks posed directly and indirectly to children and young people. Adults and sports leaders need to work together to prevent those wishing to cause such harm to young people. Remember having photographic and filming guidelines is not about preventing parents from taking pictures, it is to ensure that only those who have a right to take photographs do so. Anyone concerned about photography taking place at events or training sessions can contact the children’s officer/ designated person and ask them to deal with the matter.

The purpose is to reduce the risk of inappropriate, unsolicited attention from people within and outside the sport. Group photographs where the organisation is identified rather than individuals are good for publicity without creating a risk to those in the photographs. As a guide try to remember the following: -

- If the participant is named, avoid using their photograph.

- If a photograph is used, avoid naming the participant.
- Ask for the participant’s permission to use their image to ensure that they are aware of the way the image is to be used to represent the sport.
- Ask for parental permission to use the participant’s image to ensure that parents are aware of the way the image is to be used to represent the sport. A permission form could be used or make an announcement at the start of an event.
- To reduce the risk of inappropriate use, only use images of participants in suitable dress. The content of the photograph should focus on the activity not on a particular child.
- Talk to children’s officer/designated person if you are worried about use of images

Photographers/film/video operators wishing to record an event or practice session should seek accreditation with the organisations children’s officer, event organiser or leader of session. Permission forms should be available on site.

To ensure spectators and participants are informed of the policy, the club/event/organisation should display appropriate information prior to the start of an event or activity. Typically, this might be included in the activity booking form or Notice of Race.

## Working in Partnership to protect young people

Photographs, when used with personal information, can be used as a means of identifying children. This practice can make a child vulnerable to an individual who may wish to “groom” that child for abuse. Furthermore, the content of the photo



## Safeguarding Policy

can be used or adapted for inappropriate use. There is evidence of this adapted material finding its way onto child pornography sites. Adults and sports leaders need to work together to prevent those wishing to cause such harm to young people.

### Mobile Phones

Mobile phones are often given to children for security, enabling parents to keep in touch and make sure they are safe. Young people value their phones highly as it offers them a sense of independence. In addition, mobile phones allow quick and easy contact, which can make a safe and efficient way to carry out club business. However, such technology has also allowed an increase in direct personal contact with young people, in some cases used to cross personal boundaries and cause harm to young people. Within clubs there is a need to encourage responsible and secure use of mobile phones by adults and young people. As a young person remember

- If you receive an offensive photo, email or message, do not reply, save it, make a note of times and dates and tell a parent or children's officer/designated person within the club.
- Be careful about who you give your phone number to and don't respond to unfamiliar numbers
- Change your phone number in cases of bullying or harassment
- Don't use the phone in certain locations; inappropriate use of your camera phone may cause upset or offence to another person, e.g. changing rooms
- Treat your phone as you would any other valuable item so that you guard against theft

As a Leader remember

- Use group texts for communication among participants and teams and inform parents of this at the start of the season
- It is not appropriate to have constant communication with individual participants.
- Be aware that inappropriate use of your camera phone may cause upset or offence to another person.
- Avoid using a mobile phone in certain locations e.g. changing rooms
- Avoid taking, retaining or disseminating pictures / videos of individual children without appropriate permissions & precautions. (Parents & child)

## Safeguarding Policy

### Websites and Social Media

When promoting your organisation and encouraging your members / clients to interact through a website or social network such as Facebook or Snapchat, there are a few issues to bear in mind in relation to children and young people:

- follow The National Yacht Club guidance on the use of images of children (see Photography section above)
- ensure that the content and language on your site or page, including contributions to blogs, forums etc, is not inappropriate for younger visitors and does not link directly to unsuitable material on other sites
- provide a clear process for parents and others to report inappropriate content or online bullying and to request that content is removed
- have a robust procedure for handling and assessing such a report or request and acting promptly to remove the offending content.

### Child Welfare and Protection Procedures

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

Any report made by any member, participant or employee of The National Yacht Club should be passed on to the Designated Person / Children's Officer / Organisation Leader / Chief Executive Officer within that organisation. They may in turn should pass the concern to the local Statutory Authorities. It is not the responsibility of anyone working within The National Yacht Club, in a paid or voluntary capacity, or those working in affiliated organisations, to take responsibility or decide if 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 young person.

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

#### Response to a Child Disclosing Abuse

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

- (a) deal with any allegation of abuse in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened
- (b) stay calm and not show any extreme reaction to what the child is saying. Listen compassionately, and take what the child is saying seriously
- (c) understand that the child has decided to tell something very important and has taken a risk to do so. The experience of telling should be a positive one so that the child will not mind talking to those involved in the investigation
- (d) be honest with the child and tell them that it is not possible to keep information a secret
- (e) make no judgmental statements against the person whom the allegation is made

## Safeguarding Policy

- (f) not question the child unless the nature of what s/he is saying is unclear. Leading questions should be avoided. Open, non-specific questions should be used such as “Can you explain to me what you mean by that”
- (g) check out the concerns with the parents/guardians before making a report unless during so would endanger the child or compromise an investigation
- (h) give the child some indication of what would happen next, such as informing parents/guardians, health service executive or social services. It should be kept in mind that the child may have been threatened and may feel vulnerable at this stage.
- (i) Carefully record the details
- (j) Pass on this information to the organisations Designated Person
- (k) Reassure the child that they have done the right thing in telling you

## Reporting Suspected or Disclosed Child Abuse

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

- (a) Observe and note dates, times, locations and contexts in which the incident occurred or suspicion was aroused, together with any other relevant information
- (b) Report the matter as soon as possible to the designated person with responsibility for reporting abuse. If the Designated Person has reasonable grounds for believing that the child has been abused or is at risk of abuse, they will make a report to the health service executive/social services who have statutory responsibility to investigate and assess suspected or actual child abuse
- (c) In cases of emergency, where a child appears to be at immediate and serious risk and the Designated Person is unable to contact a duty social worker, the police authorities should be contacted. Under no circumstances should a child be left in a dangerous situation pending intervention by the Statutory Authorities
- (d) If the Designated Person is unsure whether reasonable grounds for concern exist they can informally consult with the local health board/social services, they will be advised if the matter requires a formal report.

Contact details for your social workers / social work department are available for free on the **Sport Ireland App #SafeSport.**

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

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’



## Safeguarding Policy

to the Health Service Executive or the Gardaí (The act also covers the offence of 'false reporting'. The main provisions of the Act are:

- 1) The provision of immunity from civil liability to any person who reports child abuse "reasonably and in good faith" to designated officers of Health Service Executive or any member of An Garda Síochána;
- 2) The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including, dismissal;
- 3) The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities "knowing that statement to be false". This is a new criminal offence designed to protect innocent persons from malicious reports.

### Allegations Against Sports Leaders

The National Yacht Club has agreed procedures to be followed in cases of alleged child abuse against Leaders (Instructors, coaches, team managers, activity organisers or managers. If such an allegation is made against Leader working within the organisation, two procedures should be followed:

- 1) The reporting procedure in respect of suspected child abuse (reported by the designated person / children's officer), see previous page
- 2) The procedure for dealing with the Leader (carried out by the club Chair or senior officer, or a person not already involved with the child protection concern)

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

The issue of confidentiality is important. Information is on a need to know basis and the Sports Leader should be treated with respect and fairness.

#### The reporting procedure

If the designated person has reasonable grounds for concern, the matter should be reported to the local health board / social services, following the standard reporting procedure.

#### The Leader

While the designated officer makes the report to the local health board, the Senior person within the organisation (The Club Manager) should deal with the Leader in question.

The leader should be privately informed that :



## Safeguarding Policy

- (a) an allegation has been made against him / her and
- (b) the nature of the allegation.

They should be afforded an opportunity to respond. His / her response should be noted and passed on to the health board / social services.

The leader should 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.

The National Yacht Club should be informed by the Designated Person that the leader has been asked to stand aside. The National Yacht Club may consider disciplinary action on the leader but will ensure that this does not interfere with the investigation of the Statutory Authorities. In doing so The National Yacht Club will consider the outcome of the investigation and any implications it might have. The fact that the alleged abuser has not been prosecuted or been found guilty does not mean that they are appropriate to work with young people in the future.

## Allegations Against Sports Leaders (Continued)

### Confidentiality

Confidentiality should be maintained in respect of all issues and people involved in cases of abuse, welfare or bad practice. It is important that the rights of both the child and the person about whom the complaint has been made are protected.

The following points should be kept in mind:

- A guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child will supersede all other considerations
- All information should be treated in a careful and sensitive manner and should be discussed only with those who need to know
- Information should be conveyed to the parents / guardians of the child in a sensitive way
- Giving information to others on a 'need to know' basis for the protection of a child is not a breach of confidentiality
- All persons involved in a child protection process (the child, his/her parents/guardians, the alleged offender, his/her family, Sports Leaders) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.



## Safeguarding Policy

- Information should be stored in a secure place, with limited access only to designated people.
- The requirements of the Data Protection laws should be adhered to.
- Breach of confidentiality is a serious matter.

### **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 inappropriate behaviour should be brought to the attention of the Designated Person/ Chief Executive Officer. The information should be checked out and handled in a confidential manner.

### **Rumours**

Rumours should not be allowed to hang in the air. Any rumours relating to inappropriate behaviour should be brought to the attention of the Designated Person, Chief Executive Officer, and checked out without delay.

## Appendix

### 1

#### ISA Instructor & Coaches Charter



#### Instructor & Coaches Charter

ISA Instructors and Coaches play a crucial part in introducing participants to the activities and sports administered and represented by The National Yacht Club and for developing these people into lifelong participants

As an ISA Instructor or Coach you are the face of The National Yacht Club to all your participants. You represent the sport and lifestyle that you love and which has given you so much.

Instructors and Coaches are role models to all course participants and are given a position of authority and influence, particularly with young and vulnerable participants.

The environment in which we enjoy our activities is very different to those used for many conventional sports. The safety of your participants, in what may be an unfamiliar environment for them, is your responsibility.

When they leave you, your participants will be practicing the skills and knowledge they learnt and practiced with you. It is important that what you taught was correct and that it is appropriate to their level of competency.

For these reasons it is important that ISA Instructors and coaches conduct themselves in an appropriate manner cognisant of the influence they have on other people's safety, welfare, behaviour and participation in watersports.

This document sets out standards of behaviour and good practice expected of ISA instructors and coaches under the headings.

During your Instructor or Coach training course you will be asked to read and then sign this charter agreeing to uphold the principals it sets out.

I agree with the principles and procedures set out in this charter and agree to abide by them.

ISA Instructor.

|                      |
|----------------------|
| Date                 |
| Name                 |
| Signature            |
| Course code / number |

For Irish Sailing

|                                             |
|---------------------------------------------|
| Date                                        |
| Name - ISA Instructor Trainer / Coach Tutor |
| Signature                                   |
|                                             |

### 1

#### ISA Instructor & Coaches Charter

As an ISA Instructor or Coach I will.....

## **Appendix**

- Hold the welfare of my participants as my primary and overriding concern.
- Create and maintain a safe environment in which my participants can learn and practice.
- Ensure that all activities are appropriate to the skill stage and ability of my participants.
- Set realistic goals for participants that are challenging yet achievable.
- Ensure that the equipment and facilities I use are appropriate and fit for purpose.
- Be generous with praise when it is deserved.
- Never ridicule or shout at participants for making mistakes.
- Ensure that all participants participate in activities, games, races etc.
- Give all participants equal time irrespective of ability.
- Respect the rights, dignity and worth of every person and treat everyone equally within the context of their sport.
- Be reasonable in demands on participants' time, energy and enthusiasm.
- Be fit for work and presented in a neat and appropriate manner.

### **When participating in a club I will.....**

- Develop and foster an environment where participants are proud of their club and the efforts the club and its officers make in running the organisation and its activities.

### **When coaching for competition I will.....**

- Encourage a respect for the ability of opponents, as well as for officials and their decisions.
- Insist on fair and disciplined participation.
- Ensure the level and type of competition you are preparing your participants for is appropriate.
- Foster a culture where participants recognise improvement as success. Be aware that only one person or team can win a race or event.

### **When working with children and vulnerable adults, I will.....**

- Be aware of the responsibilities that I take on when I work with, or care for, children and vulnerable adults.
- Bear in mind that I am acting in "loco parentis" and to that extent the duty of care may be more onerous than that of an instructor working with an adult.
- Lead by example - with an awareness of the affect bad or inappropriate behaviour has on young children
- Remember that participating for fun is more important than highly structured competition. Winning must never be the only objective.
- Not push young participants into competitions orientated towards adults where these are inappropriate to their ability, experience or endurance.
- Be aware of, and respect, the limitations on concentration, endurance, strength and trainability that exist with young participants.
- Have read, understand, and be in a position to implement the principals and practice set out in Irish Sailing and in The National Yacht Club's Code of Ethics and Good Practice for Children's Activities.

## **1**

### **ISA Instructor & Coaches Charter**

- Be aware of the procedures for and report, any concerns about a child's welfare or suspicions that a child is being abused or is at risk of abuse to appropriate officials.

## **Appendix**

### **While still a participant, Instructor or Coach I will....**

- Maintain and develop my own personal skills and knowledge so that I am able to pass these on with authority.
- Constantly challenge myself to develop, implement and refine my instructional / coaching methods and strategies.
- Keep myself informed on sound instructional / coaching principles and methods through personal study and by attendance at conferences and seminars.
- Ensure that my ISA certification is up-to-date and that I hold a current emergency care or approved first aid certificate.

## Appendix

### 2

## Training Plan

The Irish Sailing Association run over 20 of the **Child Welfare & Protection (Code of Ethics) Workshops for Clubs** per year. The details of the three stages of training are outlined here as follows:

### 1. Safeguarding 1 - Child Welfare & Protection Basic Awareness Course

All Instructors, Coaches, Children's Officers and Designated Liaison Persons (DLP) must complete an ISA or LSP 3-hour Child Welfare & Protection Basic Awareness Course. This course educates participants on the implementation of best practice in protecting the welfare of children involved in sport.

### 2. Safeguarding 2 - Club Children's Officer (C.C.O)

A person appointed to the Club Children's Officer position in a club must have completed safeguarding 1 (Child Welfare & Protection Basic Awareness workshop) and should complete the **NEW Club Children's Officer 3-hour workshop**. This course will help the *Club Children's Officer* to carry out the function of their role in the club and support the implementation of best practice in the club. Participants will also receive a Club Children's Officer Action Planning document as part of the training.

### 3. Safeguarding 3 - Designated Liaison Person(DLP)

A person appointed to the Designated Liaison Person position in a club must have completed the Child Welfare & Protection Basic Awareness Course and should complete the **NEW Designated Liaison Person 3-hour workshop**. A club may appoint the same person to both the CCO and DLP positions however best practice advises that they are kept as separate roles.

## Club Children's Officers

Club Children's Officers should be child centred in focus and have as the primary aim the establishment of a child centred ethos within the club. S/he is the link between the children and the adults in the club. S/he also takes responsibility for monitoring and reporting to the Club Management Committee on how club policy impacts on young people and Sports Leaders

## Designated Liaison Person

Every club/organisation should designate a person to be responsible for dealing with any concerns about the protection of children. The Designated Liaison Person is responsible for reporting allegations or suspicions of child abuse to TULSA Child and Family Agency or Social Services (NI) and/or An Garda Síochán / PSNI. It is recommended that this person is a senior club person. However, if there is difficulty identifying a separate individual to take this role, the Club Children's Officer can be appointed as Designated Liaison Person once the club/organisation is clear about the responsibilities of each role. The organisation's child protection policy and procedures should include the name and contact details of the Designated Liaison Person and the responsibilities attached to the role.

## Safeguarding Training Programme

Irish Sailing has an extensive Safeguarding Training Programme. Courses are scheduled throughout the off season on a provincial basis and can also be ran on request for a Club or ISA Organisation. Details of all these courses and scheduled dates are available on [www.sailing.ie](http://www.sailing.ie) or schedule a course from Irish Sailing Training Office at - 01 2710114 or [training@sailing.ie](mailto:training@sailing.ie)

## Appendix 3

### Garda Vetting

#### Introduction

In January 2013 the Government passed the “National Vetting Bureau (Children and Vulnerable Persons) Bill 2012”. This legislation makes it an offence under the act to knowingly employ / deploy someone to work with children or vulnerable adults who has not been Garda vetted.

The Irish Sailing Association received confirmation that commencement orders for the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 had been signed. The Act was commenced on the 29th April 2016.

The Act provides a legislative basis for the mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons.

An organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation received a vetting disclosure from the National Vetting Bureau in respect of that person.

The National Vetting Bureau has set up a “*Frequently Asked Questions*” section on their website, <https://vetting.garda.ie/Help/FAQ>

The information below indicates Irish Sailing’s policy with respect to Garda Vetting and our provision of vetting services to our affiliated organisations.

Garda Vetting (eVetting) is available through Irish Sailing. The aim is to assist in the recruitment of suitable candidates to positions within The National Yacht Club and our affiliated Clubs, Class Associations, and Training Centres. The system has been structured to;

- Protect children and vulnerable persons.
- Identify if candidates for a position or role have convictions or have been prosecuted for crimes which may mean that they are unsuitable for the position.
- Protect the rights of the candidates.
- Protect The National Yacht Club affiliated organisations.

#### eVetting Process

The required forms issued by the National Vetting Bureau:

1. Vetting Invitation Form (NVB1);
2. Parent/Guardian Consent Form (NVB 3) – for applicants aged 16 and 17; and
3. Garda Vetting Proof of Identity Form.

All three documents are available to download and print from the Gardaí & Child section of Irish Sailing’s Website Library, <http://www.sailing.ie/training/library/gardai-child/>

1. *Vetting Invitation Form (NVB 1) - (Mandatory)*

## Appendix 3

### Garda Vetting

This form must be completed by the Applicant and submitted to Irish Sailing by the Applicant.

Best Practice: This form must be completed by the person who is applying for Garda Vetting Clearance.

The completed Vetting Form (NVB1) should be placed in a sealed envelope together with the completed Proof of Identity form and, where applicable, the Parent/Guardian Consent Form (NVB3), by the applicant; and

Posted directly to Nuala Healy, Authorised Liaison Person in Irish Sailing, marked Private & Confidential.

#### *2. Proof of Identity Form - (Mandatory)*

When conducting Garda Vetting the Irish Sailing Association is required to seek proof of identity from each applicant.

Each Garda Vetting Application Form (NVB 1) **must** be accompanied by the Garda Vetting Proof of Identity form signed by a Designated Person (Garda Vetting).

Details of the Designated Person (Garda Vetting) is listed below.

Details of the 100-point proof of identity are listed below.

#### *3. Parent/Guardian Consent Form (NVB 3) – (For persons aged 16 & 17)*

Persons aged 16 and 17 may be Garda Vetted. This form must be completed by the applicant's Parent/Guardian and attached to the Vetting Form

### Who is a Designated Person (Garda Vetting)?

#### *The Irish Sailing's accredited Organisations - Designated Person (Garda Vetting):*

An Irish Sailing Club, Class Association or Training Centre should have an appointed Designated Person (Garda Vetting) who is responsible for authenticating and signing its members Garda Vetting Proof of Identity Forms.

This person can be a Committee Member, ISA Vetting Liaison Officer, Centre Principal, Training Centre Manager, Commodore, Vice-Commodore, Club Secretary, Junior Organiser, Club Children's Officer (Safeguarding 2), Designated Liaison Person (Safeguarding 3), or any other member of the organisation appointed by the Committee to this role.

#### *The Irish Sailing's Designated Person (Garda Vetting):*

Within Irish Sailing any valid Instructor Trainer and/or Staff Member is authorised as a Designated Person (Garda Vetting) and can authenticate and sign the Proof of Identity Form.

## **Appendix 3**

### **Garda Vetting**

#### *Role of Designated Person:*

To authenticate the documentation presented to them by the Applicant, to ensure they meet the 100-point criteria, and to verify that the forms presented belong to the person applying for Garda Vetting clearance.

The Designated Person (Garda Vetting) should not authenticate and sign documentation on behalf of their spouses or family members.

## Appendix 3

### Garda Vetting

#### What is the 100 Point check?

The **100-point** check is a personal identification system developed to support the Designated Person (Garda Vetting) and the Authorised Liaison Person (Nuala Healy, Irish Sailing) in verifying the identity of the Applicant, including date of birth and current residential address.

When authenticating documentation, the Designated Person (Garda Vetting), should ensure that they have sight of the originals of all proof documentation and that the documents presented meet the 100-point check.

#### *Proof of Identity Documents*

One of the Proof of Identity Documents must be a Photo ID;

**AND**

One of the Proof of Identity Documents must show a current residential address.

Photocopies of the documents seen **must** be attached to the Proof of Identity Form.

#### **Photo ID:**

- Irish Public Services Card **80 points**;  
OR
- Irish Driving Licence or Learner Permit (new credit card format) **80 points**; OR
- Irish Driving Licence or Learner Permit (old paper format) **40 points**; OR
- Passport (from country of citizenship) **70 points**.

#### **Current Residential Address:**

- Utility bill (issued within the last 6 months. Printed online bills are acceptable. Mobile phone bills are not acceptable) **35 points**; OR
- Bank Statement **35 points**;  
OR
- Correspondence from an educational institution/SUSI/CAO **20 points**; OR
- Letter from School Principal or School Secretary confirming attendance at that educational institution on the letterheaded paper of that institution **20 points**.

If your Photo ID and Current Residential Address do not make up **100 points** there are additional documents which may be supplied.

A full list of additional acceptable forms of identity (to top up the documents supplied above) and the points they carry is listed on the next 2 pages and is available on the National Vetting Bureau's Website:

<https://vetting.garda.ie/Help/FAQ - Verification of Identity>.

# Appendix 3

## Garda Vetting

An Garda Síochána
As Gaeilge | Help

- Home
- About Us
- Vetting Procedure
- Our Services
- Registration of Organisations
- Publications
- Help
  - Frequently Asked Questions
  - User Guide
- Disputes / Appeals
- Site Links

Help > Frequently Asked Questions

### Frequently Asked Questions

Vetting Applicant | Verification of Identity | Organisation | Disclosures and Disputes | Specified Information | eVetting

IT Requirements

– How will Relevant Organisations verify the identity of a person?

The **100 point check** is a personal identification system, this information sheet has been developed to support organisations in verifying identity including date of birth and current address of vetting subjects (those applying to be Garda Vetted) as required. When conducting Garda Vetting, organisations should require vetting subjects to present identification totalling 100 points to ensure they are checking the correct person. At least one form of photographic evidence must be gathered.

| Identification                                                                                                                                                                    | Score     | Tick |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------|
| <b>Irish driving licence or learner permit (new credit card format)</b>                                                                                                           | <b>80</b> |      |
| <b>Irish Public Services Card</b>                                                                                                                                                 | <b>80</b> |      |
| <b>Passport (from country of citizenship)</b>                                                                                                                                     | <b>70</b> |      |
| <b>Irish certificate of naturalisation</b>                                                                                                                                        | <b>50</b> |      |
| <b>Birth certificate</b>                                                                                                                                                          | <b>50</b> |      |
| <b>Garda National Immigration Bureau (GNIB) card</b>                                                                                                                              | <b>50</b> |      |
| <b>National Identity Card for EU/EEA/Swiss citizens</b>                                                                                                                           | <b>50</b> |      |
| <b>Irish driving licence or learner permit (old paper format)</b>                                                                                                                 | <b>40</b> |      |
| <b>Employment ID</b>                                                                                                                                                              |           |      |
| • ID card issued by employer (with name and address)                                                                                                                              | <b>35</b> |      |
| • ID card issued by employer (name only)                                                                                                                                          | <b>25</b> |      |
| <b>Letter from employer</b> (within last two years)                                                                                                                               |           |      |
| • Confirming name and address                                                                                                                                                     | <b>35</b> |      |
| <b>P60, P45 or Payslip</b> (with home address)                                                                                                                                    | <b>35</b> |      |
| <b>Utility bill e.g. gas, electricity, television, broadband</b> (must not be less than 6 months old. Printed online bills are acceptable. Mobile phone bills are not acceptable) | <b>35</b> |      |
| <b>Public services card/social services card/medical card</b>                                                                                                                     | <b>25</b> |      |
| • With photograph                                                                                                                                                                 | <b>40</b> |      |
| <b>Bank/Building Society/Credit Union statement</b>                                                                                                                               | <b>35</b> |      |

## Appendix 3

### Garda Vetting

|                                                                                                                          |     |  |
|--------------------------------------------------------------------------------------------------------------------------|-----|--|
| <b>Credit/debit cards/passbooks</b> (only one per institution)                                                           | 25  |  |
| <b>National age card</b> (issued by An Garda Síochána)                                                                   | 25  |  |
| <b>Membership card</b>                                                                                                   |     |  |
| • Club, union or trade, professional bodies                                                                              | 25  |  |
| • Educational institution                                                                                                | 25  |  |
| <b>Correspondence</b>                                                                                                    |     |  |
| • From an educational institution/SUSI/CAO                                                                               | 20  |  |
| • From an insurance company regarding an active policy                                                                   | 20  |  |
| • From a bank/credit union or government body or state agency                                                            | 20  |  |
| <b>Children under 16 years (any one of the following)</b>                                                                |     |  |
| • Birth certificate                                                                                                      | 100 |  |
| • Passport                                                                                                               | 100 |  |
| • Written statement by a principal confirming attendance at educational institution on a letter head of that institution | 100 |  |
| <b>Recent arrival in Ireland (less than 6 weeks)</b>                                                                     |     |  |
| • Passport                                                                                                               | 100 |  |
| <b>Vetting Subject is unable to achieve 100 points**</b>                                                                 |     |  |
| • Affidavit witnessed by a Commissioner for Oaths                                                                        | 100 |  |
| <b>TOTAL</b>                                                                                                             |     |  |

\*This document was developed using information from the Volunteering Australia 100 Point Identification Check and from research conducted on verification of identity at Irish banking institutions, utility companies and the National Driver License Service.

\*\*An affidavit is a written sworn statement of fact voluntarily made by a person. It is a document that sets out in paragraph form the evidence that the witness wishes to give. Affidavits are usually written and prepared by a solicitor or a barrister after having obtained all the necessary information from the witness. The wording used in the affidavit will depend on the circumstances of the case. Your solicitor can give you more information on the wording that will be used.

When the affidavit is ready, the witness must go before a Commissioner for Oaths. The Commissioner for Oaths will check that the person swearing the oath has read the affidavit and fully understands the contents. The person will be asked to raise the Bible and to repeat the words of the oath. If the witness does not wish to swear an oath on the Bible, he or she may make an affirmation. He or she will then sign the affidavit.

The Commissioner for Oaths will verify that the affidavit was properly sworn by completing a *jurat* on the affidavit.

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## The eVetting Steps

1. The Applicant completes the Garda Vetting Form (NVB1), the Proof of Identity Form and, where appropriate, the Parent/Guardian Consent Form and get the Proof of Identity Form verified by a Designated Person (Garda Vetting). All documentation is then posted to Irish Sailing by the Applicant.
2. The Authorised Signatory, within Irish Sailing, checks and logs the forms. In the event of an incomplete form, the form and all documentation will be returned to the Applicant with a covering letter for resubmission.
3. The Irish Sailing uploads details from the Garda Vetting Form (NVB1) on the National Vetting Bureau's website.
4. The Applicant receives an email from the National Vetting Bureau inviting them to verify their details, as entered by Irish Sailing, and to complete the eVetting process.
5. Once the Applicant completes the online eVetting process Irish Sailing are notified and asked to Review the application and submit it for processing to the National Vetting Bureau.

## Appendix 3

### Garda Vetting

6. The National Vetting Bureau processes the application and advises Irish Sailing when the disclosure is available.
7. Irish Sailing determines the suitability or otherwise of the Applicant.
8. Irish Sailing write to the applicant notifying them of the result. The letter details the validity period of the vetting clearance.

### How are eVetting applications made and processed?

Applicants must fill in the forms and submit these to Irish Sailing for processing. Irish Sailing's Authorised Signatory checks the forms, registers the Applicant with the National Vetting Bureau who sends him/her an email with a link attached inviting him/her to verify their details and complete an online eVetting Application Form. Applications for Garda Vetting may only be submitted through organisations, like Irish Sailing, who are registered with the National Vetting Bureau. The NVB will not process applications made directly to them from individuals or organisations not registered with them.

Once Irish Sailing receives information from the NVB we review the information and make an assessment as to whether it makes a candidate unsuitable to work with children or vulnerable persons. The criteria used are published on page 10.

To protect the rights and privacy of the Applicant, details obtained from the National Vetting Bureau are not passed directly onto Irish Sailing's affiliate organisations.

If it is decided that an Applicant is unsuitable to work with children or vulnerable persons, they will be contacted by Irish Sailing as set out in procedures published on page 11.

Applicants do have the right to appeal the results of the vet if they believe that information provided by the NVB or the decision made by Irish Sailing is incorrect.

It is important to remember that a letter indicating that an Applicant has successfully completed vetting is not a certificate as it only looks at information available at the time of the check. Consideration needs to be given to when repeat vets are required as a person may have acquired convictions or specified information since any previous vets were completed.

### Who can be vetted?

Irish Sailing eVetting may be accessed by individuals who are members of Irish Sailing or members of The National Yacht Club affiliated Club, Class or Training Centre and actively engaged in the delivery of that organisation's activities or programmes.

All National Yacht Club Instructors, Coaches, Instructor Trainers, and Centre Principals must hold current valid Garda Vetting Clearance.

### Who should be vetted?

Persons who wish to undertake certain work or activities relating to children or vulnerable persons, or to provide certain services to children or vulnerable persons more than four times in any month or overnight.

## Appendix 3

### Garda Vetting

All Irish Sailing organisations running activities for children or vulnerable persons must have in place a policy stating who must be vetted and when. This would normally form part of the organisations recruitment policy.

As a guide, people in the following positions within Irish Sailing affiliated organisations should be vetted by the organisation as part of their recruitment process.

Youth Sports Leaders working in an ISA Organisation:

- Designated Liaison Persons (Safeguarding 3)
- Club Children’s Officers (Safeguarding 2)
- Designated Persons (Garda Vetting)
- Junior Organisers
- Youth Team Managers
- Full time “Shore Parents”
- Staff and volunteers leading or working on activities or sessions where they will have contact with children or vulnerable persons more than four times in any month or overnight
- Senior / Chief Instructors \*
- Instructors and coaches running activities for children or vulnerable persons \*

Irish Sailing will, on its own instigation, vet;

- Centre Principals of Irish Sailing Training Centres
- Instructor Trainers
- Irish Sailing employed / appointed Youth Coaches
- Irish Sailing staff and volunteers leading or working on activities or sessions organised directly by Irish Sailing where they will have substantial unsupervised access to children or vulnerable persons.
- Irish Sailing staff and volunteers involved in the processing of Garda Vetting Applications and associated procedures.

### \*Vetting for Irish Sailing Club Qualified Instructors and Coaches

All Irish Sailing Instructors and Coaches with valid qualifications issued after 1st October 2013 have passed vetting and do not need to be vetted as part of their recruitment process. The date their certificate was issued is printed on their certificate. We also include a logo indicating the candidate has received vetting clearance on the certificate.

### Role Being Vetted For?

Applicants will be asked to indicate, on the Vetting Invitation Form (NVB1), which role they wish to be Garda Vetted for:

1. Irish Sailing Instructor / Coach;
2. Centre Principal of an Irish Sailing Training Centre; or
3. Youth Sports Leaders working in an Irish Sailing Organisation (see list above – page 8).

## Appendix 3

### Garda Vetting

#### How long is Garda Vetting Valid for?

Irish Sailing Garda Vetting is valid for a period of 3 years from the date the search was conducted.

However, Irish Sailing requests that any Instructor or Coach who attends a CPD Revalidation or attends an Advanced Instructor or Senior Instructor course, reapplies for Garda Vetting at that time. This second vetting clearance will then be valid for a period of 5 years to coincide with the validity period of the Instructorship.

#### Vetting Persons Under 18 Years of Age

Section 13(6) of the Act provides for vetting of persons under 18 years of age.

The Act states that if a person in respect of whom an application for a vetting disclosure is made is under 18 years of age, a declaration of consent (Parent/Guardian Consent Form) is completed on his or her behalf by a parent or guardian of the person.

This form is available from Irish Sailing - Parent/Guardian Consent Form (NVB 3)

#### What does it cost?

The cost of vetting is €10 per applicant.

Irish Sailing may not process vetting applications submitted through organisations that have outstanding affiliation or accreditation fees.

#### What is done with the information received?

The National Vetting Bureau informs Irish Sailing of the results of each vet. This information is kept in a secure store within Irish Sailing's Office to which only authorised members of staff have access.

Irish Sailing will not send the results of a vetting disclosure to anyone except the Applicant and the Irish Sailing Garda Vetting Review Panel.

Each application is logged on the Irish Sailing database. No information relating to the application or disclosure is recorded other than;

- The date the application was sent onto the NVB by Irish Sailing
- The date the result was received back by Irish Sailing from the NVB
- The result of the Vet (Positive or Negative).

#### Can the results of a Garda Vetting Disclosure be Appealed?

If an Applicant believes that the information provided by the NVB is incorrect then they should inform Irish Sailing's Authorised Liaison Person who will refer the matter back to the NVB.

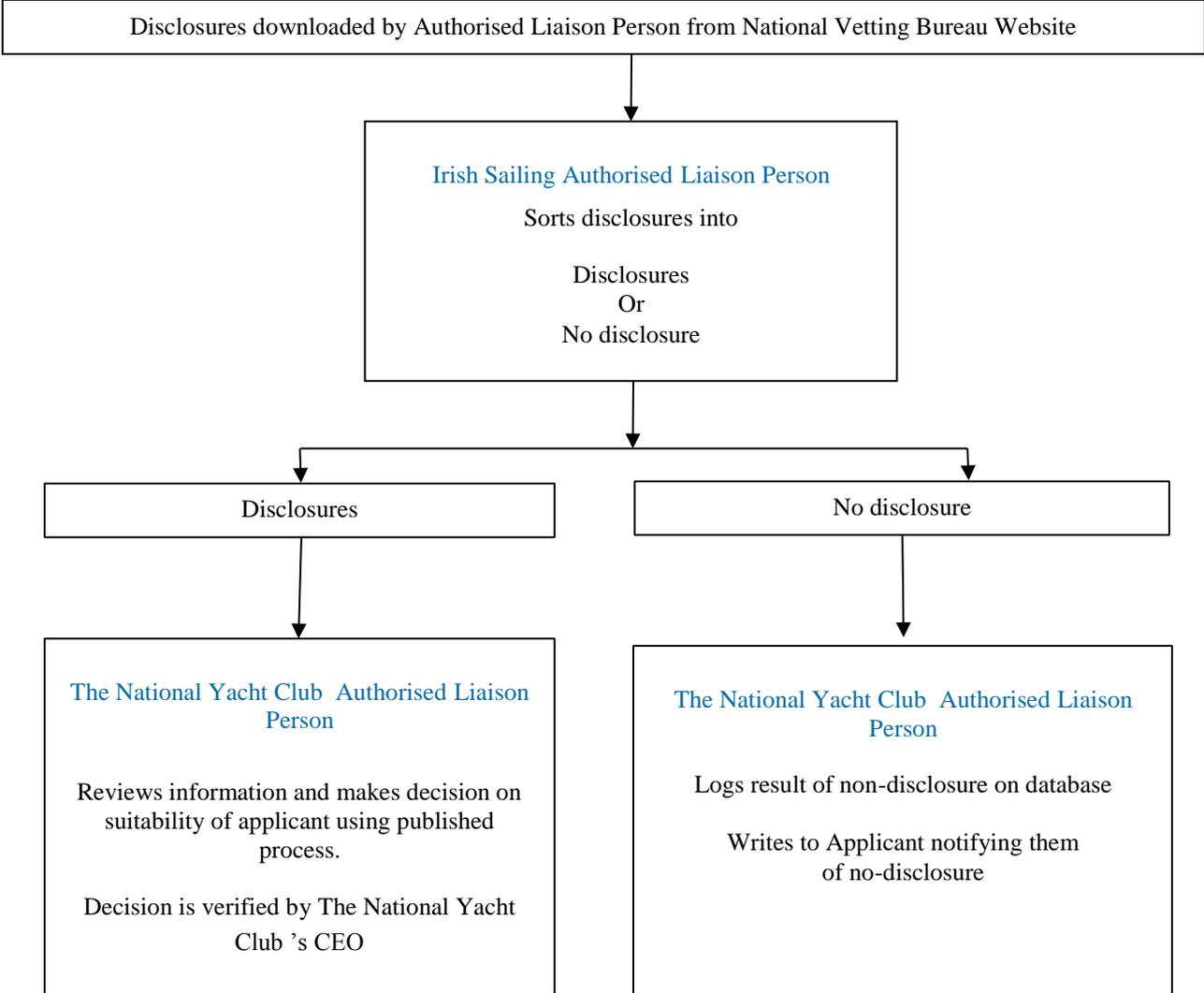
## **Appendix 3**

### **Garda Vetting**

If a candidate wishes to appeal the result of the vetting decision they may use Irish Sailing's Review Panel. Details on this process are available from Irish Sailing's Chief Executive Officer.

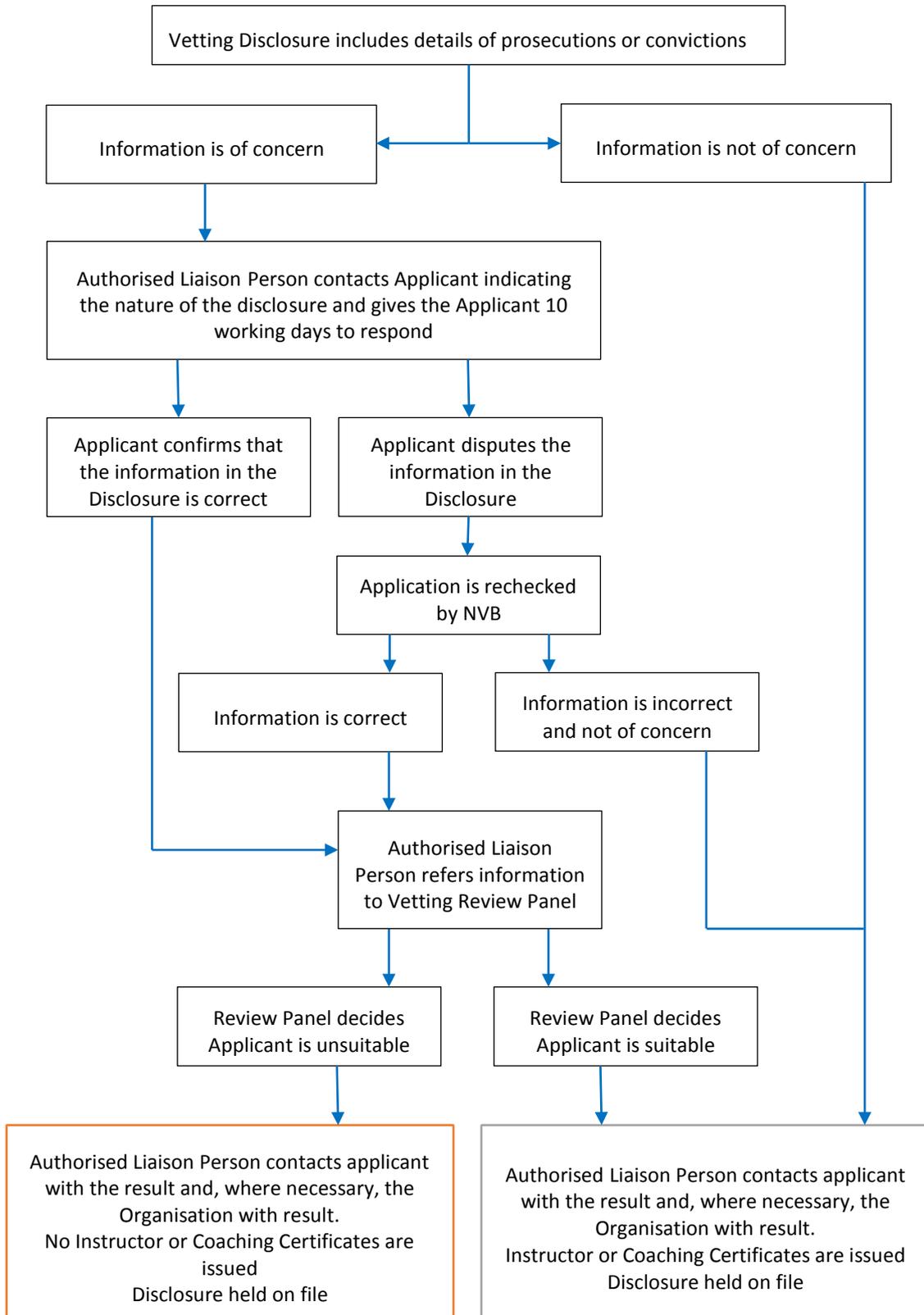
**Appendix 3**  
**Garda Vetting**

**Administrative Processes**



**Review Process for Vetting Disclosures from NVB**

**Appendix 3  
Garda Vetting**



**Irish Sailing Garda Vetting Policy**

*Guidelines for ISA personnel processing returned vetting applications.*

## Appendix 3

### Garda Vetting

The following convictions or unresolved prosecutions may debar offender from holding a position where they will be in contact with children or vulnerable adults and will therefore be reviewed by Irish Sailing Vetting Review Panel.

- Murder, manslaughter
- Rape, attempted rape
- Any crime/conviction against a child while an adult
- Any crime/conviction against a child while a child
- Possession of child pornography
- Illegal possession of fire arms or offensive weapon
- Domestic violence
- Any crime involving aggression/assault
- Dealing illegal or controlled drugs
- Possession of illegal or controlled drugs
- Fraud or dishonesty
- Shop lifting, credit card theft
- Crimes of deception
- Drink driving
- Dangerous driving

The Panel will also review “Specified Information” provided to Irish Sailing in the course of the vetting application.

In reviewing a person’s record the Vetting Review Panel will use the information available only to form an opinion as to whether the person would present a risk to children or vulnerable persons.

## Garda Vetting & National Children’s Officer Review Panel

### Objective / Role

The Garda Vetting & National Children’s Officer Review Panel considers and makes recommendations with respect to vetting applications and returns referred to it by Irish Sailing’s Garda Vetting Liaison Person or by the National Children’s Officer.

Irish Sailing’s Garda Vetting Liaison Person will refer the following vetting applications and returns to the Panel;

- Any applications with declared convictions identified as of concern in Irish Sailing’s Garda Vetting Policy.
- Any vetting returns with un-declared prosecutions or convictions identified as of concern in Irish Sailing’s Garda Vetting Policy.
- Any vetting returns resulting in the disclosure of “specified Information” to Irish Sailing.

Irish Sailing’s National Children’s Officer will refer issues of concern such as a Disciplinary Committee / Appeals Committee request or support with a Safeguarding Case which requires support or advice.

The Panel shall consist of no less than 3 members.

## **Appendix 3**

### **Garda Vetting**

The Panel is appointed annually by Irish Sailing's President in consultation with the National Children's Officer.

The group shall meet as requested by Irish Sailing's Garda Vetting Liaison Person or the National Children's Officer.

No documentation relating to the Review Panel's process may be copied and / or retained by members of the panel except where identified as a requirement under Irish Sailing's procedures.

As far as reasonably possible the information provided to the panel will not include the identity of the applicant.

Where appropriate decisions may be made or ratified by telephone.

Minutes of all decisions / recommendations made by the Panel will be kept by Irish Sailing.

Members of the Panel should be offered and have attended appropriate training designed to assist them making appropriate, informed decisions.

Appendix 4  
Contact Details

|                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | <p><b>The National Yacht Club Children's Officer</b></p> <p>The National Yacht Club Children's Officer role is to be up to date and familiar with Children's First Legislation to ensure they can act as an information source to other members and organisations within Irish Sailing.</p> <p>They must act as a resource to members in relation to children's needs, coordinate the training for others and circulates all relevant information and resource materials.</p> |  |
| Name                                                                              | Helen Heneghan                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| Contact numbers:                                                                  | 01 269 8924 087 131 3139                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| Email address:                                                                    | <a href="mailto:heneghah@tcd.ie">heneghah@tcd.ie</a>                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |              |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
|  | <p><b>The National Yacht Club Designated Officer</b></p> <p>The National Yacht Club Children's Officer role is to be up to date and familiar with Children's First Legislation to ensure they can act as an information source to other members and organisations within Irish Sailing.</p> <p>They must act as a resource to members in relation to children's needs, coordinate the training for others and circulates all relevant information and resource materials.</p> |              |
| Name                                                                                | Alison Pigot                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |              |
| Contact numbers:                                                                    | 01                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 086 838 6020 |
| Email address:                                                                      | <a href="mailto:Alison.alip@gmail.com">Alison.alip@gmail.com</a>                                                                                                                                                                                                                                                                                                                                                                                                              |              |

Appendix 4  
Contact Details

**Irish Sailing**

|                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                    |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|  | <p><b>Irish Sailing National Children’s Officer</b></p> <p>The National Children’s Officer role is to be up to date and familiar with Children’s First Legislation to ensure they can act as an information source to other members and organisations within Irish Sailing.</p> <p>They must act as a resource to members in relation to children's needs, coordinate the training for others and circulates all relevant information and resource materials.</p> |                    |
| <p><b>Name</b></p>                                                                | <p>Ciarán Murphy</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |                    |
| <p><b>Contact numbers:</b></p>                                                    | <p>01 2800239</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>087 8800744</p> |
| <p><b>Email address:</b></p>                                                      | <p>ciaran.murphy@sailing.ie</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                    |

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                 |                    |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|  | <p><b>Irish Sailing Designated Liaison Person</b></p> <p>The Designated Liaison Person is responsible for reporting allegations or suspicions of child abuse to TULSA Child and Family Agency and / or An Garda Síochána.</p> <p>The DLP communicates with parents and/or agencies as appropriate and is responsible for carrying out reporting procedures.</p> |                    |
| <p><b>Name:</b></p>                                                                 | <p>Harry Hermon</p>                                                                                                                                                                                                                                                                                                                                             |                    |
| <p><b>Contact numbers:</b></p>                                                      | <p>01 2800239</p>                                                                                                                                                                                                                                                                                                                                               | <p>087 2402097</p> |
| <p><b>Email address:</b></p>                                                        | <p>harry@sailing.ie</p>                                                                                                                                                                                                                                                                                                                                         |                    |

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                    |  |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | <p><b>Irish Sailing National Vetting Officer &amp; Liaison Person</b></p> <p>The Liaison Person is the nominated person within Irish Sailing to manage the process of Garda Vetting and works directly with The Garda Vetting Bureau.</p> <p>The LP liaises with the individual seeking Garda clearance and / or the organisation responsible for recruitment.</p> |  |
| <p><b>Address:</b></p>                                                              | <p>Nuala Healy</p>                                                                                                                                                                                                                                                                                                                                                 |  |

|                         |                     |  |
|-------------------------|---------------------|--|
| <b>Contact numbers:</b> | 01 2710114          |  |
| <b>Email address:</b>   | training@sailing.ie |  |

## Appendix 5

ISA Tribunal

# ISA Tribunal

## Terms of Reference and Rules of Conduct and Procedure

(adopted by the Board of Irish Sailing on 17<sup>th</sup> May 1999)  
(amended October 2001 & February 2004)

It was resolved by the Board of Irish Sailing Association at a meeting held on 17<sup>th</sup> May 1999, in pursuance of their powers under Article 25 of the Articles of Association of Irish Sailing that there be established a Tribunal to be known as "Irish Sailing Tribunal" in the following form and under the following terms;

### Terms of Reference and Rules of Conduct and Procedure.

#### 1. Composition and Appointment

- 1.1. The Tribunal shall consist of a Chairman and Vice-Chairman and a panel of eight other members appointed by the Board.
2. Not less than two members of the Tribunal shall be members of the Board of Irish Sailing.

#### 3. Secretary

- 3.1. The secretary of the Tribunal shall be the Administration Manager or such other person appointed by the Tribunal to the post.

#### 4. Terms of Reference

- 4.1. There shall be delegated to the Tribunal all the powers of the National Authority to hear and determine any matter requiring a quasi-judicial decision including the power to impose any penalty, save appeals and references under RRS 70 of the 2001-2004 Racing Rules and similar matters arising from the provisions of subsequent versions of the Rules.
- 4.2. In particular the Tribunal shall exercise all the powers of the National Authority under RRS 69.2 of the Racing Rules for Sailing (RRS) 2001-2004 and similar matters arising from the provisions of subsequent versions of the Rules, and shall hear and determine any disputed issue as to the derecognition of training establishments, the withdrawal of certification from instructors or coaches, or the termination of membership of The National Yacht Club and breaches of the Code of Ethics and Good Practice for Children's Sport.
- 4.3. Subject to its own power to permit a re-hearing, the decision of the Tribunal shall be final.
- 4.4. The Tribunal shall report in writing to the Board all decisions taken by it.
- 4.5. In determining any matter referred to it the Tribunal shall have the power to award costs against any party to any matter under determination. The costs may be:
  - 4.5.1. The costs of the Tribunal hearing and its members, and or
  - 4.5.2. The costs of any of the Tribunal or Board's experts or witnesses to the hearing.

#### 5. Procedure

- 5.1. For the purpose of a hearing the chairman or in his absence the vice-chairman shall select from the Tribunal such members as he/she thinks fit.
- 5.2. A quorum shall be three but the chairman may select five or seven members if in the circumstances he/she thinks fit. Those appointed to hear a case shall be referred to as the "Case Tribunal". The Case Tribunal shall have the authority to consult with a legal advisor on matters of procedure and the Case Tribunal shall have the authority to invite its own legal representative to be present during the taking of evidence and at any other time it wishes.

- 5.3. All decisions shall be taken by a simple majority of those present. The procedure shall be such as the Case Tribunal may in a particular case determine but, without prejudice to the generality of the foregoing, the Case Tribunal may from time to time formulate general guidelines for the procedure to be followed.

## **Appendix 5**

### **ISA Tribunal**

- 5.4. The Case Tribunal shall give a respondent a reasonable opportunity to appear before it if he so wishes and to call witnesses on his behalf and shall permit a respondent to be legally represented.
- 5.5. The Case Tribunal shall report the reason for its decisions in writing to the Board and to all persons directly affected by the decision.

### **6. Conduct**

The masculine gender shall be deemed to include female or corporate participants.

'Ireland' shall be deemed to mean the island of Ireland wherever used in these guidelines.

- 6.1. Any circumstances likely to require a determination by the Tribunal shall immediately be reported to the President by the Secretary General.
- 6.2. The decision to refer a matter to the Tribunal shall be taken by the President of Irish Sailing in consultation with the Board of Directors of Irish Sailing and the Chairman of the Tribunal.
- 6.3. Upon a case being referred to the Tribunal by the President of Irish Sailing the Tribunal Secretary shall write to the Respondent at his latest address known to Irish Sailing to inform him of the complaint and of any rule relevant to the jurisdiction of Irish Sailing and of the intention to hold a hearing by the Tribunal.
- 6.4. The letter shall enclose a copy of the Terms of Reference and Rules of Conduct and Procedure of Irish Sailing Tribunal and copies of any available documents which it is anticipated will be placed before the Tribunal.
- 6.5. The letter shall inform the Respondent that he or his representative is entitled to attend the hearing and/or submit a written statement, to be legally represented if so desired and to give and call written or oral evidence in support of his case.
- 6.6. The letter shall invite the Respondent to communicate with the Tribunal Secretary within 14 days (in the case of persons resident in Ireland) or 21 days (in the case of persons resident abroad) or such longer period as in all the circumstances seems reasonable, in order to establish the estimated length and complexity of the hearing and, if possible, mutually convenient dates for the hearing.
- 6.7. Not less than 14 or 21 days or such longer period (as the case may be) after sending the letter referred to in paragraph 5.3 and in the light of any communication from the Respondent pursuant to paragraph 5.4, the Tribunal Secretary shall: -
- 6.7.1. arrange for the Chairman of the Tribunal to select members of the Tribunal to hear the matter. The Case Tribunal should, if possible, have a minimum of five members to ensure that a quorum is always available. The Case Tribunal Chairman, if not appointed by the Tribunal Chairman, shall be selected by the Case Tribunal from amongst its own members.
- 6.7.2. fix a date, time and venue for the hearing such that sufficient notice can be given pursuant to paragraph 5.8 (ii) below.
- 6.8. Thereafter;
- 6.8.1. the Tribunal Secretary shall send to the Respondent, at his latest address known to The National Yacht Club, a notice of the date, time and place when the matter will be heard.
- 6.8.2. the notice shall be posted so that if delivered in the ordinary course of post the following periods of service elapse before the hearing or such longer period as in all the circumstances seems reasonable: -
- 6.8.2.1. Respondents resident in Ireland 28 clear days;
- 6.8.2.2. Respondents resident elsewhere in Europe: 42 clear days;
- 6.8.2.3. Respondents resident elsewhere: 56 clear days.

6.8.3. The periods specified in sub-paragraph 5.8 (i) above may be abridged with the agreement in writing of the Respondent.

6.9. The notice referred to in paragraph 5.8 above shall

6.9.1. inform the Respondent of the panel of names from which the Case Tribunal shall be constituted and ask him to notify the Tribunal Secretary as soon as possible if objection is proposed to be taken to any of them on either of the grounds listed in para 5.7.

## **Appendix 5**

### **ISA Tribunal**

6.9.2. ask the Respondent to notify the Tribunal Secretary whether he proposes to attend the hearing and/or be legally represented; and

6.10. invite the Respondent to submit to the Tribunal Secretary not less than 10 clear days before the date fixed for the hearing any documents which he wishes to be circulated in advance to the members of the Case Tribunal.

6.11. Should the Respondent, in accordance with Para 5 I (i) object to any of the possible members of the Case Tribunal on the grounds of conflict of interest or of relationship to either the respondent or the instigation of the complaint, the objection and the grounds shall be notified to the Tribunal Chairman.

6.12. Seven days before the hearing date the Tribunal Secretary shall, if possible, circulate to the members of the Case Tribunal

6.13. copies of all documents sent to the Respondent under paragraphs 5.3 and 5.7 above; and

6.14. copies of any documents sent by the Respondent to the Tribunal Secretary under paragraph 5 I (iii). above.

6.15. The letter referred to in paragraph 5.3 and the Notice referred to in paragraph 5.7 above shall be sent by Recorded Delivery or any available similar method in the case of posting abroad.

6.16. If the Respondent does not attend the hearing in person or by a representative, the Case Tribunal may proceed to hear the matter in his absence if it is satisfied that the Respondent was given proper notice of the hearing in accordance with foregoing rules.

6.17. Unless the Tribunal otherwise determines the order of appearance shall be as follows: -

6.18. The Chairman introduces those present and invites the Secretary General or his representative to open the case;

6.19. The Secretary General or his representative shall open the case and refer to any relevant documents and calls any witnesses, who may be cross-examined by or on behalf of the Respondent and by members of the Case Tribunal and be re-examined by the Secretary General.

6.20. The Respondent or his representative may open his case and refer to any relevant documents, and give evidence in which case he shall be liable to cross-examination by the Secretary General or his representative and members of the Case Tribunal

6.21. The Respondent may call any witnesses who may be cross-examined and re-examined;

6.22. If he has called any witnesses the Respondent or his representative may make closing submissions.

6.23. The Case Tribunal shall consider its decision and shall commit the decision and the reasons for it to writing. The Case Tribunal Chairman shall sign it. The Case Tribunal at its own discretion shall announce its decision at the conclusion of the hearing or later in writing. The decision and the reasons shall be reported in writing to the Respondent and to Irish Sailing Board and to persons directly affected by the decision.

6.24. The Case Tribunal shall include in its report its decision on the extent to which the details of the case shall be publicised. In making its decision it shall take into account the safety of the public, the likely benefit to the sport, the protection of the image of Irish Sailing and the likely affect on the individuals or companies involved and any other matters it believes to be relevant, provided always that the requirements of the Racing Rules are complied with.

6.25. Re-hearing

6.26. The Tribunal shall be entitled to rehear any case and to vary or revoke any decision or penalty if it thinks fit. The Irish Sailing Board shall have the right to refer back any decision for consideration where it believes that all the relevant factors were not known to the Case Tribunal prior to them reaching their decision.

## Appendix 6

### Safeguarding Checklist

The following checklist will assist in identifying any gaps in organisational good practice

|                                                                                                                                  | Club / Centre | Class Association | Name | Reference / Date Checked |
|----------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------|------|--------------------------|
| <b>Organisational Values</b><br>These underpin your organisation ethos                                                           |               |                   |      |                          |
| Organisation has written constitution                                                                                            |               |                   |      |                          |
| Policy Statement on children & vulnerable adults in your organisation                                                            |               |                   |      |                          |
| <b>Roles &amp; Responsibilities</b><br>Setting out who is responsible for what.                                                  |               |                   |      |                          |
| Organisation's management structure clearly identified                                                                           |               |                   |      |                          |
| Management and / or committee roles & responsibilities clearly identified                                                        |               |                   |      |                          |
| Designated Officer appointed, trained to Safeguarding 3, identified to members & contact details available.                      |               |                   |      |                          |
| Children's Officer appointed, trained to Safeguarding 2, identified to members & contact details available.                      |               |                   |      |                          |
| <b>Policies &amp; Procedures</b><br>Procedures for the following developed, published & disseminated as appropriate              |               |                   |      |                          |
| Procedures for reporting actual or suspected statutory abuse.                                                                    |               |                   |      |                          |
| Complaints, disciplinary & appeals process                                                                                       |               |                   |      |                          |
| Anti-Bullying policy                                                                                                             |               |                   |      |                          |
| <b>Recruitment</b><br>Procedures for the recruitment of personnel, working with children developed, published & used. Including; |               |                   |      |                          |
| Application form                                                                                                                 |               |                   |      |                          |
| Interview                                                                                                                        |               |                   |      |                          |
| Written References                                                                                                               |               |                   |      |                          |
| Policy / procedure for following up references                                                                                   |               |                   |      |                          |
| Garda Vetting                                                                                                                    |               |                   |      |                          |

|                                                                                                           |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------|--|--|--|--|
| Induction training                                                                                        |  |  |  |  |
| Probation period                                                                                          |  |  |  |  |
| <b>Codes of Conduct</b><br>Following codes of conduct developed & published & disseminated as appropriate |  |  |  |  |
| Children / young people                                                                                   |  |  |  |  |
| Parents                                                                                                   |  |  |  |  |
| Leaders including instructors & coaches                                                                   |  |  |  |  |

## Appendix 6

### Safeguarding Checklist

|                                                                                                                               |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Safety Statement<br>Risk Assessment<br>Policy on swimming ability / levels water confidence<br>Policy on concussion protocols |  |  |  |  |
|                                                                                                                               |  |  |  |  |
|                                                                                                                               |  |  |  |  |

## Useful Resources

### **#SafeSport App:**

The Irish Sports Council Safe Sport app is based on the Code of Ethics & Good Practice for Children's Sport. It is an information and guidance tool for everyone involved in sport for children and young people. The app is aimed at creating greater awareness and understanding about safeguarding and best practice principles in children's sport. You can download the Safe Sport App from the App Store and it is available across a number of platforms - IOS and Android. It will also function on iPads, iPhones, Android tablets and smartphones. This cross platform approach will ensure the app is accessible to a wide range of users.

This can be accessed through the following link: [#SafeSport](#) in your App Store

[http://www.irishsportsCouncil.ie/Participation/Code\\_of\\_Ethics/Code-Of-Ethics-App](http://www.irishsportsCouncil.ie/Participation/Code_of_Ethics/Code-Of-Ethics-App)

### **Sport Ireland Website:**

All code of ethics information and materials can be accessed via the Sport Ireland website. This can be accessed through the following link: [http://www.irishsportsCouncil.ie/Participation/Code\\_of\\_Ethics](http://www.irishsportsCouncil.ie/Participation/Code_of_Ethics)

### **Local Sports Partnership Network:**

The 29 LSP's throughout the island of Ireland provide Safeguarding 1, 2, & 3 courses in their respective areas. These courses have the same recognition as Irish Sailing courses and can be directly assessed by contacting the co-ordinator of each LSP. They can be accessed through the following link:

[http://www.irishsportsCouncil.ie/Participation/Local\\_Sports\\_Partnerships](http://www.irishsportsCouncil.ie/Participation/Local_Sports_Partnerships)

The Contact Details for Sport Ireland Code of Ethics Unit are:

Bernie Priestley  
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Email: [bpriestley@sportireland.ie](mailto:bpriestley@sportireland.ie)  
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