

Committee for Culture, Arts and Leisure

Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

Together with the Minutes of Proceedings of the Committee, Minutes of Evidence,
Written Submissions, Research Papers and Additional Information relating to the Report

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**REPORT EMBARGOED
UNTIL COMMENCEMENT OF THE
DEBATE IN PLENARY**

Powers and Membership

The Committee for Culture, Arts and Leisure is a Statutory Departmental Committee established in accordance with paragraph 8 and 9 of the Belfast Agreement, Section 29 of the NI Act 1998 and under Assembly Standing Order 48. The Committee has a scrutiny, policy development and consultation role in respect of the Minister of Culture, Arts & Leisure and has a role to play in the initiation, consideration and development of legislation.

The Committee has the power to:

- Consider and advise on Departmental budgets and annual plans in the context of the overall budget allocation;
- Approve relevant secondary legislation and take the Committee stage of primary legislation;
- Call for persons and papers;
- Initiate inquiries and make reports; and
- Consider and advise on matters brought to the Committee by the Minister of Culture, Arts and Leisure.

The Committee has 11 members, including a Chairperson and Deputy Chairperson, with a quorum of 5 members.

The current membership of the Committee is as follows:

Michelle McIlveen MLA (Chairperson)
 William Irwin MLA (Deputy Chairperson)
 Dominic Bradley MLA
 David Hilditch MLA
 William Humphrey MLA¹
 Rosaleen McCorley MLA²
 Basil McCrea MLA³
 Michael McGimpsey MLA
 Karen McKeivitt MLA
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1 With effect from 01 October 2012 Mr William Humphrey replaced Ms Brenda Hale
 2 With effect from 10 September 2012 Mrs Rosaleen McCorley replaced Mr Pat Sheehan
 3 With effect from 04 March 2013 Mr Basil McCrea replaced Mr Robin Swann
 4 With effect from 12 September 2011 Mr Oliver McMullan replaced Mr Gerry Kelly

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List of Abbreviations and Acronyms used in the Report

ACNI	Arts Council of Northern Ireland
ACPO	Association of Chief Police Officers
ALB	Arm's-Length Bodies
BASW	British Association of Social Workers
CAL	Culture, Arts and Leisure
CCEA	Council for Curriculum, Examinations and Assessment
CEOP	Child Exploitation and Online Protection Centre
CLOA	Chief Leisure Officers Association (N.I.)
CMR	Case Management Review
CPSU	Child Protection in Sport Unit
CPWD	Child and Player Welfare Department
CSE	Child Sexual Exploitation
CYP	Children and Young People
DBS	Disclosure and Barring Service
DCAL	Department of Culture, Arts and Leisure
DE	Department of Education
DETI	Department of Enterprise, Trade and Investment
DFP	Department of Finance and Personnel
DHSSPS	Department of Health, Social Services and Public Safety
ECHR	European Convention on Human Rights
ELB	Education and Library Board
ETI	Education and Training Inspectorate
ICT	Information and Communications Technology
IFA	Irish Football Association
IRFU	Irish Rugby Football Union
NCA	National Crime Agency
NIASW	Northern Ireland Association of Social Workers
NICCY	Northern Ireland Commissioner for Children and Young People
NILGA	Northern Ireland Local Government Association
NIMC	Northern Ireland Museums Council

NITA	Northern Ireland Theatre Association
NMNI	National Museums Northern Ireland
NSPCC	National Society for the Prevention of Cruelty to Children
OFMDFM	Office of the First Minister and deputy First Minister
PfA	Priority for Action
PPU	Public Protection Unit
PSC	Parish Safeguarding Committee
PSNI	Police Service of Northern Ireland
RAP	Regulated Activity Provider
RaISe	Research and Information Service
RPA	Review of Public Administration
SARC	Sexual Assault Referral Centre
SBNI	Safeguarding Board for Northern Ireland
SOCA	Serious Organised Crime Agency
SOLACE	Society of Local Authority Chief Executives
TDI	The Derwent Initiative
UKCCIS	United Kingdom Council on Child Internet Safety
UNCRC	United Nations Convention on the Rights of the Child

Executive Summary

The Committee for Culture, Arts and Leisure ('the Committee') began its specific and focused consideration of the topic of child protection and safeguarding in sport after a briefing from the National Society for the Prevention of Cruelty to Children (NSPCC) in November 2012 on the work of its Child Protection in Sport Unit (CPSU). The Committee joins in the wide acknowledgment of the excellent work undertaken by the CPSU and the standards and best practice which have been established in sport as a result. Members believe that the following six best practice standards for safeguarding vulnerable groups, applied by and audited by Sport NI, represent an excellent foundation. They closely mirror the "building blocks" set out by the Safeguarding Board for Northern Ireland (SBNI):

- Recruitment good practice;
- Effective management of volunteers and staff;
- Reporting;
- Codes of behaviour;
- Sharing information; and
- General safety and management.

The protection and safeguarding standards applied in sport have taken considerable effort to achieve and Members wanted to get a clearer picture of what was happening in other areas of the Culture, Arts and Leisure (CAL) remit. In doing this the Committee hoped to identify any gaps and consider ways to remedy these, particularly issues around individuals and groups which operate privately and outside the 'system', particularly 'self-employed persons'. The Committee is extremely mindful of the policies, networks and frameworks for the protection and safeguarding of vulnerable groups that exist outside the CAL remit and believes that the recommendations coming from this report must acknowledge these. Members sought out examples of best practice to share across the CAL family and to support the Department of Culture, Arts and Leisure ('the Department') in developing a more joined-up approach to these issues. At its meeting on 13th December 2012, the Committee agreed to conduct an investigation into gaps in child protection and safeguarding across the CAL remit. During the investigation, the Committee widened out its consideration to include all vulnerable groups, not solely children. The Committee agreed to proceed with an investigation rather than a full inquiry so that the evidence-gathering process could be undertaken over a more condensed period and would be specifically focused.

During the evidence gathering process, the Committee received written submissions and heard oral evidence from a wide variety of organisations, groups and bodies, including the Department, its Arm's-Length Bodies (ALBs), the NSPCC and the CPSU, Volunteer Now, the Police Service of Northern Ireland (PSNI), the SBNI, the Child Exploitation and Online Protection Centre (CEOP) and a range of stakeholder groups from across the remit. At the outset of the Committee's investigation, the Department indicated that it would be a willing partner in the process and would give detailed consideration to the Committee's findings.

The Committee is aware that the Department's Arm's-Length Bodies have policies and procedures in place, as do those they fund as part of the process of applying for funding. It is also clear that the sports sector has worked particularly hard and effectively to produce policies, procedures and systems to ensure that it protects and safeguards vulnerable groups. However, Members are also aware that there are many private tutors and small groups operating across the CAL remit, who are unregulated and unaffiliated. These individuals and groups are often unsure about protection and safeguarding issues and the Committee would like to reach out to them. Additionally, many organisations that are part of the 'system' and have policies and procedures are still unsure as to how they should be implemented or applied, or would benefit from advice or guidance tailored to their sector.

Again, the Committee wants to find ways to reach out to them. Members are also concerned about the challenges presented to vulnerable groups, parents and teachers by the internet and social media, and would like to identify ways in which these challenges can be mitigated.

The Committee understands the Department itself has limited direct contact with children and young people; however, Members commend the Department's acceptance that it must reach out to the organisations, individuals and partners within its sphere to establish common standards that can be rolled out as far as possible across the CAL remit. After the NSPCC's briefing to the Committee in November 2012, the Department met the NSPCC to discuss its report. At that meeting suggestions were made by the NSPCC including developing links with the SBNI; something which the Department has indicated it is willing to do. The Department also decided to reinstate its Child Protection Working Group which will include representatives of the ALBs and key partners. Members commend this action on the Department's part and are gratified that the Committee's briefing from the NSPCC and interest in this issue should have prompted this response from the Department.

OFMDFM is undertaking a 'gapping and mapping' exercise across all the Executive Departments with respect to their internet policies which will examine any issues that arise. The Committee has heard a great deal through this investigation about the challenges and benefits presented by the internet and social media. Members are very keen that collective action is taken by the Executive in a number of areas with reference to this, particularly in light of the tragic results of abuse and cyber bullying. The Committee has recommended a number of measures to be taken forward in the CAL remit, including an e-Strategy and an acceptable usage policy/code of conduct when using social media. Members believe that these have the potential to be rolled out across other sectors following successful pilots.

The SBNI has pledged to seek to co-ordinate an effective Member Agency approach to help children at risk of: becoming criminalised through on-line activity; bullying through cyber activity; and sexual abuse (through 'sexting' and on-line exploitation). The Committee commends the Board's stance on these issues and is supportive of the work that it is taking forward. The dangers of the internet and social media are continually evident in the media, with tragedies such as young people's suicides an all too regular occurrence. There is a role for the Executive to play in combating these issues; however, there is also a significant role for educating parents, carers, teachers, 'at risk' groups and young people in the safe use of the internet and social media. Measures to support this have been announced by the UK government around opting in or opting out of particular areas of internet provision; however, the Committee believes that this must be underpinned by better information and guidance around the use of the internet and social media.

Additionally, the Committee believes that ideas like the IFA's 'Clubmark NI' and Ulster GAA's 'Club Maith' are good and should be used more widely. To that end, the Committee has recommended that a chartermark standard for the protection and safeguarding of vulnerable groups should be developed as a pilot for the CAL sector, initially. This could be awarded to organisations which meet recognised standards and best practice. It could act as a 'seal of approval', allowing parents and volunteers to know that an organisation has considered these issues and is managing them to a specific standard. Members have further recommended various forms of awareness raising around protection and safeguarding to publicise the sources of information and help available. Ultimately, it is the Committee's aim that, following a successful pilot, a CAL chartermark standard would become a necessity for those working with vulnerable groups in the CAL sector and raise awareness of those working with these groups outside the system. The Committee believes that such a chartermark standard, or variations of it, could have applications across other sectors and should be considered in conjunction with existing policies and frameworks. The Committee is conscious that it will be important to avoid wasteful duplication with any such scheme.

Another key issue that the Committee has considered during this investigation and which has been emphasised by a number of contributors is that of protecting the volunteers and others

who undertake work with children and other vulnerable adults. Members believe that it is extremely important to ensure that these people understand how to protect themselves so that organisations which work with vulnerable groups can still attract staff and volunteers.

The NSPCC has suggested that a body like the CPSU should be developed for the arts and culture sectors and the Committee has recommended that the Department examines this in conjunction with the relevant ALBs as part of its wider review of the child protection and safeguarding arrangements that it has in place. The Department is also undertaking a review of its safeguarding policies and has engaged with the Department of Health, Social Services and Public Safety's (DHSSPS) Office of Social Services and Safeguarding Vulnerable Groups unit and asked them to look at the Department's safeguarding guidelines. The Department has undertaken to feed any recommendations back to the Committee and, again, Members welcome this positive response to the Committee's interest in this area. As highlighted previously, engagement with other departments, particularly Health, is important to avoid duplication or nugatory work.

The Committee is very aware of the special issues that surround vulnerable groups with respect to protection and safeguarding. While the Committee makes specific reference to children and young people in the objective and terms of reference for this investigation, Members are clear that this issue extends to a much wider group of people. The Committee is clear that protection and safeguarding policies and procedures should be cognisant of, and specifically clarify, the range of groups to which protection and safeguarding should apply. 'Vulnerable groups' is a phrase that the Committee heard a number of times during evidence sessions and Members believe it is important that safeguarding policies and procedures ensure there is clarity that this generic phrase includes **all** children and young people, adults with disabilities, special needs or other vulnerabilities and those with greater exposure to risk of harm.

Paul Stephenson of the CPSU highlighted:

"There is a need to motivate organisations that want to do things, teach people, give them skills, and so on. They need to up their game...It is about professional support mechanisms whereby they can download forms, information and guidance and access training that is specific to their sector. It is about supporting the voluntary sector. It is not about saying: 'You have to go and do this, but we do not have any answers for you'".

The Committee, and the majority of contributors to this investigation, regard the CPSU as an example of best practice. It represents a 'one-stop shop' of advice and guidance with respect to the protection and safeguarding of vulnerable groups in the sports sector and Members believe that it is a model worth replicating for other CAL sectors. Considering the sheer number of organisations, individuals and volunteers interfacing with vulnerable groups on a daily basis, it is important that we provide beacons, such as the CPSU, to which organisations can go to receive appropriate, up-to-date and contextualised advice. The Committee is also aware the recent changes to the vetting and barring legislation will have an impact on the CAL sector. One only has to look at the scale of the vetting that is currently undertaken to see that during 2012 Access NI received 131,896 applications for disclosure, of which 105,540 were for enhanced checks.

Members came to this investigation conscious of the backdrop of abuse by celebrities of vulnerable groups across a period of decades and how and why this went unreported. In its paper to the Committee the Northern Ireland Association of Social Workers (NIASW) talked about how the Savile case illustrates again how difficult it is for vulnerable groups to seek help when they have been abused and, despite a system of assurances and good governance, it may be very difficult to come forward. The Committee believes there are ways to achieve this and explores these in this report. A key platform where vulnerable groups can be heard and have their needs addressed was established with the launch of the SBNI in September 2012. As the Board's written submission to the Committee highlights:

“The Assembly decided to create the SBNI because it believed that more could, and should, be done by organisations and professionals to protect vulnerable children...The SBNI was established within Northern Ireland in 2012, in recognition of the fact that children are more likely to be protected when agencies work in a comprehensive, co-ordinated and consistent fashion”.

The Committee supports this view that the best way to close gaps in the protection and safeguarding of vulnerable groups is to work together as a network with clear structures for information sharing. Members are keen that this networking should involve the Churches and Faith Groups, which work closely with vulnerable groups themselves, or provide spaces and facilities for others who do this. The SBNI commented:

“Whilst there is some variation, it is clear that the Church Organisations have taken steps to check the “bona fides” of anyone seeking to hire or lease their premises and in so doing to ensure that checks of the Organisation’s Child Protection Policy and credentials are established”.

The Committee believes that this investigation has been extremely worthwhile and that the following recommendations will help to close some of the gaps in the protection and safeguarding of vulnerable groups that Members have helped to identify.

Summary of Recommendations

N.B. 'Vulnerable groups' is a generic phrase which should be taken to include all children and young people, including those with disabilities, special needs or other vulnerabilities; and including adults with disabilities, special needs or other vulnerabilities and those with greater exposure to risk of harm.

Working with the Executive and Local Government

Chartermark Standard (Branding)

1. The Committee recommends that the Minister engages with relevant Executive colleagues to seek their practical advice for the development of a **chartermark** standard, or a range of standards, as appropriate. This would initially be piloted in the CAL sector. The Committee understands the need for a clear 'brand' for protection and safeguarding and the intention is that this standard could become the recognised brand for best practice in organisations working with vulnerable groups. A successful pilot within the CAL remit might allow a chartermark standard to be extended to other sectors, including local government and the community and voluntary sectors. It would provide assurance that organisations have appropriate protections and safeguards with respect to vulnerable groups and are operating within recognised best practice guidelines. Ultimately the Committee would like to see self-employed persons being able to access this standard of recognition. It will be particularly important for the Minister to liaise with the Department of Health, Social Services and Public Safety on how the development of a CAL chartermark standard pilot might be taken forward in conjunction with existing policies and frameworks.

Awareness Campaign

2. The Committee recommends that the Minister considers launching a CAL **chartermark** standard pilot as part of a wider awareness-raising campaign around protection and safeguarding. The Minister should seek advice from Executive colleagues as to how they might be able to inform such a campaign. A campaign would be useful to reassure the public initially that measures are being taken within the CAL remit.

Self-Employed Persons

3. The Committee recommends that the Minister engages with Executive colleagues to examine what work is underway around the regulation of 'self-employed persons' who work with vulnerable groups. Members believe that it is key that these individuals, generally working with vulnerable groups outside the regulated system, be addressed using an awareness campaign. The Committee believes that the initial roll out of a pilot chartermark standard within the CAL remit could test the effectiveness of this method at reaching out to 'self-employed persons'.

The role that Local Government can play

4. While acknowledging that it has no remit with respect to local government, the Committee recommends that local councils work together and with reference to current policies and frameworks, as well as to the Safeguarding Board NI, to establish:
 - Common standards for policies and procedures with respect to the protection and safeguarding of vulnerable groups;
 - Common standards and protocols for the use of their facilities and premises by third parties; and
 - Common standards, accreditation and intervals for the protection and safeguarding training that their staff and volunteers receive.

The Committee considers that it would be useful for this to be agreed and mandated across the councils. A significant aid to better understanding and practical use of policies and procedures for the protection and safeguarding of vulnerable groups is that they are standardised. Local government could and should play a key role in the operation of a **chartermark** standard beyond a successful initial CAL pilot.

E-strategy

5. It is clear to the Committee that the development of an overarching e-strategy is the responsibility of the Office of the First Minister and the deputy First Minister. However, the Committee recommends that the Minister takes the lessons learned from the CAL remit and contributes fully to the development of the e-strategy with her Executive colleagues, particularly ensuring that the needs of vulnerable groups and parents are addressed. Additionally, the Committee recommends that the Executive's e-strategy should form the basis for the development of a specific Departmental e-strategy in conjunction with the Arm's-Length Bodies and expert stakeholders, and with reference to advice on existing policies and frameworks. Again, the Committee sees a Departmental e-strategy being linked to the CAL sector chartermark standard.

Link to a Child Protection and Safeguarding Portal

6. The Committee recommends that the Minister works with Executive colleagues and the SBNI to develop a link, similar to that developed by CEOP, which can be applied to websites where individuals or groups might go to seek information on protecting and safeguarding vulnerable groups. This link could initially be piloted within the CAL remit and would lead to a portal that provides up-to-date advice and information on this issue, including current statutory requirements. Adoption of the link could also be part of a **chartermark** standard and its effectiveness could be assessed through a CAL pilot. Discussion is also required to ascertain how this link might operate for the cross-border bodies.

Smartphone Application

7. The Committee recommends that the Minister engages with the Irish Football Association with regard to its development of a safeguarding smartphone application and, in conjunction with the Arm's-Length Bodies and expert stakeholders, examines the possibility of such an application being piloted for staff and volunteers working with vulnerable groups within the CAL sector. A successful pilot could then be shared/discussed with Executive colleagues with a view to a wider roll out. Such an application would also provide a useful vehicle to publicise a **chartermark** standard, following a successful CAL pilot of a standard.

Education

8. The role of educating children and young people, teachers and parents in the positive use of the internet and social media largely falls to other departments. However, the Committee recommends that the Minister engages with relevant Executive colleagues to seek best practice in this area to share with the CAL family. These departments are then likely to be the first points of contact regarding the wider roll out of a **chartermark** standard, following a successful CAL pilot. It is important to raise parents' awareness of sources of information regarding the protection and safeguarding of their children.

The Department, its Arm's-Length Bodies and other partners

9. The Committee recommends that safeguarding and protection of vulnerable groups is a permanent agenda item for the Department's accountability meetings with its Arm's-Length Bodies. Additionally, the Committee recommends that the Department holds records centrally of any concerns regarding protection and safeguarding that have been raised with the ALBs and any subsequent action that is taken. Furthermore, the Committee recommends that this

information is used to assist the development and evolution of the policies and procedures for the protection and safeguarding of vulnerable groups adopted by the Department and its ALBs.

10. The Committee recommends that the Department engages with the Arts Council of Northern Ireland (ACNI), and the culture bodies, Foras na Gaeilge and the Ulster Scots Agency/Ulster Scots Community Network, to establish a model for an audit of organisations within the arts and culture sectors respectively. This would examine the policies and procedures that bodies in the sectors have in place to protect and safeguard vulnerable groups. These audits should be taken forward as soon as is practicable. The Committee would expect that the Department and relevant bodies would complete the development of terms of reference and a methodology within six months, along with an action plan to deal with the audits' outputs. The Committee would expect that the audits' outputs would be shared with relevant parties. The audits should also extend to other ALBs, as appropriate. Consideration must be given to how audits would be handled in the case of the cross-border bodies.
11. The Committee recommends that the Department, in conjunction with the relevant departmental ALBs and partners, seeks to establish an equivalent of the Child Protection in Sport Unit for the arts and culture sectors. The Committee looks forward to receiving proposals from the Department suggesting how such a body might be advanced, how it might be constituted and the key roles and functions that it would have. The Committee believes that departmental core funding of the body represents the greatest likelihood of securing its long-term continuation. Again, consideration must be given as to how this might work with respect to the cross-border bodies.
12. The Committee recommends that the Department and its Arm's-Length Bodies use the Departmental Child Protection Working Group to ensure that their protection and safeguarding policies highlight the different 'vulnerable groups' and how particular and specific protection and safeguarding issues apply to each. Specific work must be done with respect to developing and disseminating best practice in protecting and safeguarding those with disabilities and those with special needs with reference to existing policies and frameworks. The ALBs will then roll out this standardised approach to those organisations that they fund/ have influence over as an example of best practice.
13. The Committee recommends that the Minister and the Arm's-Length Bodies liaise with the Northern Ireland Commissioner for Children and Young People (NICCY) to establish a Young Person Reference Group. This would give young people a voice in key policies and strategies, including the development of policies and procedures for protection and safeguarding. The Committee would suggest that this Group might work effectively on a virtual basis and could, again, be part of a **chartermark** standard pilot within the CAL sector. It is important that this Group takes cognisance of existing frameworks for advice and co-operation and to avoid the duplication of work.
14. The Committee recommends that the Department engages with its Arm's-Length Bodies to ensure that, in addition to regular reviews of their policies and procedures for the protection and safeguarding of vulnerable groups, they undertake a regular strategic audit of these as part of their Internal Audit Plan. These audits should take place on a biennial cycle to ensure that up-to-date best practice is applied. Additionally, the Committee recommends to the CAL Arm's-Length Bodies that they ensure their fundees and partners do the same.
15. The Committee recommends that the Minister undertakes, in conjunction with the CAL Arm's-Length Bodies and relevant expert stakeholders, to develop and introduce a CAL 'Acceptable Users' policy and a code of conduct for communication with young people through any form of social media with guidelines about when and how young people should be communicated with. Again, consideration should be given to the inclusion of such a policy and code in a CAL sector **chartermark** standard pilot.
16. The Committee recommends that, to facilitate greater co-operation in the field of protection and safeguarding of vulnerable groups, the Department establishes a formal link with the

SBNI; either through a Memorandum of Understanding or, if more appropriate, through membership of one or more of the SBNI's committees.

17. The Committee recommends that the Safeguarding Board NI continues to engage with the Churches and Faith groups to support them in establishing the “bona fides” of individuals/ organisations using their premises to undertake activities involving vulnerable groups. The Committee supports the SBNI drawing the Culture, Arts and Leisure Arm's-Length Bodies into this engagement, primarily for the purpose of information sharing. This engagement could also facilitate the working of a CAL **chartermark** standard pilot.
18. The Committee recommends that the Department works with the SBNI to ensure that the key contact details needed by its ALBs and their partners, as part of their protection and safeguarding documents for staff and volunteers, are kept constantly up-to-date and appropriately disseminated.
19. The Committee recommends that the Department engages with relevant networks/ stakeholders and with existing frameworks to promote and disseminate specific guidance for volunteers working with vulnerable groups; thus allowing them to be sufficiently knowledgeable and secure to undertake volunteering and providing an environment of information which will encourage new volunteers.
20. The Committee recommends that Sport NI continues to engage with the NSPCC and other expert providers to consider any further suggestions that it might have for embedding the safeguarding message into all sports and all aspects of sport. The Department should also support the extension of this facility to all its ALBs.

Training and Knowledge Exchange

21. The Committee is acutely aware that issues around the protection and safeguarding of vulnerable groups are very fluid and are constantly changing, particularly in the areas of the internet and social media. As a result, the Committee recommends that training and retraining for those working with vulnerable groups within the CAL remit should be set within specific timeframes, probably every two years, to ensure relevance. This is particularly important for those working with those with disabilities and those with special needs. Best practice with respect to this can then be fed back into existing networks and frameworks to create greater standardisation.
22. The Committee recommends that the Department considers organising a biennial conference for the CAL family around best practice in the protection and safeguarding of vulnerable groups. Such a conference will focus the minds of organisations within the CAL remit and will ensure that this issue is high on organisations' agenda. This kind of forum will provide an excellent opportunity to exchange information and learning and feed best practice into existing networks and frameworks.

Introduction

Background

1. The Committee for Culture, Arts and Leisure ('the Committee') began considering the topic of child protection and safeguarding in sport after hearing a briefing from the National Society for the Prevention of Cruelty to Children (NSPCC) in November 2012 which reflected on the work of its Child Protection in Sport Unit (CPSU). The Committee acknowledged the excellent work undertaken by the unit and the standards and best practice which had been established in sport. Members felt it was an important part of their scrutiny role to consider the child protection and safeguarding situation in other areas of the Culture, Arts and Leisure (CAL) remit and therefore undertook to make an investigation into where there are gaps in child protection and safeguarding and how these might be remedied.
2. At its meeting on 13th December 2012, the Committee agreed to conduct an investigation into gaps in child protection and safeguarding across the Culture, Arts and Leisure remit. The Committee agreed to proceed with an investigation rather than a full inquiry so that the evidence-gathering process could be undertaken over a more condensed period and would be specifically focused.
3. From January through to May 2013, the Committee received written submissions and heard oral evidence from a wide variety of organisations, groups and bodies, including the Department of Culture, Arts and Leisure ('the Department'), its Arm's-Length Bodies (ALBs), the Police Service of Northern Ireland (PSNI), the Child Exploitation and Online Protection Centre (CEOP) and a range of stakeholder groups from across the remit.
4. At the outset of the Committee's investigation, the Department indicated that it would be a willing partner in the process and would give detailed consideration to the Committee's findings.

Objective and Terms of Reference

5. The objective of this investigation is:

"To seek gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit, to identify examples of best practice in this area and, by comparing these, make recommendations to the Minister of Culture, Arts and Leisure with respect to highlighting any gaps and suggesting how they might be mitigated".
6. In meeting this objective, the Committee set out the following terms of reference for the Investigation:
 - The Committee will seek to map the existing structures for Child Protection and Safeguarding across the sectors in the CAL remit;
 - Members will analyse the elements of the systems in place in the sports sector to assess transferability to other sectors within the CAL remit;
 - The Committee will identify exemplars and benchmarks against which the sectors in the CAL remit can base their Child Protection and Safeguarding guidance and practices;
 - Members will examine the issues around 'cyber-bullying' and social media, including education on safe and effective use of the internet for children and young people and their parents; and
 - The Committee will use its findings to present the Department with recommendations for managing and closing gaps in Child Protection and Safeguarding across its remit and, additionally, the Committee will disseminate these recommendations to other Statutory Committees.

The Committee hopes that its conclusions and recommendations will help to support and develop the superb work in child protection and safeguarding that Members have heard and read about during the investigation.

The Committee's Approach

7. The Committee launched its investigation after agreeing terms of reference on 10th January 2013. The Committee communicated with the Department and its ALBs, asking for them to send written submissions on the issue to the Committee and prepare to brief the Committee. The Committee also sought the views of two key players in the child protection and safeguarding arena, the NSPCC and Volunteer Now. Both organisations submitted papers and briefed the Committee orally. Additionally, the Committee sought the views of targeted organisations across the CAL remit and, as awareness of the Committee's investigation spread, a number of other organisations asked to submit written evidence and/or brief Members orally. The Committee sought to accommodate as many oral briefings as it could while reflecting on the fact that the investigation was specifically constructed to allow it to be undertaken and concluded on a more focused and timely basis than a full Committee inquiry.
8. As the investigation progressed, Members decided that the issues around the internet and social media were sufficiently important to seek to engage directly with young people, their parents and their teachers. A stakeholder event was held at Grosvenor Grammar School on 2nd May 2013 to allow Members to discuss these issues. The session was facilitated by Wayne Denner (BeattheCyberbully) and comprised Members, and students, parents and teachers from Grosvenor Grammar School, Our Lady and St. Patrick's School, Ashfield Girls' High School and Lagan College. As this session involved young people and was informal, no transcript of the discussions was made. However, the Committee found the experience useful for contextualising issues around the internet and social media with respect to the benefits and challenges they present young people with.
9. Submissions received, minutes of evidence and research papers commissioned by the Committee can be found in the Appendices to this report.

Acknowledgements

10. The Committee would like to express and record its appreciation and thanks to all those organisations and individuals who submitted written evidence, gave oral evidence, attended stakeholder events, contributed to the launch of the inquiry, and participated in the Committee's discussion forum at Grosvenor Grammar School.

Consideration of Evidence

Context

11. The Committee is aware that the Arm's-Length Bodies of the Department have policies and procedures in place, as do those they fund as part of the process of applying for funding. It is also clear that the sports sector has worked particularly hard and effectively to produce policies, procedures and systems to ensure that it protects and safeguards vulnerable groups. However, Members are also aware that there are many private tutors and small groups operating across the Culture, Arts and Leisure ('CAL') remit, who are non-regulated and unaffiliated. These individuals and groups are often unsure about protection and safeguarding issues and the Committee would like to reach out to them. Additionally, many organisations that are part of the 'system' and have policies and procedures are still unsure as to how they should be implemented or applied, or would benefit from advice or guidance tailored to their sector. Again, the Committee would like to find ways to reach out to them. Members are also concerned about the challenges presented to vulnerable groups, parents and teachers by the internet and social media and would like to identify ways in which these challenges can be mitigated.

The Department's role

12. During their evidence session at the end of January 2013 (Appendix 2), Departmental officials commented:

"The Department rarely provides services directly to children. However, most of our partners' activities involve contact with children and young people. The aim of the work with our partners is to establish agreement and consistency in safeguarding standards, and we want to maximise and extend our influence to individuals or organisations funded or commissioned to provide any services for children and young people in the culture, arts and leisure sector, to ensure that they effectively address the safeguarding requirements".
13. The Committee understands the Department's position whereby it has limited direct contact with children and young people; however, Members commend the Department's acceptance that it must reach out to the organisations, individuals and partners within its sphere to establish common standards that can be rolled out as far as possible across the CAL remit.
14. In 2006 the Department commissioned the Education and Training Inspectorate (ETI) to look at the child protection arrangements of a sample of organisations in the CAL remit. Officials indicated to the Committee that the resulting report was generally good; however, there were gaps and inconsistencies in policies and practice that were flagged up. The Report identified the need to provide more formal guidance to sponsored organisations on matters relating to child protection; to deliver a child protection workshop with external input and providing examples of best practice; and to examine how the Department, given its ALB management arrangements, can develop a more robust system of monitoring the child protection arrangements across its sponsored bodies. This is exactly the approach that the Committee is endorsing in this investigation report. Members see the need for the Department to lead the way on consistency of standards and ensure that they are rolled out as widely as possible.
15. As result of this process a Departmental Guide to Safeguarding was issued to its ALBs in June 2009. Two training events were also held in February 2008 and May 2010. The Department also introduced a system of monitoring and reporting child protection arrangements across the ALBs. It also established a Departmental Child Protection Working Group to act as a co-ordinating unit to raise awareness of the implementation of the safeguarding policies and legislative developments that were affecting the Department and its sponsored bodies at that time. The Working Group comprised a representative from each business area and a policy officer from the NSPCC.

16. The Department indicated that its regular governance and accountability meetings with its sponsored bodies also ensure that child protection policies and nominated protection officers are in place in all of the ALBs. The Department highlighted that safeguarding is an agenda item at all of the ALB accountability meetings; and the ALBs have to complete an annual checklist which assesses the organisation's performance against those generic standards. Indeed, the Department went on to highlight that safeguarding also forms part of the risk management process, which is reported at the end of the year as part of the statement of internal control in the annual accounts. Again, the Committee was pleased to hear that these mechanisms should be in place. However, Members are aware that the Working Group has ceased meeting. The ETI did a follow up review in 2009/10, which found the ALBs' safeguarding arrangements were satisfactory.
17. After NSPCC's briefing to the Committee in November 2012, the Department met the NSPCC to discuss its report. At that meeting, suggestions were made by the NSPCC including developing links with the SBNI, something which the Department has indicated it is willing to do. The Department also decided to reinstate its Child Protection Working Group which will include representatives of the ALBs. Members commend this action on the Department's part and are gratified that the Committee's briefing from the NSPCC and interest in this issue should have prompted this response from the Department.
18. OFMDFM is undertaking a 'gapping and mapping' exercise across all the Executive Departments with respect to their internet policies which will examine any issues that are thrown up (Appendix 5). The Department is represented on the OFMDFM inter-departmental group. The NSPCC has suggested that a body like the Child Protection in Sport Unit (CPSU) should be developed for the arts and the Department has agreed to look at this as part of its wider review of the child protection and safeguarding arrangements that it has in place. The Committee is also interested in this idea and it features later in this report. The Department is also undertaking a review of its safeguarding policies and has engaged with the Department of Health, Social Services and Public Safety's (DHSSPS) Office of Social Services and Safeguarding Vulnerable Groups unit and asked them to look at the Department's safeguarding guidelines. This is particularly relevant in view of developments in September 2012 around vetting and barring. This review will consider whether the guidelines are up-to-date and fit-for-purpose. The Department has undertaken to feed any recommendations back to the Committee and, again, Members welcome this positive response to the Committee's interest in this area. Further, the Department has undertaken to disseminate anything that the DHSSPS review shows up to its ALBs and the wider CAL family through the reconstituted Working Group.
19. In their briefing to the Committee, Departmental officials confirmed that protection and safeguarding incidents are recorded centrally:

"In 2012, we had six incidents in the museums sector, eight incidents in the library sector and two incidents in the arts sector. In each case we were satisfied that they were dealt with appropriately".
20. Again, the Committee is pleased to hear that such issues are relayed to the Department which can then analyse issues and trends and feed back to the ALBs. However, during their briefing officials also stressed to the Committee:

"There is a role for the involvement of local government. Much culture, arts and leisure activity takes place in local government facilities, which is where the gap is. We need to ask local authorities what they demand of someone who comes to hire a hall or venue in the local leisure centre".
21. This is an issue of which Members are very conscious and it is examined more fully below. Officials also raised the issue of the wide variety of child protection and safeguarding courses that are available which are often not overarching and not of a consistent quality. Again, this is something that is of concern to Members and is considered below. The officials also

stressed the need to avoid duplication or confused messages in the information that is disseminated and the courses/training that are run. Overall, the Committee believes that the Department has responded very positively to its investigation into this issue and Members look forward to making progress through this report.

National Society for the Prevention of Cruelty to Children (NSPCC)

22. It was the NSPCC's briefing to the Committee in November 2012 which crystallised Members' view that child protection and safeguarding is an important and contemporary issue on which there is some work that needs to be done. That brief focused on safeguarding in sport; however, it was clear that the issues were very relevant to the other areas of the CAL remit. In its original submission to the Committee, the NSPCC said:

"Sport can play an important part in the promotion of good health and exercise promotes general well-being. As such, sport and participation in sport play an important role in the Choose Life Suicide Prevention Strategy. We have been promoting the importance of raising awareness of self-harm and suicide through numerous different sports forums and coach education programmes".

23. Members wholeheartedly agree with this statement and believe that encouraging and facilitating young people to participate in sport is extremely important for their general wellbeing. As the statement also suggests, sport can also be used as a medium to highlight a variety of issues to young people and that is a theme that recurs throughout this report. In the submission the NSPCC also highlighted that deaf and disabled children may be especially vulnerable to abuse for a number of reasons:

- Increased likelihood of social isolation;
- Fewer outside contacts than children without a disability;
- Dependency on others for practical assistance in daily living (including intimate care);
- Impaired capacity to resist, avoid, or understand abuse;
- Speech and language communication needs may make it difficult to tell others what is happening;
- Limited access to someone to disclose to; and
- Particular vulnerability to bullying.

24. In the submission the NSPCC goes on to suggest that:

"....it is therefore essential that those working with such a particularly vulnerable group understand these risks and put measures in place to reduce harm".

25. The Committee is very aware of the special issues that surround particularly vulnerable groups with respect to protection and safeguarding. While the Committee makes specific reference to child and young people in the objective and terms of reference for this investigation, Members are clear that this issue extends to a much wider group of people. The Committee is clear that protection and safeguarding policies and procedures should be cognisant of and specifically clarify the range of groups that protection and safeguarding should apply to.
26. 'Vulnerable groups' is a phrase that the Committee heard a number of times during evidence sessions and Members believe it is important that safeguarding policies and procedures ensure there is clarity that this generic phrase includes **all** children and young people, including those with disabilities, special needs or other vulnerabilities; and including adults with disabilities, special needs or other vulnerabilities and those with greater exposure to risk of harm. The Committee would like organisations within the CAL family to ensure that their protection and safeguarding policies and procedures highlight this. The Committee was made

- aware during the NSPCC's briefing on the investigation that Sport NI has already started to look at this issue.
27. In 2010 Volunteer Now advised that the Safeguarding Vulnerable Adults – A Shared Responsibility, Standards and Guidance for Good Practice in Safeguarding Vulnerable Adults was launched, stressing the need to take vulnerable adults into account when designing protection and safeguarding policies. Volunteer Now (Appendix 3) and other contributors to the investigation have indicated that it would be a positive development to have a best safeguarding practice standard for community and voluntary groups working with vulnerable groups.
 28. It is apparent that there is a strong need for a clear standard to be applied for the protection and safeguarding of vulnerable groups and that this should become a symbol of good practice and recognition of the appropriate procedures and protocols in place. If such a standard was publicised using a TV and radio campaign, for example, it would not only allow the public to know which organisations meet these standards but would have the additional advantage of offering a tangible symbol of recognition for self-employed persons working with vulnerable groups to aim for.
 29. **Recommendation: The Committee recommends that the Department and its Arm's-Length Bodies use the Departmental Child Protection Working Group to ensure that their protection and safeguarding policies highlight the different 'vulnerable groups' and how particular and specific protection and safeguarding issues apply to each. Specific work must be done with respect to developing and disseminating best practice in protecting and safeguarding those with disabilities and those with special needs with reference to existing policies and frameworks. The ALBs will then roll out this standardised approach to those organisations that they fund/have influence over as an example of best practice.**
 30. **Recommendation: The Committee recommends that the Minister engages with relevant Executive colleagues to seek their practical advice for the development of a chartermark standard, or a range of standards, as appropriate. This would initially be piloted in the CAL sector. The Committee understands the need for a clear 'brand' for protection and safeguarding and the intention is that this standard could become the recognised brand for best practice in organisations working with vulnerable groups. A successful pilot within the CAL remit might allow a chartermark standard to be extended to other sectors, including local government and the community and voluntary sectors. It would provide assurance that organisations have appropriate protections and safeguards with respect to vulnerable groups and are operating within recognised best practice guidelines. Ultimately the Committee would like to see self-employed persons being able to access this standard of recognition. It will be particularly important for the Minister to liaise with the Department of Health, Social Services and Public Safety on how the development of a CAL chartermark standard pilot might be taken forward in conjunction with existing policies and frameworks.**
 31. **Recommendation: The Committee recommends that the Minister considers launching a CAL chartermark standard pilot as part of a wider awareness-raising campaign around protection and safeguarding. The Minister should seek advice from Executive colleagues as to how they might be able to inform such a campaign. A campaign would be useful to reassure the public initially that measures are being taken within the CAL remit.**
 32. **Recommendation: The Committee recommends that the Minister engages with Executive colleagues to examine what work is underway around the regulation of 'self-employed persons' who work with vulnerable groups. Members believe that it is key that these individuals, generally working with vulnerable groups outside the regulated system, be addressed using an awareness campaign. The Committee believes that the initial roll out of a pilot chartermark standard within the CAL remit could test the effectiveness of this method at reaching out to 'self-employed persons'.**
 33. In its paper to the Committee for this investigation (Appendix 3), the NSPCC makes specific reference to the timeliness of the investigation in the wake of the revelations about Jimmy

Savile and a host of other celebrities and the subsequent Operation Yew Tree. The Committee was obviously aware of the context within which it decided to undertake this investigation; however, considering issues around the protection and safeguarding of vulnerable groups is something that the Committee would have done irrespective of the situation with respect to the allegations made against celebrities. The Committee's investigation was in response to Members awareness that there are many groups and individuals across the CAL remit with regular and prolonged access to vulnerable groups who do not know about how to protect and safeguard children and themselves, or who may wish harm to vulnerable groups and are not operating in a regulated context. The NSPCC shares the Committee's concerns around dance, drama and music teachers who are not affiliated to wider organisations and its submission goes on to highlight one of the key drivers for the Committee deciding to undertake this investigation:

"...DCAL and its ALBs have more direct contact with children than any other sectors apart from education and health...Through its various bodies DCAL has a substantial opportunity going forward to ensure good standards of practice in the care and supervision of children while involved in any activity supported by its ALBs".

34. The Committee is conscious of the number of children, young people and other vulnerable groups who undertake activities within the CAL remit and this is a key reason why Members wish to ensure that any gaps in the protection and safeguarding of these groups are identified and eliminated. To give the Committee some context with respect to its activities, the NSPCC highlighted that it provides Childline and a range of guidance on safeguarding issues, policies, procedures and case issues. Part of its function is the provision of the CPSU, which is now recognised as a "world leader" by the United Nations and the International Olympic Committee. The CAL Minister stated in the Assembly in November 2012:

"The Child Protection in Sport Unit...is recognised and accepted as the source of expert safeguarding advice and support by the sports sector".

35. The Committee's awareness of the excellent work undertaken by the CPSU was another key driver in the establishment of this investigation. Members wished to see whether the CPSU was replicated in any form elsewhere within the CAL remit and how transferable it might be to other areas of the sector. The Committee has seen considerable evidence that sport in Northern Ireland has worked hard over the last number of years, with the help of the CPSU, to ensure that its protection and safeguarding of vulnerable groups is robust and constantly evolving in response to change. This investigation will look specifically at the structures for protection and safeguarding that have been set up in sport and the CPSU below.

36. During its oral briefing to the Committee (Appendix 2), the NSPCC made a number of important points. Individuals or smaller groups who work with vulnerable groups, but are not affiliated to larger organisations which can either support and inform them about protecting and safeguarding vulnerable groups, require good guidance. The NSPCC stressed the particular importance of structures and guidance for dance groups because they deal so often with changing clothes and costumes etc. The Committee had these individuals and groups in the forefront of its mind when it started this investigation as they tend to work in the context of private funding and are therefore not within the orbit of the regulated CAL bodies, the ALBs, or governing bodies such as those in sport. They need guidance on what they can and cannot do. Paul Stephenson of the CPSU highlighted:

"There is a need to motivate organisations that want to do things, teach people, give them skills, and so on. They need to up their game...It is about professional support mechanisms whereby they can download forms, information and guidance and access training that is specific to their sector. It is about supporting the voluntary sector. It is not about saying, 'You have to go and do this, but we do not have any answers for you'. That is the difference with Sport NI. It has accessible training and information on its website, and sample pro formas are available".

37. The Committee would like these individuals and groups to be able to share in the wealth of information, guidance and support that already exists across the CAL remit. Irene McCready (NSPCC) went on to say:

“One thing that I am finding with the smaller groups is that many of them have never seen or heard of the Area Child Protection Committee regional child protection policies and procedures, nor, it seems, their own child protection policies and procedures from their governing body”.

38. However, as well as ensuring that vulnerable groups are protected when dealing with these groups and individuals, the Committee is also keen that the individuals and groups working with the vulnerable groups are themselves protected. Members believe that to encourage people to volunteer or to continue to provide private tuition to vulnerable groups it is important that they understand how to protect themselves and remain within activities that are appropriate.

Volunteer Now

39. The other key organisation to which many of the respondents to the Committee’s investigation referred was Volunteer Now. In its written submission to the investigation the organisation highlighted that it has been funded by the DHSSPS since 1996 to promote and develop principles of good practice for the protection of children and young people in the community and voluntary sector. These are most specifically outlined in the ‘Our Duty to Care’ guidelines and the ‘Getting It Right’ minimum standards. These documents have played a key role in the development of many organisations’ policies and procedures around the protection and safeguarding of vulnerable groups. Organisations are also supported and trained by Volunteer Now to meet the standards set out in the documents; indeed, the CPSU has developed and disseminated policy based on the ‘Our Duty to Care’ guidelines. Importantly, these guidelines are constantly updated to include topical issues, such as social media. The guidance and standards produced by Volunteer Now address:

- Development of a written policy promoting the organisation’s commitment to safeguard the general welfare, health and full development of children and protect them from harm of all kinds;
- Consistent application of a thorough and clearly defined method for recruiting staff and volunteers in line with legislative requirements and best practice;
- Implementing procedures for the effective management, support, supervision and training of staff and volunteers;
- Developing and implementing clearly defined procedures for raising awareness of, responding to, recording and reporting concerns about actual or suspected abuse;
- Developing written guidelines outlining the behaviour expected of all involved within the organisation through a clear Code of Behaviour;
- Ensuring relevant information is shared appropriately with parents, children, staff, volunteers and other agencies; and
- Promoting the general safety and effective management of activities through written guidelines.

40. Throughout this investigation the Committee considered organisations’ policies and procedures for protection and safeguarding that reflected these guidelines. It is clear to the Committee that Volunteer Now has and continues to play a vital role in the development and updating of guidance and practice with respect to these issues and the provision of training, either directly or through cascading. It is vital that this pivotal role is protected. As Volunteer Now indicated in its paper:

“The policy framework within which the Our Duty to Care project operates has always placed emphasis on the welfare and wellbeing of children and young people, and more recently, vulnerable adults...High profile abuse cases across all sectors have resulted in increased awareness of the need for robust safeguarding practices to be applied when working with all vulnerable groups and the recognition of a need to respond”.

41. The Committee is extremely conscious of the fact that the current environment of revelations about abuse of vulnerable groups by celebrities means that embedding of good guidance and practice around protection and safeguarding is as relevant now as it has ever been. Volunteer Now reflected in its paper on the importance of its research and the guidance it has produced:

“The Our Duty to Care project has become recognised as the market leader in the voluntary and community sectors in relation to the development of training and standards around safeguarding children and young people and is an important source of support for those involved with children and young people”.

42. Volunteer Now highlighted that there are 4,836 organisations in the community and voluntary sector and 14% work with children and families (State of the Sector, 2012); and in a sample of 142 church and faith based groups 78% indicated that they offer volunteer opportunities to work with children and 77% with young people. This reflects the considerable need for the work that Volunteer Now does. However, as Volunteer Now could not keep up with the demand for safeguarding training it formed a Trust-based partnership model with local statutory organisations (Health Trusts, Education and councils) and voluntary organisations to develop a cascade training strategy. This means Volunteer Now trains a number of trainers from across the organisations and sectors represented and they go out and cascade this training. Trainers are subject to tight quality assurance mechanisms and are regularly updated on policy and legislation changes so as information going out to the sector remains consistent and of a high quality. The Committee believes that this sort of approach is exactly what the CAL sector requires to ensure that there is consistent and high quality training available to whoever requires it and that information about it is widely disseminated as information and guidance on the Volunteer Now website and can be used by organisations to inform their own safeguarding policies.

43. Between 2006 and 2009 Volunteer Now was commissioned by the Arts Council of Northern Ireland (ACNI) to carry out a comprehensive training, support and policy development project with all groups funded through ACNI. This was made available to a wide range of groups and is still disseminated on the ACNI website. With the changes taking place currently in this area Volunteer Now expressed concerns to the Committee that the training and overall support package need updated. The Committee is also of the view that this area is one where constant review and updating is essential. Volunteer Now indicated in their submission that:

“There is some disparity however in terms of what some sectors consider as the minimum learning required for the different roles involved in working with children and/or vulnerable adults. Agreement about this would ensure there is consistency of practice across all sectors and agreement on ‘portability’ of training across sectors”.

44. Volunteer Now is working with the SBNI to establish minimum standards for training. It is important that other expert groups are consulted on those minimum standards. For example, it is vital that there is consideration made of the particular training needed for those working with those with disabilities or special needs. Groups with a clear understanding of the relevant issues need to be involved in these discussions.

45. **Recommendation: The Committee is acutely aware that issues around the protection and safeguarding of vulnerable groups are very fluid and are constantly changing, particularly in the areas of the internet and social media. As a result, the Committee recommends that training and retraining for those working with vulnerable groups within the CAL remit should be set within specific timeframes, probably every two years, to ensure relevance.**

- This is particularly important for those working with those with disabilities and those with special needs. Best practice with respect to this can then to should then be fed back into existing networks and frameworks to create greater standardisation.**
46. **Recommendation: The Committee recommends that the Department considers organising a biennial conference for the CAL family around best practice in the protection and safeguarding of vulnerable groups. Such a conference will focus the minds of organisations within the CAL remit and will ensure that this issue is high on organisations' agenda. This kind of forum will provide an excellent opportunity to exchange information and learning and feed best practice into existing networks and frameworks.**
47. There are a number of pieces of legislation that operate in the area of the protection and safeguarding of vulnerable groups. These were highlighted to the Committee through research undertaken by RalSe (Appendix 4). The Protection of Freedoms Act (2012) makes provision for a new disclosure and barring service. The Act will affect all individuals who have contact with children and adults at risk, including those in sport and recreation organisations. The Sport and Recreation Alliance has highlighted the three most significant changes coming out of the legislation. These are:
- 'Regulated activity' and the individuals who must be checked legally;
 - Single disclosures being sent to individuals only; and
 - Continuous updating and portability arrangements – criminal records status check – allowing the individual to hold one disclosure for multiple roles. Each organisation can log on to a portal and check that the disclosure they are being shown is current by using the individual's unique identification number.
48. **'Regulated activity'** is defined as being where the following requirements are met: teaching, training, instructing, caring for or supervising children **OR** providing guidance/advice on well-being **OR** driving a vehicle only for children **AND** happens frequently (once a week or more often) **OR** happens intensively (on four or more days in a 30 day period or overnight) **AND** the individual carrying out the activity of teaching, training or instructing is unsupervised. The Crime and Courts Bill (2012-13) contains a proposal to create a National Crime Agency to replace the work of the Serious Organised Crime Agency (SOCA) and Child Exploitation and Online Protection Centre (CEOP).
49. The Munro Review of Child Protection was launched in June 2010 when the Secretary of State for Education commissioned Professor Eileen Munro of the London School of Economic and Political Science to carry out an Independent Review of the child protection system in England. She highlighted that the system has become over-bureaucratised, gave undue importance to performance indicators, targets and recording and had too much emphasis on process rather than quality and effectiveness. She recommended that the system could be reformed and improved:
- Statutory guidance should be revised to cut out unnecessary or unhelpful prescription and should focus on essential rules and principles for good practice;
 - Take a preventative approach through early intervention with children and families as this does more to reduce abuse and neglect than reactive services; and
 - Social workers should be enabled to exercise more professional judgement, but effort must be made to improve their expertise during their initial training and through Continuous Professional Development.
50. The Safeguarding Board (NI) Act (2011) established a Regional Safeguarding Board for Northern Ireland (SBNI), sited within the Public Health Agency. It also created Safeguarding Panels in each Health and Social Care Trust area to support the work of the SBNI.
51. The Irish government's Thirty-First Amendment of the Constitution (Children) Bill of 2012 has implications for child protection policy and practice in the RoI. The Bill repeals Article 42.5 of

the Constitution and inserts a new Article 42A. The reforms would allow the courts to make decisions on the child's best interests and recognise the child's right to be heard. This is seen as a key development towards the full implementation of the United Nations Convention on the Rights of the Child (UNCRC). A Children's Rights Referendum on the reforms was held on 10th November 2012. The yes vote received 58%, with a turnout of 33.5%. Enactment has been delayed by a legal challenge. Children's right have been recognised across Europe with the European Convention on Human Rights (ECHR) and the UNCRC.

52. The ECHR (1950) was incorporated into UK law in 1998, coming into force in 2000; although not child-specific, it allows individuals to protect their rights through the domestic courts and, failing this, through the European Court of Human Rights in Strasbourg. The European Court has recognised the importance of the UNCRC, although this is not a specifically European instrument, and it has been ratified by every country in the world except the USA and Somalia. It establishes the best interests of the child as a guiding principle which should inform all policy and practice in relation to children, including child protection. The child's right to be protected is enshrined in the UNCRC. Article 34 commits states to '...protect the child from all forms of sexual exploitation and sexual abuse...' and to take all appropriate national, bilateral and multilateral measures to that end. The UNCRC was ratified by the UK in 1991; however, full incorporation into domestic law has not yet taken place.

Access NI

53. During this investigation many organisations made references to Access NI in their briefings and written submissions. The Committee sought a written briefing from Access NI outlining its role and remit to provide a level of clarity. The paper submitted (Appendix 3) outlines that the body is an integral part of the Department of Justice and is responsible to the Minister. Access NI operates under Part V of the Police Act 1997, with its role being to: "...provide criminal history and other information to employers to ensure that safe and appropriate recruitment decisions are taken". There are three levels of check:
- **'Basic'** – includes information on criminal convictions, except those regarded as spent;
 - **'Standard'** – includes information on all criminal convictions, including those regarded as spent; and
 - **'Enhanced'** – as Standard, plus any non-conviction information that might be relevant and ought to be disclosed.
54. For enhanced checks the subject will be working in regulated activity as defined under the Safeguarding Vulnerable Groups (NI) Order 2007 (as amended) and the information will include a check of lists held by the Disclosure and Barring Service (DBS) of those individuals not permitted to work with children or vulnerable adults. The DBS is a Non Departmental Public Body within the remit of the Home Office that makes decisions on whether individuals in England, Wales and Northern Ireland should be prevented, or "barred" from working with children or adults. It also provides the disclosure function for England and Wales that Access NI provides for Northern Ireland. The work of Access NI is mostly with the statutory, voluntary and private sector organisations which work with children and vulnerable adults. Once a check is processed a certificate goes to the individual and another to the registered body. **Registered Bodies** often act for other organisations requiring checks which are not registered bodies. Prior to April 2013 there were 2,000 registered bodies and this has now fallen to 700 following a review of the criteria for existing and new registered bodies. Registered bodies apply the Access NI Code of Practice and are subject to monitoring by Access NI.
55. During 2012 Access NI received 131,896 applications for disclosure, of which 105,540 were for enhanced checks. For example, the GAA's Ulster Council sought nearly 900 checks between April and November 2012, while the Irish Football Association sought over 650. It is important to note that Access NI has no statutory powers to determine whether and when applicants must or should apply for enhanced checks. Legislative requirements with respect to this are laid down by other departments. However, Access NI can determine whether an

individual application is eligible for the level of disclosure applied for. A fee is charged for processing applications; with enhanced checks costing £30 – those falling within Access NI's definition of a volunteer receive checks free of charge.

56. A key issue that was highlighted to the Committee by a number of organisations who provided evidence to this investigation is that legislation is forthcoming which will make checks portable, or transferrable, between jobs and positions. Currently the information provided on checks is only valid on the day it is issued and each new post requires a fresh application. The new legislation will allow employers to conduct an online check to see whether the information presented to them is the most up-to-date available. The legislation is expected to come into force in early 2014. Access NI stressed in its paper that it is not responsible for any aspect of child protection policy.

Police Service of Northern Ireland (PSNI)

57. The Committee was also very interested in hearing from the PSNI on the work it does with respect to the protection and safeguarding of vulnerable groups. To that end Members asked the PSNI to brief the Committee and this briefing was transcribed (Appendix 2). The PSNI has established eight Public Protection Units (PPUs), one in each of the policing districts. A PPU is made up of four elements: the child abuse investigation unit; missing and vulnerable persons officers; domestic abuse officers; and management of offenders officers. The PPU deal with the vast majority of child protection related issues. The PSNI also highlighted in its briefing session that it is working with partners to open a world-leading Sexual Assault Referral Centre (SARC). The PSNI is also represented on the Safeguarding Board for Northern Ireland and works very closely with the Child Exploitation and Online Protection Centre.
58. The officers highlighted that children are more vulnerable to abuse, which is something that the Committee heard from the majority of contributors, reinforcing the importance of this investigation. There is a dedicated full-time public protection team comprising PSNI officers, Probation Board officials, and trust social workers. This team protects children and other vulnerable people by managing the highest risk offenders living in the community.

Northern Ireland Association of Social Workers (NIASW)

59. The Northern Ireland Association of Social Workers (NIASW) welcomed the Committee's investigation and highlighted that:

"...everyone has a responsibility to ensure that children are safe and protected and all public bodies have a responsibility to ensure that...they have systems and procedures in place to safeguard children; and that the systems are fit for purpose...The Department for Culture, Arts and Leisure has a responsibility for a large number of volunteer groups and museums where there would be substantial contact with children and as such it is essential to ensure that the proper governance arrangements are in place to protect children".

60. Like so many of the other respondents to the Committee's investigation, the NIASW recognises the Child Protection in Sport Unit as a model of best practice. Again, like many other organisations, it suggests that the Department could explore the CPSU model to inform what systems and procedures it should put in place across the whole CAL remit. This is a suggestion that is explored more fully below. The NIASW also highlights the challenges presented by the fact that organisations across the CAL spectrum are loosely structured and not necessarily fully engaged in networks. Members realise that this is one of the greatest issues in replicating the work of the CPSU in the culture and arts sectors. The NIASW suggested that it would support improved resources for safeguarding being made available for the arts and leisure sectors and this is also explored below.
61. In its paper the NIASW talked about how the Savile case illustrates again how difficult it is for vulnerable groups to seek help when they have been abused and, despite a system of assurances and good governance, it may be very difficult to come forward. The NIASW suggested that the Committee recommends that the Department should develop a strategy

around inclusion, empowerment and enablement through Arm's-Length Bodies. In particular, steps should be taken to actively facilitate young people's empowerment and finding ways to ensure that young people have access to independent sources of help such as Childline. The NSPCC also put forward a similar suggestion in its original submission to the Committee (Appendix 3).

62. **Recommendation: The Committee recommends that the Minister and the Arm's-Length Bodies liaise with the Northern Ireland Commissioner for Children and Young People (NICCY) to establish a Young Person Reference Group. This would give young people a voice in key policies and strategies, including the development of policies and procedures for protection and safeguarding. The Committee would suggest that this Group might work effectively on a virtual basis and could, again, be part of a chartermark standard pilot within the CAL sector. It is important that this Group takes cognisance of existing frameworks for advice and co-operation and to avoid the duplication of work.**

Northern Ireland Commissioner for Children and Young People (NICCY)

63. The NICCY also welcomed the Committee's investigation. In her submission to the investigation (Appendix 3), the Commissioner acknowledges there have been a number of positive developments in safeguarding across the Department's remit, including the circulation of Guidance on Safeguarding Children (2009) and the integration of child protection standards into funding and sponsoring arrangements. The Committee's investigation has shown how these work in practical terms and Members would agree with the Commissioner that they are of considerable value. The integration of child protection standards into funding and sponsoring arrangements is explored below.
64. The Commissioner, like many of the contributors to the investigation, pays tribute to the valuable contribution made by organisations such as the CPSU and Volunteer Now, with its Our Duty to Care project. The key issues raised by the Commissioner include:
- **Safe Recruitment** – in common with a number of other respondents, the Commissioner believes changes in vetting and barring arrangements must be carefully considered and the restricted definition of Regulated Activity means that thought must be given to ensuring that appropriate levels of protection are in place;
 - **Vulnerable Groups** – the Commissioner, like other contributors, stresses the need to ensure that thought is given to particularly vulnerable groups such as disabled children and those involved in intensive training or elite athlete programmes; emphasising that 16 and 17 year olds are also vulnerable to abuse and exploitation and, as noted by the NSPCC, this is not reflected in the protections of the Sexual Offences Order (2008) in regard to sports and other activities across the CAL remit;
 - **Safeguarding Culture** – the Commissioner suggests that the Department should have an active safeguarding group and identify: "...where the role of ALBs and governing and umbrella bodies in monitoring and auditing child protection standards as well as supporting improvements in association, club and group safeguarding can be strengthened";
 - **Children's Rights** – again, like the many other respondents, the Commissioner believes these should be embedded throughout the CAL remit: "A child rights ethos should be central to all policies, procedures and practices within groups and organisations". The Commissioner highlighted that the Department is a signatory to NICCY's Participation Policy Statement of Intent. She would like to see how good participation and child rights practice can be incorporated into funding and sponsorship arrangements; and
 - **Joined-up Government** – the Commissioner states that policies and procedures must be consistent across the bodies and organisations within the CAL remit and there should also be close liaison with the OFMDM in relation to their work on online safety and cyber bullying.

65. In relation to safeguarding culture, the Department has already reconstituted its Child Protection Working Group and this will go some way towards the Commissioner's desire that the Department and its ALBs should work more closely regarding protection and safeguarding issues and should see best practice rolled out more widely to the wider CAL family. The Commissioner welcomed this development and that of DHSSPS being asked to undertake a review of the Department's safeguarding policies. With respect to the Commissioner's comments on Vulnerable Groups, the Committee has already made a recommendation regarding the issue above and is aware of the ongoing work of the NSPCC with the Department of Justice regarding 16 and 17 year olds' inclusion in the Sexual Offences Order (2008). With respect to the other issues raised by the Commissioner, these are dealt with by the Committee below.

66. The Commissioner also raised the issue of the application of protection and safeguarding best practice to activities, including those private homes, that are not subject to the requirements of government funding arrangements or governing body regulation and do not take place in local government venues. These are issues that the Committee heard a great deal about and are dealt with at various points in this report.

Safeguarding Board for Northern Ireland (SBNI)

67. The SBNI was launched by the Ministers of Health, Social Services and Public Safety, Education and Justice in September 2012. As the Board's written submission (Appendix 3) to the Committee highlights:

"The Assembly decided to create the SBNI because it believed that more could, and should be done by organisations and professionals to protect vulnerable children...The SBNI was established within Northern Ireland in 2012, in recognition of the fact that children are more likely to be protected when agencies work in a comprehensive, co-ordinated and consistent fashion".

68. The Committee wholeheartedly agrees with this view that co-ordination and consistency are essential to afford vulnerable groups the highest level of protection.

69. Volunteer Now, the Northern Ireland Association of Social Workers (NIASW) and the Northern Ireland Commissioner for Children and Young People (NICCY) all welcomed the establishment of the SBNI in their submissions to this investigation (all Appendix 3). The NIASW stated in its submission:

"The new Safeguarding Board NI arrangements will see improvements made to the operation of local interagency arrangements for the protection of children and a more wider safeguarding agenda...[the] NIASW would suggest the development of a Memorandum of Understanding between the Department of Culture, Arts and Leisure and Safeguarding Board NI to take forward strategic developments in this area".

70. NICCY (Appendix 3) also suggested that the Department should develop a formal relationship with the SBNI, which would allow the experiences of Departments such as Education and Health in monitoring safeguarding practice across wide ranging sectors such as childcare and youth and community work to be drawn on. Other contributors to the investigation made similar suggestions in recognition of the need for joined-up work in this area. The Committee agrees that the SBNI provides a pivotal role in bringing together expertise in the area of the protection and safeguarding of children and other vulnerable groups.

71. The Chair of the SBNI is directly accountable to the Health Minister and is subject to the scrutiny of the Health Committee. The membership of the SBNI is largely drawn from the remits of the Departments of Health, Social Services and Public Safety, Education and Justice aside from the NSPCC National Head of Services, five voluntary sector representatives and the chief executives of two district councils.

72. In its submission the SBNI stated:

“The objective of the SBNI is to co-ordinate and ensure the effectiveness of what is done by its Members to safeguard and promote the welfare of children in Northern Ireland”.

73. It is important that the Department is involved in supporting this objective. The functions of the SBNI are to:
- Take into account children and young people’s views on the effectiveness of arrangements to safeguard and promote the welfare of children;
 - Take into account the importance of the role of parents and other carers in safeguarding and promoting the welfare of children;
 - Develop policies and procedures to safeguard and promote the welfare of children;
 - Promote an awareness of the need to safeguard children and protect their welfare; keep under review the effectiveness of what is done by each person or body represented on the Board;
 - Undertake Case Management Reviews (CMRs) in order to learn lessons in cases where children have died or have been seriously injured;
 - Review such information as may be prescribed in relation to the deaths of children in NI (to become operational later this year);
 - Advise the Regional Health and Social Care Board and Local Commissioning Groups in relation to safeguarding and promoting the welfare of children; and
 - Promote communication between the SBNI and young people.

74. The SBNI submission goes on to say:

“The unique role of the SBNI is its capacity to tackle issues on a strategic, co-ordinated and multi-agency basis, to create a culture across organisations, which will lead to continuous improvement in terms of safeguarding and protecting children...The SBNI can facilitate, co-ordinate, challenge and provide leadership but it is not operationally accountable for the work of Member Agencies...The task of the SBNI is to ensure that the issues of safeguarding and child protection continue to receive a high profile matched by an on-going commitment from the Member Agencies to continuous improvement...The key to the success of the SBNI lies in engaging and securing the commitment of the Member Agencies to: collaborate; share information and resources; develop new ways of working or new approaches; and deliver on the strategic commitments they make when signing up to the SBNI’s strategic and annual business plans”.

75. The SBNI also acknowledges that the Culture, Arts and Leisure sectors come into contact with a vast number of children and young people. Like so many of the other contributors to this investigation, the SBNI praises the work of the CPSU and the ‘Clubmark’ scheme. In its submission the SBNI goes on to suggest that gaps/weaknesses in the system need to be identified and that it is necessary to ensure that there are building blocks in place in relation to policy and procedures. SBNI stresses that it is vital that attention is given to the establishment of a governance framework and that assistance is given to organisations which are isolated by making available a support and training framework similar to that provided by the CPSU which will also help to establish links with similar bodies both within and outside the sector, including the SBNI.
76. The Committee believes that the SBNI must be properly resourced to be as effective as it can be and Members would wish to ensure that the body’s level of resourcing allows it to work with the CAL sector sooner than its business plan suggests. This investigation has made clear that the CAL sector deals with numerous vulnerable individuals and this makes the sector a priority for the Safeguarding Board’s attention.
77. Judging by the comments above from the NIASW, NICCY, the SBNI and the Committee’s own view that the CAL remit has a significant interface with vulnerable groups, Members believe

that there should be a formal link between the SBNI and the Department. This would allow the Department to be able to contribute the experiences of its ALBs and stakeholders to the knowledge acquired by the SBNI and for the entire CAL family to benefit from the work undertaken by the SBNI.

78. **Recommendation: The Committee recommends that, to facilitate greater co-operation in the field of protection and safeguarding of vulnerable groups, the Department establishes a formal link with the SBNI; either through a Memorandum of Understanding or, if more appropriate, through membership of one or more of the SBNI's committees.**

79. Another issue that the Committee has considered during this investigation, and which has been emphasised by a number of contributors, is that of protecting the volunteers and others who undertake work with children and other vulnerable groups. Members believe that it is extremely important to ensure that these people understand how to protect themselves so that organisations which work with vulnerable groups can still attract staff and volunteers. On this issue the SBNI submission states:

"Whilst the SBNI's focus is on the safeguarding of children, we recognise that there is a balance to be struck between having a robust system that protects children and a system which is so bureaucratic and overly regulated that volunteers become disenchanted or that the opportunities for children to grow and develop are stifled in a web of regulations...The development of clear and unambiguous guidelines and policy and procedures relating to the following are needed: recruitment and selection; effective management of staff/volunteers; reporting of concerns; code of behaviour; sharing of information; general safety and management of activities...For large organisations like Sport NI, it is important that through policy "building blocks", these individual tasks are brought together to form a governance framework so that the issue of safeguarding is periodically and systematically reviewed. Obviously, this is a lot more difficult to achieve in the context where there is no overarching sponsor or governing body".

80. The Committee agrees that it is very important that these policy "building blocks" are essential for organisations so that their staff and volunteers feel as protected as the vulnerable groups that they work with. In the next section of the investigation report, which deals with the existing structures in place in the ALBs and other organisations, it is clear that these foundations are visible and they are reinforced in key organisations such as the NSPCC and Volunteer Now. The Committee believes that it is vital that these key elements are present in all policy and procedure documents across the CAL sector and that they are dealt with consistently. As indicated, Members have seen considerable evidence of them in the submission and briefings they have received from a range of organisations. However, it is important that the Committee highlights their importance and the need for them to be clear.

81. **Recommendation: The Committee recommends that the Department engages with relevant networks/stakeholders and with existing frameworks to promote and disseminate specific guidance for volunteers working with vulnerable groups; thus allowing them to be sufficiently knowledgeable and secure to undertake volunteering and providing an environment of information which will encourage new volunteers.**

82. A key reason for the Committee to undertake this investigation was Members concern about those who undertake work with vulnerable groups as individuals or small organisations which are not affiliated to governing bodies and are not within the 'funded' or 'regulated' environment. In a subsequent submission to the Committee (Appendix 5) the SBNI clarified that home tutors are subject to vetting and barring arrangements. However, Access NI doesn't issue Enhanced Disclosure Certificates or Barred List checks for those such as home tutors who are self-employed – this is due to the absence of a 'Regulated Activity Provider' (RAP), i.e. the employer, who can say if the applicant will be engaged in regulated activity. Parents who pay tutors are not considered to be RAPs. It is expected that a 'duty to check' those in regulated activity within the next 12 months will be introduced, but this won't apply to self-employed persons. Access NI has indicated that once portable disclosure checks become

available in NI (2014) it is intended that home tutors will be able to apply for a portable Enhanced Disclosure certificate with a Barred List Check through an umbrella body. They can then provide details to parents. The Committee believes that there is a lack of awareness amongst these private tutors, small unaffiliated groups and parents about what protection and safeguarding is, how it should be done and when. To that end, Members believe that there must be better information for these groups.

83. **Recommendation: The Committee recommends that the Minister works with Executive colleagues and the SBNI to develop a link, similar to that developed by CEOP, which can be applied to websites where individuals or groups might go to seek information on protecting and safeguarding vulnerable groups. This link could initially be piloted within the CAL remit and would lead to a portal that provides up-to-date advice and information on this issue, including current statutory requirements. Adoption of the link could also be part of a chartermark standard and its effectiveness could be assessed through a CAL pilot. Discussion is also required to ascertain how this link might operate for the cross-border bodies.**

84. The Committee is aware that the Irish Football Association is developing a smart phone application that will also provide a similar function.

85. **Recommendation: The Committee recommends that the Minister engages with the Irish Football Association with regard to its development of a safeguarding smartphone application and, in conjunction with the Arm's-Length Bodies and expert stakeholders, examines the possibility of such an application being piloted for staff and volunteers working with vulnerable groups within the CAL sector. A successful pilot could then be shared/discussed with Executive colleagues with a view to a wider roll out. Such an application would also provide a useful vehicle to publicise a chartermark standard, following a successful CAL pilot of a standard.**

86. Additionally, many of these individuals or small, unaffiliated groups which provide tuition often use the premises of councils or the Churches/Faith groups to undertake their work. The Committee believes that these organisations have a role to play in ensuring that they protect vulnerable groups who might be participating in these activities. The SBNI also highlighted this in its submission:

"...some activities are organised for children and young people by individuals or a group of individuals who have no links with any organisation but use the facilities owned by district councils, education or faith groups. The SBNI believe that a more consistent approach by the councils, education and faith groups to checking the credentials of such individuals would afford an extra level of protection".

87. The SBNI indicates that while it has no legislative remit within the CAL sector it is building relationships within the sector and is keen to establish more, including with faith groups. Given that the Education Department and district councils are Legislative Member Agencies of the SBNI it can ensure through its quality assurance programme that their child protection/safeguarding processes are in place.

The Churches and Faith Groups

88. Dealing with the Churches/Faith groups first, the SBNI provided the Committee with supplementary information on what these organisations do with respect to the protection and safeguarding of vulnerable groups when they are on their premises but are engaging in activities organised by another individual or group. The SBNI communicated with the Churches/Faith groups to ascertain how they administer the use of their premises by outside organisations or individuals to ensure that appropriate checks are in place with respect to the safeguarding of young people.
89. **The Child Evangelism Fellowship of Ireland** requests to see organisations' safeguarding policy and then agreement is reached to decide whose policy will be worked under. A check is also required with respect to organisations' public liability insurance and an outline of

the health and safety guidelines is either given in writing or verbally to the groups using the premises. **The Salvation Army** in its activities and in the use of its properties follows safeguarding policies and procedures laid down by its Head Office in London. If another organisation uses its premises they must sign a standardised licence. If under 18s are involved then the organisation is required to produce their child protection policy for checking. This licence is forwarded to the Area Office in Belfast to be approved by the Board.

90. **The Church of Ireland, Presbyterian Church in Ireland and The Methodist Church in Ireland** have their own child protection guidelines; however, they have also developed a **Common Protocol for Independent Organisations** working with children and young people. This is called 'Taking Care' and sets out minimum standards of good practice when dealing with children and young people based on 'Getting it Right' and 'Our Duty to Care'. This is signed annually by the organisation using the premises. The Protocol seeks to clarify the expectations and responsibilities of both the Churches and the Independent Organisations, focusing on the areas of: child protection policy; the appointment of leaders; information sharing; reporting of concerns; evidence of appropriate insurance cover; and the expectation that activities will be carried out safely and any safety concerns will be reported to the Church.
91. **The Catholic Diocese of Down and Connor** has indicated that each parish has its own **Parish Safeguarding Committee** (PSC) which ensures that key checks are in place and carried through with respect to independent groups or individuals who are leasing or hiring their premises. In order to deliver an activity involving children and/or vulnerable adults the group/individual must sign a form confirming that they have: a child/vulnerable adult safeguarding policy, their staff and volunteers are appropriately vetted, their staff and volunteers have attended child/vulnerable adult safeguarding training, appropriate insurance is in place to cover their activity (a copy must be provided to the PSC). The form must be signed by the leader in charge and a copy retained by the PSC. The guidelines state that it is the duty of the organisation to ensure that the premises are suitable and appropriate for planned activities; and that these activities are carried out safely. Any health and safety concerns regarding the premises are notified by the organisation leader to the appropriate person within the Parish as soon as possible. The organisation must confirm to the Parish PSC that it has adopted and consistently implements a child protection policy, it has names and contact details for the leader and volunteers involved and that these have had an Access NI check and have received appropriate child protection training and are aware of the organisation's reporting procedures, and have written confirmation from their insurer that adequate cover is in place for the organisation's activities.
92. The independent organisation provides this information in a **Club Audit Checklist Form** which must be signed by the person in charge to confirm that they have met all of the criteria. A copy of their insurance must be provided to the PSC Chair. In addition, a contract of usage should be drawn up between the Parish and the organisation, outlining expectations and responsibilities agreed between the two parties. It is the Parish's responsibility to establish this contract. If an individual wishing to lease or hire Parish premises cannot fulfil these it is possible for them to work to the Diocesan Child Protection Policy and Procedures and attend the training, fulfil the requirements expected of other Parish staff, consent to a vetting check and work to the Diocesan Code of Conduct. The decision to do this rests with the individual Parish.
93. Individuals who seek the lease or hire of Parish premises for one-off events such as a child's birthday party are not going to be able to meet the above criteria; however, all Parishes are insured to cover one-off private events such as these. They are not required to complete the Club Audit Checklist and the PSC does not need to be involved. However, it is good practice with respect to these events to draw up an agreement with the potential hirer to highlight terms and conditions of the use of the hall, the responsibilities of both parties, how accidents should be reported and health and safety etc. Parish Hall Committees or Parish Priests would benefit from developing such pro formas for all such requests.

94. The SBNI commented:

“Whilst there is some variation, it is clear that the Church Organisations have taken steps to check the “bona fides” of anyone seeking to hire or lease their premises and in so doing to ensure that checks of the Organisation’s Child Protection Policy and credentials are established”.

95. The Committee would agree that the evidence that has been provided suggests that the Churches and Faith groups are working hard to ensure that their premises are used safely by third parties working with vulnerable groups. Members believe that this work needs to be supported to ensure consistency and information sharing.

96. **Recommendation: The Committee recommends that the Safeguarding Board NI continues to engage with the Churches and Faith groups to support them in establishing the “bona fides” of individuals/organisations using their premises to undertake activities involving vulnerable groups. The Committee supports the SBNI drawing the Culture, Arts and Leisure Arm’s-Length Bodies into this engagement, primarily for the purpose of information sharing. This engagement could also facilitate the working of a CAL chartermark standard pilot.**

Existing Structures for Child Protection and Safeguarding across the sectors in the CAL remit

97. The Committee was keen during this investigation to receive information from all of the Department’s Arm’s-Length Bodies on their structures for the protection and safeguarding of vulnerable groups. In this section there is evidence from all of the ALBs and a number of other important organisations within the CAL remit. The sport sector is dealt with in a separate section of this report.

The Armagh Planetarium

98. In some cases, the Committee visited premises of the ALBs. One such visit was to the Armagh Planetarium, which is the Department’s smallest ALB. The Planetarium provided the Committee with its policy and procedures for protection and safeguarding (Appendix 5). The title of the Armagh Planetarium’s policy includes the phrase “Vulnerable Adults”, which is important as there are the same issues around protecting and safeguarding them as there are around children. This has already been highlighted above and a recommendation made. The policy that the Planetarium operates includes ensuring that staff are aware of the Safeguarding policy and procedures and the provision of a staff code of conduct. Additionally, there is a step-by-step guide as to how staff deal with an allegation. Training will be provided to staff within three months of beginning their employment and will be updated every two years. The policy also includes appropriate recruitment, selection and vetting procedures. Also the policy indicates that the document can be provided to those leading group visits to the Planetarium. The Redress and Complaints Policy is available on the website and the Safeguarding policy and procedures will be reviewed every two years, or more frequently if required.
99. The policy and procedures document goes on to define abuse and bullying and outline reporting procedures (including the use of an incident book with relevant contact details for the appropriate statutory authorities and an outline of the information that should be recorded for incidents) and initial actions that should be taken in the event of suspicions or allegations being raised. The document also contains a procedure to be followed in the event of a direct disclosure by a child, details of the designated officers and the importance of confidentiality. A code of behaviour is also included in the document, which sets out the principles that staff should follow when dealing with children; and also appropriateness of relationships with and attitudes towards children, as well as guidance for time spent alone with children.

100. Guidance is also given for dealing with young people at the Planetarium on work experience or other educational programmes. The process for selection training and supervision of staff is set out, and is the responsibility of the Director. There is also guidance on how to deal with lost and found children/vulnerable adults, as well as general health and safety advice – including how this applies to the arrival, supervision and general activities of young people etc. while they are at the Planetarium. The safeguarding policy and procedures are to be placed on the Planetarium website and also in the incident pack in the Administrator's Office for inspection. Appendix 1 to the document deals with recognition of abuse and poor practice; dealing with those with a disability and young people who display sexually harmful behaviour. Appendix 2 deals with a flow chart outlining the actions to be taken upon a report of child abuse. Appendix 3 details the safeguarding reporting procedures. Appendix 4 outlines useful/important contacts.

101. In his briefing to the Committee (Appendix 2), the Director of the Planetarium indicated that he uses the Church of Ireland as its Registered Body for Access NI checks. One particular issue that the Director mentioned, that the Committee believes can be addressed relatively easily, is the use of volunteers. The Planetarium ceased using volunteers a number of years ago as people who were volunteering were reluctant to involve themselves in the seemingly bureaucratic process of Access NI checks. Some were even offended that they should be asked to do this. However, there is greater understanding now of the importance of these checks and the process is continually being refined. The Committee believes that working with an organisation such as Volunteer Now would be of tremendous use to the Planetarium.

The Arts Council of Northern Ireland (ACNI)

102. In the paper the Committee received from The ACNI (Appendix 3), the organisation indicated that it distributes Exchequer money and National Lottery Funds to organisations and individuals who develop and deliver arts programmes. The paper also sets out the importance that the Arts Council attaches to child protection and safeguarding:

“The Arts Council aims to safeguard the welfare of children, young people and vulnerable adults participating in the arts”.

103. Again, the Committee is pleased that vulnerable adults are mentioned and this can be built on through the Committee's recommendation on this issue. The ACNI achieves this aim by ensuring that client and partner organisations are committed to good practice in this field. The paper goes on to set out principles around protection and safeguarding and the context of their interest – i.e. where their own staff are involved, an artist or facilitator is employed by a third party, or they fund an arts organisation for a programme of work. Designated officers and deputies are in place to deal with any issues or allegations that arise within the Arts Council's sphere of interest. These officers also liaise with the appropriate authorities around any issues.

104. The Arts Council's policy for child protection has been developed with the support of Volunteer Now. Organisations funded by the Arts Council must apply these guidelines and adapt them to their specific needs. Organisations receiving funding from the Arts Council which intend to work with child and young people must have a Child Protection Policy. The paper goes on to outline the principles that should be contained in such a policy, including reporting procedures, training for staff dissemination of information etc. Draw down of Arts Council funding is dependent on the organisation having submitted a copy of their Child Protection Policy. The organisation must also complete and return a Safeguarding Checklist. The paper acknowledges the primacy of the welfare of the child. The Arts Council reviews its policy and guidelines at least every three years. The Council also ensures that others in the arts sectors review and update their policies as appropriate.

105. The ACNI agrees that, while the internet provides a host of opportunities, there are also possible dangers necessitating safeguards be put in place. The ACNI, with the support of Volunteer Now and others in the sector, will develop a set of guidelines and actions for those

in the sector to enable them to increase awareness and actions they can take to create child internet safety. The Committee welcomes this commitment and discusses this issue further below. The ACNI also provides briefings to client organisations on Safeguarding and associated legislation. Additionally, it circulates information to client organisations relevant to Safeguarding Training provided by external organisations. The paper also provides a list of evidence of good practice on the part of the Arts Council. Annex 1 of the paper sets out the Arts Council's safeguarding policy and procedures. There is a note that the term "Vulnerable Adult" is used in the document is inclusive of older people. The policy opens with a statement of intent which outlines the role of the Arts Council and the principles it applies to child protection and safeguarding. The policy uses the phrase "children, young people and vulnerable adults" to encapsulate to whom the policy applies. It also sets out the responsibilities of recipients of Arts Council funding with respect to these issues.

106. The policy goes on to set out the procedure by which staff should report concerns, disclosures and allegations. This includes definitions and dos and don'ts that staff and volunteers should be aware of. It goes on to outline how to deal with concerns or allegations involving a member of staff or a volunteer. As with other policies, it is stressed that pursuance of concerns or allegations should be undertaken by the designated officers or their deputies. The policy also highlights that the Arts Council will not pursue an internal investigation if a referral is made to the PSNI as this could prejudice a criminal investigation. The policy also sets out reporting procedures. Appendix 1 of the policy provides information on the Arts Council Designated Officers, while Appendix 2 outlines other useful contacts. Appendix 3 is a flow chart of the concern reporting procedure and Appendix 4 is a flow chart of the procedure for reporting allegations or suspicions of abuse. The third part of the policy comprises the code of behaviour for Arts Council staff and volunteers, as well as client organisations. This is a useful series of dos and don'ts. There is a section specifically on physical contact which outlines when it is appropriate and when it is not. The paper also provides a Safeguarding checklist at Annex 2 which also has a child protection policy statement which must be signed and dated by client organisations, indicating when the policy was adopted, to draw down funding.

107. The Committee believes that the policy and procedures document that the ACNI uses is well laid out and thorough. It follows the "building blocks" highlighted by the SBNI above and by Volunteers Now and the NSPCC. Members believe that it is important that this policy and information should be disseminated as widely as possible throughout the arts and culture sector. The Committee is aware that the ACNI can stand behind the protection and safeguarding policies and procedures of those it funds directly; however, the Committee believes that it is important that the organisations further down the funding chain are also operating and implementing sufficiently robust protection and safeguarding policies and procedures. In his oral evidence to the Committee (Appendix 2), the ACNI's Director of Strategic Development said:

"We recognise that safeguarding is a collective responsibility...our policy as a funder aims to ensure that the welfare of children, young people and vulnerable adults is paramount in all relevant areas of our work...a cycle of meetings happens every quarter with funded organisations...I think that a general principle might emanate from the Inquiry about setting a new benchmark in safeguarding standards that we might expect in Northern Ireland".

108. **Recommendation: The Committee recommends that the Department engages with the Arts Council of Northern Ireland (ACNI), and the culture bodies, Foras na Gaeilge and the Ulster Scots Agency/Ulster Scots Community Network, to establish a model for an audit of organisations within the arts and culture sectors respectively. This would examine the policies and procedures that bodies in the sectors have in place to protect and safeguard vulnerable groups. These audits should be taken forward as soon as is practicable and the Committee would expect that the Department and relevant bodies would complete the development of terms of reference and a methodology within six months, along with an action plan to deal with the audits' outputs. The Committee would expect that the audits'**

outputs would be shared with relevant parties. The audits should also extend to other ALBs, as appropriate. Consideration must be given to how audits would be handled in the case of the cross-border bodies.

Foras na Gaeilge (Foras)

109. In its written submission to the Committee (Appendix 3), Foras indicated that its officers have no direct or regular contact with young people. Foras provides grant aid to organisations to work with young people and it has what it describes as a “comprehensive” child protection policy and code of practice which was undertaken in conjunction with the Ulster Scots Agency and prepared by the NSPCC. A working group between Foras and the Ulster Scots Agency has been set up to review the policy twice a year. The last revision to the policy was in May 2012.
110. The bodies receive regular updates about changes in legislation from the NSPCC and the National Youth Council of Ireland. Foras has a Designated Officer and a Deputy Designated Officer with respect to child protection and safeguarding issues. Foras believes its policies to be based on the highest standards of best practice and in line with current legislation. The submission highlighted Foras’ relationship with the NSPCC and National Youth Council of Ireland to allow them to stay abreast of changes in legislation and practice. The Committee commends this engagement with expert organisations. The policies are reviewed on a biannual basis and staff with child protection responsibilities are trained to “...the highest expected standard”. In-house training is also delivered to staff on protection and safeguarding. Awareness training has been completed by a majority of current staff. Training will be rolled out again before the end of the year to accommodate new staff. Three members of staff have been trained to deliver these programmes.
111. Within its policy, Foras has a specific Appendix dealing with ‘Keeping young people safe online’ which gives clear dos and don’ts of internet use with young people and outlines procedures and reporting breaches of rules. This is an important area of consideration for the Committee in this investigation and it is dealt with in more detail below.
112. Foras seeks advice from NSPCC and Volunteer Now on which staff need to be vetted. Staff who visit summer schemes do so infrequently and irregularly; however, Foras requires all new staff to be vetted by the appropriate authority depending on the jurisdiction in which the post will be based. Foras has a reporting and recording mechanism for child welfare and protection within its policy. Concerns can be reported to the Designated Officer or their deputy. Again, the Committee found Foras na Gaeilge’s policy and procedures to follow the foundations outlined by the key expert organisations.

Libraries Northern Ireland

113. Libraries NI’s written submission to the investigation (Appendix 3) indicated that there are 109,022 children and groups of children under the age of 16 and 8,163 teenagers aged 16 and 17 who are active members of the public library service. This makes up 40% of library users and gives our libraries a huge interface with children and young people. The paper goes on to state:

“Libraries NI is committed to providing a safe environment for all its customers and is particularly conscious of the need to ensure that children can access services safely whether in a library, in their own home or in another environment”.

114. Libraries NI has a number of policies and procedures relevant to child protection, of which the overarching one is the Safeguarding Children and Vulnerable Adults Policy. Again, the Committee is glad that Libraries NI acknowledges that policies and procedures should apply to all vulnerable groups. The policy’s aim is to protect these groups by providing guidance on the detection and management of situations where abuse or neglect is evident or suspected. The policy is under constant review, with a comprehensive review at least every three years. The policy was inspected by the Education and Training Inspectorate (ETI) in 2010 and was found to be operating satisfactorily. The Policy and associated training for staff have been

quality assured by Volunteer Now. Libraries NI's internal audit checks compliance with the policy when auditing branches and a strategic audit of Safeguarding arrangements is included in the Internal Audit Plan for 2013/14. The Committee believes that it is important that policies and procedures for the protection and safeguarding of vulnerable groups are not only reviewed on a regular basis, but that they are subject to strategic audits.

115. **Recommendation: The Committee recommends that the Department engages with its Arm's-Length Bodies to ensure that, in addition to regular reviews of their policies and procedures for the protection and safeguarding of vulnerable groups, they undertake a regular strategic audit of these as part of their Internal Audit Plan. These audits should take place on a biennial cycle to ensure that up-to-date best practice is applied. Additionally, the Committee recommends to the CAL Arm's-Length Bodies that they ensure their fundees and partners do the same.**
116. The general principles contained in the Libraries NI document are paraphrased below:
- Commitment to practice which promotes the welfare of the child and protects them from harm;
 - Recognition that children and young people have the fundamental right to be safe from harm and have their physical, emotional and spiritual wellbeing promoted by those looking after them;
 - Children and young people's welfare must be paramount over all other considerations;
 - Children and their families have a right to services to meet their needs regardless of which of the Section 75 categories they occupy;
 - Children and young people have the right to be heard, listened to and taken seriously;
 - Concerns will be reported to statutory agencies and children and parents will be involved appropriately;
 - An appropriate balance will be struck between protecting children and respecting the rights of other library users, but where there is a conflict the protection of the child comes first; and
 - Actions taken to protect the child or young person should not cause unnecessary distress or further harm.
117. The policy also sets out general principles which guide Libraries NI's approach to working with vulnerable adults, which are paraphrased below:
- Will actively work with other agencies to safeguard vulnerable adults;
 - Actively promote the empowerment and wellbeing of vulnerable adults through the services provided;
 - Support the rights of individuals to lead an independent life based on self-determination and personal choice;
 - Recognise people who are unable to take their own decisions and/or protect themselves, their assets and bodily integrity;
 - Ensure the safety of vulnerable adults by integrating strategies, policies and services; and
 - Ensure the law and statutory requirements are known and used appropriately.
118. The safeguarding policy is supplemented by detailed procedures and information and guidance for staff:
- What to do if a child or vulnerable adult discloses abuse (recognising abuse);
 - Dealing with unsupervised children;
 - Dealing with allegations against a member of staff (single staffing);
 - A code of conduct for staff when dealing with children and vulnerable adults;

- Contact details for Designated Officers and Social Services Gateway Teams;
 - Inappropriate use of the internet;
 - Filming or photography in the library;
 - Dealing with inappropriate and unacceptable behaviour;
 - Supporting vulnerable adults in the library environment; and
 - Visiting vulnerable adults in their homes or a care situation.
119. Again, the Committee believes that this policy and the accompanying general principles follows the good practice set out by the expert organisations. Members were impressed by what they heard from Libraries NI and commend the Chief Executive for her leadership.
120. Since it was established in 2009, Libraries NI has had Registered Body status with Access NI. All new employees are vetted in accordance with Access NI checking procedures prior to appointment. Enhanced checks are carried out on all frontline staff, including caretaking and cleaning staff. Temporary and volunteer staff are subject to the same procedures. Child protection is part of the staff induction and refresher training is provided on an ongoing basis to ensure awareness of the policy and procedures and staff responsibilities. There are 19 staff at middle management level who are Designated Officers. They receive more detailed training on safeguarding issues. They provide advice and support to frontline staff and can make referrals to statutory agencies.
121. The Lead Designated Officer sits on the Child Protection Co-ordinating Group in one of the Education and Library Boards which is chaired by a Chief Education Welfare Officer. This ensures that Libraries NI is plugged into wider sources of safeguarding information and practice. The Committee commends this important focus on co-operation and co-ordination. Designated Officers maintain records of all concerns and follow-up and quarterly reports are compiled by the Lead Designated Officer and provided to the Chief Executive and these are provided to the Department. Again, the Committee sees this as good practice. Safeguarding is a standing item on the agenda of the Chief Executive's Accountability meetings with DCAL. This is something highlighted at during the Department's briefing to the Committee and is something that Members believe to be very important.
122. While providing free internet access, Libraries NI has a policy on conditions of use by adults and children and guidelines for all staff. Children under 8 are not permitted to use the internet unless they are accompanied by an adult. Children between 9 and 16 must have the permission of a parent or guardian. All access to the internet is filtered to block illegal sites and pornography, with additional filtering applied to under 16's use of known social media sites. Additional blocking of sites can be applied by the Designated Officers as appropriate. The new e2 project computer system for 2013 will include improved internet access and pervasive wireless access in all libraries. As part of this Libraries NI is looking at enhanced filtering and monitoring and is reviewing policies on computer use.
123. In addition, Libraries NI offers support for use of the internet to adults through its **Got IT?** And **Go ON** programmes and advice is given on the use of social media. A programme of class visits is offered to all Year 4 and 6 pupils. The programme has been quality assured by the ETI and complements the curriculum. It consists of three visits to the library; with visit three entitled 'Computers and the Internet'. This provides information on safe use of the internet and an introduction to some quality assured sites. Libraries NI wishes to strike a balance between protecting children from the danger of the internet while empowering them to make responsible and informed decisions around using this important tool. Again, the Committee regards this as a key area for protection and safeguarding and it is considered further below.

The Northern Ireland Museums Council (NIMC)

124. In its written submission to the Committee (Appendix 3), the NIMC described itself as the advocate and service provider for all non-national museums, especially the 38 local museums in Northern Ireland which meet the UK Museum Accreditation Scheme. It distributes grant aid for the care and preservation of collections, for enhancing public access to museum collections, and enables museums to acquire artefacts. In its submission the NIMC highlighted:

“The Northern Ireland Museums Council is committed to the principle that children and vulnerable adults who access museums should be safe and protected from harm, believing that their welfare is paramount, that they have the right to protection from harm irrespective of their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity”.

125. The NIMC believes all museum staff should be aware of their responsibilities regarding safeguarding. The submission goes on to state:

“All museums which are recognised under the Museum Accreditation Scheme... are required to have a Safeguarding Policy in place and associated procedures in operation. The NIMC requires grant applicants to declare that they have adopted such a policy, to supply the Council with a copy of the version currently in operation. The Council strongly advises museums to regularly review and update policies and procedures in light of developments in practice and the legislation relating to protection issues”.

126. The NIMC supports local museums by providing advice, guidance and training. It has a policy guidance document which it sends to all museums: ‘Guidance to Museums on Safeguarding Children and Vulnerable Adults’. The document contains recommendations for what a Safeguarding Policy should include: the paramount nature of the welfare of children and vulnerable adults; clear commitments to staff/volunteer training; a commitment to disseminate the policy to interested parties; safe recruitment, selection and vetting; references to relevant legislation; arrangements for reviewing the policy; and pointers to all associated policies and procedures in place in the organisation to promote safeguarding. The document makes suggestions for a staff code of conduct and procedures for safeguarding, including designated officers and contact details for relevant internal and external personnel. Advice on the safe use of ICT, risk management in activity planning, unaccompanied or lost children, photography and filming of children, surveying and consulting children and outreach visits is also included. There is further advice on responding to a disclosure of abuse and whistleblowing. Appendices to the document include: relevant legislation and guidance; the roles and responsibilities of a Designated Officer; recognition of abuse; protecting young people with disabilities; guidance on vetting system; and useful contact details. Again, the Committee sees this document as following the “building blocks” referred to earlier.

National Museums Northern Ireland (NMNI)

127. In its briefing to the Committee with the NIMC (Appendix 2), NMNI stated:

“This year, we closed the books on 904,000 visitors, so again they were very busy sites... Our child protection policy dates back to 1996, and our latest version was published in 2011, after consultation and advice from organisations such as the NSPCC and the ETI. It follows the best practice format as set out by the DCAL”.

128. Clearly NMNI deal with a large number of children and young people and vulnerable groups generally. Of particular interest to the Committee is the Safeguarding Forum that the NMNI has set up. There had previously been a network of people involved in safeguarding, but the forum came out of a best practice recommendation by the Education and Training Inspectorate. The Committee sees this is a good idea for organisations in the CAL remit which are either large, or have multiple locations. Information gained through such a Forum can and should be fed back to the Department through its Child Protection Working Group. NMNI highlighted that:

“The biggest challenge for us, as an organisation, is unaccompanied kids...Online safety and security is also an issue...We face a practical issue in maintaining up-to-date details. Given the number of visitors who go through our sites, we do not have a huge amount of contact with police and social services, but when we do, sometimes contacts have changed and people have moved on. There is an ongoing issue in trying to keep that information up to date. If there were some way of creating a resource for that it would be helpful. We welcome the development of interests in safeguarding”.

129. The Committee has already recommended that the Department establishes formal links with the Safeguarding Board NI. The SBNI's Members cover the organisations which provide the contacts for most organisations with respect to the protection and safeguarding of vulnerable groups. It is therefore logical that the SBNI acts as a co-ordinating unit for the up-to-date provision of these contacts to the Department which can then disseminate them to its ALBs through its Working Group. The ALBs can then disseminate these to their partners in a cascade fashion.

130. **Recommendation: The Committee recommends that the Department works with the SBNI to ensure that the key contact details needed by its ALBs and their partners, as part of their protection and safeguarding documents for staff and volunteers, are kept constantly up-to-date and appropriately disseminated.**

131. During the briefing the NMNI highlighted that the Department's Learning Forum is very successful. It was suggested that the model could be used for a Safeguarding Forum; however, the Department has already indicated that it is reconstituting its Child Protection Working Group. The NMNI stated:

“Safeguarding is a fairly fast-moving territory, and what is good practice one day will possibly not be good practice another day. That sharing of information and knowledge would be very valuable”.

132. The Committee agrees with this view and it is to be hoped that the Department's Child Protection Working Group will enhance this sharing of information and good practice around safeguarding.

The Ulster-Scots Agency

133. In its submission to the Committee (Appendix 3), the Agency highlighted that it is committed to the delivery of a quality service that also promotes good practice and which protects children and young people from harm. As has already been highlighted, the Agency has a joint child protection and safeguarding sub-committee with Foras na Gaeilge. Following a procurement exercise, the NSPCC was appointed by the sub-committee to develop a safeguarding policy along with a Community Code of Practice. Information on this has already been outlined above. All the Agency's staff have attended a programme of training designed to raise awareness of safeguarding and child protection as well as specific training on the Agency's safeguarding policy and procedures. The Designated Officer and Deputy Designated Officer have attended specific NSPCC training. Relevant staff and service providers are subject to appropriate vetting procedures, including 'enhanced disclosure' for those who have regular contact with children and vulnerable adults. Groups applying for funding from the Agency must also provide evidence that they have appropriate child protection and safeguarding policies in place. Failure to do so will mean that funding will not be forthcoming. The current policies and procedures include guidance on cyber bullying and social media; however, upcoming changes in the UK and the Republic of Ireland mean the joint sub-committee has agreed to review the current policy and procedures to ensure continued compliance and best practice.
134. As with many of the other contributors to this investigation, the Agency admits that its current policy reflects in a large part the current practice for safeguarding that is applied in the sports sector. In setting the terms of reference for this investigation the Committee acknowledged

that the sports sector in Northern Ireland has led the way in safeguarding, largely driven by the CPSU. The Agency intends to continue its relationship with the NSPCC with respect to safeguarding children and vulnerable adults. The Committee believes that it is sensible for ALBs to engage regularly with the NSPCC and other experts to ensure that their protection and safeguarding policies reflect best practice and are up-to-date and compliant with current legislation.

135. In its oral briefing to the Committee (Appendix 2), the Ulster-Scots Agency highlighted that it has delegated functions to the Ulster-Scots Community Network with respect to vetting staff and working with Access NI.

The Ulster-Scots Community Network

136. In its submission to the Committee (Appendix 3), the Ulster-Scots Community Network described itself as an umbrella organisation with over 500 member groups. Generally the Network signposts groups to the NSPCC and Volunteer Now for child protection and safeguarding training. As outlined above, it is a Registered Body for Access NI purposes. In its submission the Network highlighted that:

“There appears to be a lack of uniformity between the requirements of various funders on child protection issues...Modest investment in creating clear, scenario defined examples for the cultural sector would allow voluntary and community groups to better relate to potential risks and solutions to issues”.

137. The Committee expects that the establishment by the Department of a more formal relationship with the Safeguarding Board NI will allow it to tap into more widely agreed standard requirements for the protection and safeguarding of vulnerable groups which it can then disseminate across the CAL family. Additionally, the Committee’s recommendation that the Arts Council NI should audit the arts and culture sectors’ policies and procedures should also facilitate the development of more culture/arts appropriate scenarios for groups. This in turn will make for better risk management across these sectors.
138. The Network highlights that Access NI certificates provide only a “snapshot” of an individual’s criminal history at that time and the system makes no provision for “real time” reporting of potential issues after the initial check. The Committee is very aware of this and this is why vetting must be combined with robust policies and procedures to ensure the best protection for vulnerable groups. There is no substitute for good systems being in place. The Network also seeks greater clarity around how often repeat checks should be carried out. It is to be hoped that the necessary clarification will emerge with the roll out of “portable” certificates in the near future.
139. Generally, the Committee has heard about good practice around the protection and safeguarding of vulnerable groups from the Department’s Arm’s-Length Bodies. Sport NI has evolved at a faster rate with respect to these as the nature of its sector has forced it to. Sport NI’s contribution to the investigation is dealt with below. While the Department and many of the ALBs have highlighted that safeguarding and protection are consistently dealt with at the regular accountability meetings that the Department has with the ALBs, there has been some suggestion that this is not always the case. To avoid any doubt the Committee believes that it should be formally established that this is the case and that all concerns and subsequent action regarding safeguarding and protection are reported to the Department which will hold this data centrally to inform the development of policies and procedures.
140. **Recommendation: The Committee recommends that safeguarding and protection of vulnerable groups is a permanent agenda item for the Department’s accountability meetings with its Arm’s-Length Bodies. Additionally, the Committee recommends that the Department holds records centrally of any concerns regarding protection and safeguarding that have been raised with the ALBs and any subsequent action that is taken. Furthermore, the Committee recommends that this information is used to assist the development and**

evolution of the policies and procedures for the protection and safeguarding of vulnerable groups adopted by the Department and its ALBs.

141. In this section looking at existing structures for protecting and safeguarding vulnerable groups in the CAL sectors the Committee also took evidence from organisations that are not Departmental ALBs or delegated bodies of the ALBs.

The Northern Ireland Theatre Association (NITA)

142. The NITA written submission to the investigation (Appendix 3) describes itself as promoting Northern Irish theatre on a local, national and international scale on behalf of its members. It delivers tailored training; collects and disseminates sector-specific information; supports and facilitates networking amongst performing arts professionals; and facilitates informed lobbying and advocacy. Members include: independent theatre companies; regional venues; Northern Irish theatre festivals; and individuals. The paper indicates the varying levels of exposure to vulnerable groups that NITA members have. It goes on to highlight the sources of information, advice, and training in relation to implementing legal requirements that members use: the Arts Council; DHSSPS; Access NI; NICVA; Volunteer Now; and the Charity Commission of Northern Ireland (doesn't administer child protection legislation, but it asks organisations about their policies etc. and Access NI disclosures, as well as signposting to guidance on child protection). The paper also highlights what organisations require on this issue to receive funding.
143. Again, the Committee is glad that NITA, as an umbrella organisation, is signposting its members to expert organisations and is disseminating good practice. This reflects what the Committee had already thought, that affiliated groups and those associated with umbrella organisations and those used to drawing down public funding have the information and support to develop good policies and procedures for the protection and safeguarding of vulnerable groups. This throws a harsher light on those non-regulated and non-affiliated individuals and groups which the Committee would like to identify and reach. The Committee would encourage NITA and other umbrella groups to keep reaching out and signposting, and commends the organisations for its efforts in this area. Again, it is to be hoped that the audit that the Committee has recommended that the Arts Council carry out will support bodies like NITA to remain up-to-date and connected to sources of information on these issues which they can then disseminate to the wider arts and culture family.

Music Theatre 4 Youth (Ireland)

144. In its written submission to the Committee (Appendix 3), Music Theatre 4 Youth (Ireland) highlighted that it follows the principles of the Children (NI) Order 1995 to inform its child protection policies and procedures. These can be paraphrased as: paramountcy – child's welfare comes first; partnership; prevention; protection; and parental responsibility. The policy document contains: a code of behaviour; consent and sharing information; recruitment and vetting procedures; staff induction and training; definitions of child abuse; the role of the designated children's officer; disclosures; reporting and recording child protection concerns; reporting an allegation against staff members; safety and first aid; communication and a series of appendices. Again, these have been identified as the key "building blocks" which such a policy must have.
145. In addition, Music Theatre 4 Youth promotes safeguarding by ensuring staff and volunteers are carefully selected and monitored and have been subject to the appropriate vetting procedures. Training, advice and support is provided to all staff with respect to child protection and safeguarding. Risk assessments are carried out for the range of contexts and situations in which the organisation operates. Information is provided to young people and their parents about the policies and procedures and these are reviewed annually. The organisation has a Designated Officer and a Deputy Designated Officer. The organisation also has a set of principles for working with disabled children and makes useful suggestions

for including disabled children successfully in programmes. The Committee has already highlighted its interest in this issue above.

146. The staff code of behaviour includes sections on personal conduct, the conduct of rehearsals, physical contact, and the use of social media, including not accepting 'friend requests' from those under 18 and not asking for or giving your mobile number to those under 18. Additionally, the policy also sets out a code of behaviour for young people and the role of chaperones. Importantly there is also a section on the use of photography and filming which outlines the consents and information required and how to report concerns. Interestingly, like the Ulster-Scots Community Network, Music Theatre 4 Youth flag up in its submission that, as most child abusers have not been convicted, Access NI cannot be a conclusive and definitive tool, but it is useful as a part of a range of protections.
147. All core staff, freelance staff and chaperones are trained regarding child protection and core staff are also trained externally by Youth Action or Volunteer Now. The policy is thorough and includes easy to use flowcharts for reporting issues etc. It follows the layout of other policies from bigger organisations and includes all the useful external contact details. It also includes a disclosure to be signed by staff to say that they have read and understood the child protection and safeguarding policy and give consent to an Access NI check. It goes on to provide report forms for allegations or suspicions and an explanation of Access NI and Regulated Activity at Appendix 4. At Appendix 5 there is a participation and consent form for the young people indicating the responsibilities they have and those of Music Theatre 4 Youth, including the provision of pastoral care and Access NI cleared staff and chaperones. Parents and participants have to sign that they have read and understood the child protection policy and there is a filming and photography consent form. Appendix 9 details its complaints procedure.
148. The policies and procedures appear very thorough and, as stated previously, reflect the key elements advised by the expert organisations which have also been involved in their development. They have also been well adapted for the context in which Music Theatre 4 Youth operates; something that has also been highlighted as important by a number of contributors to this investigation. The Committee urges Music Theatre 4 Youth to engage with similar organisations where possible to share its policies and procedures and to develop information sharing relationships. Again, the Committee hopes that good practice such as this will be highlighted by the audit exercise that Members have recommended that the Arts Council undertakes.

Local Government

149. A number of references were made throughout the investigation process about the important role that local government can play in the development and dissemination of best practice with respect to the protection and safeguarding of vulnerable groups. Contributors' opinions vary with regard to the consistency and efficacy of the role that local councils play in protecting and safeguarding vulnerable groups. However, it is clear that they can play a considerable role as their facilities and premises not only welcome thousands of vulnerable children, adults and groups to council-organised activities, they also lease these out to individuals and organisations that run activities involving vulnerable groups. Therefore, it is quite apparent that local councils must ensure that they not only operate and implement good practice in protecting and safeguarding vulnerable groups but that they disseminate this as widely as possible and adopt policies and procedures that ensure that their facilities and premises are safe for everyone irrespective of whether the activities are being run by the council or others.

The Northern Ireland Local Government Association (NILGA)

150. In a letter to the Committee (Appendix 3), NILGA states that all councils in NI have "contemporary and robust" policies in respect of child protection and safeguarding, related

to both the service delivery aspect of their multi-faceted roles, and the corporate policies and compliances of the local authorities. The Committee also received a briefing from NILGA (Appendix 2), during which it was highlighted that local councils are represented on the Safeguarding Board NI through the presence of two council chief executives. These representatives in turn are members of the Society of Local Authority Chief Executives (SOLACE). This should ensure that local government is plugged into best practice at the highest level. During the briefing it was stated that: "...local government takes its commitment to safeguarding extremely seriously".

151. The Committee also heard that some local councils check the child protection policy of groups hiring its facilities and check if coaches are Access NI checked. Members were told about the Leisurewatch Scheme operated by councils which is detailed below in the section. However, some local councils have not yet joined Leisurewatch because of the cost. The Committee believes that the Review of Public Administration (RPA) presents local councils with a tremendous opportunity to develop and implement best practice in a range of policy areas, including the protection and safeguarding of vulnerable groups. Indeed, during the presentation NILGA agreed that:

"The emergence of 11 councils and a performance framework, which may or may not be in the Reorganisation Bill...gives us an opportunity to encourage consistency and core performance".

152. The Committee believes that local councils must work together in this and other areas to produce policies and procedures that are consistent and consistently applied. The Committee also believes that local councils can work together to produce a more consistent level of training for those working with vulnerable groups. Additionally, councils can work to produce common protocols around the use of their facilities and premises by other organisations and individuals, as some of the Churches have done. NILGA has offered to meet with the Committee to discuss other areas of work and Members can see the value in co-operating in the area of protecting and safeguarding vulnerable groups.

153. **Recommendation: While acknowledging that it has no remit with respect to local government, the Committee recommends that local councils work together and with reference to current policies and frameworks, as well as to the Safeguarding Board NI, to establish:**

- **Common standards for policies and procedures with respect to the protection and safeguarding of vulnerable groups;**
- **Common standards and protocols for the use of their facilities and premises by third parties; and**
- **Common standards, accreditation and intervals for the protection and safeguarding training that their staff and volunteers receive.**

The Committee considers that it would be useful for this to be agreed and mandated across the councils. A significant aid to better understanding and practical use of policies and procedures for the protection and safeguarding of vulnerable groups is that they are standardised. Local government could and should play a key role in the operation of a chartermark standard beyond a successful initial CAL pilot.

Leisurewatch

154. In the sections above there are a number of exemplars and benchmarks against which organisations can base their policies and procedures. The sport sector generally provides fertile ground for such examples. Indeed, the CPSU is probably the most significant of these. However, below is an explanation of the Leisurewatch scheme.
155. In its briefing to the Committee (Appendix 2), the PSNI talked about the Leisurewatch scheme. The scheme is also detailed further at Appendix 5. Leisurewatch is run under the auspices of The Derwent Initiative (TDI), which is a national charity founded in 1993

to improve public protection by finding practical and creative solutions to the problem of sexual offending. The TDI states its goals as: "Safer individuals, safer public spaces, safer communities". The Leisurewatch scheme itself has been in operation since 2005 and empowers responsible groups in the community, in particular the leisure industry, to contribute towards public protection and help to prevent anyone, particularly children and vulnerable adults, from becoming a victim of sexual offending. In Northern Ireland specifically, it covers 102 sites across 21 councils. It has three parts:

- An audit is carried out of sites and settings to assess the vulnerability to misuse by sex offenders, and comments and recommendations are reported back;
- Then there is training – at least 80% of staff who have contact with the public, and particularly with children and vulnerable adults, receive a three hour standard training course to increase their understanding of sexual offending and give them the skills to assess and manage risk, and managers receive a one hour additional session as they are the main contact point between the site and the police and are key to the success of the scheme; and
- Finally, safe and effective information-sharing arrangements are put in place with the local police PPU for the reporting of relevant information and any concerning behaviour observed.

156. One of the most useful aspects of the scheme would seem to be the additional training for site managers to co-ordinate contact with the Police and to manage the risk presented by sex offenders and create safer working environments. Additionally, the scheme provides on-site signage and other branding materials to demonstrate that the site is a member of the scheme, helping to deter potential offenders and re-assure the public. There are also regular mystery visits with follow up advice and support to check implementation of the scheme and ensure that Leisurewatch protection is effective. The scheme will also provide newsletters and regular briefings from TDI on key issues and changes in legislation of which staff should be aware.

157. The Leisurewatch scheme claims to offer a unique level of public protection from risk presented by sex offenders. Key benefits include:

- Visitors to the site can be assured that staff have undertaken training which equips them to identify risky sexual behaviour and to have procedures in place for responding to the risk presented;
- Staff have the confidence to spot and report incidents (even when a crime hasn't been committed) and know their concerns will be taken seriously;
- There is a direct link to a designated Police Officer who will record all incidents and act appropriately on the information supplied;
- Enhanced observation skills amongst staff will help to reduce other troublesome or offending behaviour, including shop-lifting, vandalism, and bullying;
- Staff learn to identify and help protect those children and adults most vulnerable to harm;
- Organisations joining Leisurewatch become part of a scheme which is recognised and valued by the Association of Chief Police Officers, the Ministry of Justice, and the Institute of Leisure and Amenity Management; and
- Managers will become aware of any "danger spots" on the premises that require extra vigilance or security.

158. TDI's material also states:

"Whilst many sites may already have child protection policies and training in place, no other scheme focuses specifically on dealing with the risks posed by sex offenders. Leisurewatch directly addresses the potential problems of voyeurism, abduction, indecent exposure, indecent photography and sexual assault. No other scheme provides a direct link to your

local police force, where concerns will be recorded and taken seriously even if no offence has been committed”.

159. The cost of implementing the Leisurewatch scheme is dependent on how many staff require training, how many training sessions are required and the number and size of the sites. Prices start from £1,500 per location to implement the scheme and maintain it for one year. Membership in subsequent years is charged at £500 - £2,000 per site.

160. During NILGA's briefing to the Committee (Appendix 2), an undertaking was made to collate the views of local councils regarding the Leisurewatch scheme. The results can be found below and at Appendix 5. Questionnaires were initially sent out to the 26 local councils on 3rd April 2013 with a further request circulated on 16th May 2013. In total 18 responses in total were received, with 14 councils indicating that their leisure facilities were members of the Leisurewatch scheme. All of those who belong to the scheme commented favourably on it. Positive comments included the following:

- Training excellent and is specifically in the context of leisure facilities and therefore easier for staff to relate to;
- Training requirement for 80% of staff;
- Externally validated;
- Scheme enhances awareness of staff;
- PSNI pro-active on referrals;
- Posters / notices help deter potential offenders and provide positive message to and raise awareness amongst customers;
- Mystery visits useful; and
- Improves networking with other councils.

A few negative comments were received, including:

- Some duplication with internal reporting arrangements; and
- One council reported a lack of feedback from referrals (it should be noted this could be due to a breakdown in internal communication processes within the council rather than the scheme).

Of the four councils who indicated that they were not members of the scheme, all had their own internal child protection policies and procedures in operation. Two of these councils provided specific reasons for not joining the scheme:

- After consideration, the Leisurewatch scheme cost (including multiplier for the number of facilities) was not felt to provide justifiable added value beyond the council's own policies and training arrangements; and
- It was felt that Leisurewatch did not offer anything beyond their current internal arrangements.

None of the councils which responded reported being members of any other external child protection scheme. NILGA forwarded further information to the Committee regarding the Scheme and contact with the SBNI which can be found in Appendix 5.

Structures within the Sports Sector and their transferability to other sectors within the CAL remit

161. Throughout this investigation report there are references to the work of the NSPCC's Child Protection in Sport Unit. The Unit has been referenced by many of the contributors to the investigation, both in their briefings to the Committee and in their written submissions. The

Unit has been universally praised and it provides an excellent example of a body that can effect considerable change without huge cost. The Unit has played a significant role in making participation in sport much safer for vulnerable groups and has taken this sector ahead of other areas of the CAL remit. The Unit has engaged with the governing bodies within sport and has helped them to drive standards up. The briefing that the Committee received from the NSPCC about the CPSU in November 2012 showed what can be done to create protection and safeguarding systems that are robust and effective. The Committee's decision to pursue this investigation reflects Members understanding that there are gaps in protection and safeguarding and that ways need to be identified to address them.

The Child Protection in Sport Unit (CPSU)

162. In its written submission to the Committee (Appendix 3), the NSPCC highlighted that the CPSU's Mission is:

"To build the capacity of sport to safeguard children and young people in and through sport; to enable sport to lead the way in keeping children safe from harm".

163. The CPSU's Mission will be achieved through:

- Standards for safeguarding;
- Supporting governing bodies to maintain standards and further embed safeguarding practice to grassroots level where children participate;
- Provision of safeguarding education, training and resources for those with key safeguarding roles in sport;
- Provision of information services through its website; and
- Provision of specialist child protection case advice and support.

164. The NSPCC paper outlined key achievements of the CPSU:

- Development of comprehensive standards for safeguarding children in sport by working with Sport NI to link attainment of these standards to funding requirements for governing bodies;
- Development of effective systems and structures for reporting and responding to concerns about children's welfare and protection, as well as systems for preventing unsuitable people from working with children, together with improving working relationships between sports organisations and the statutory sector;
- Establishing a network of trained designated safeguarding officers at governing body level and facilitating all Ireland quarterly meetings;
- Ensuring the role sport has to play in safeguarding children is recognised in government and other consultation processes, for example, in the development of Access NI, Regional Area Child Protection Committee guidelines, Our Duty to Care, Getting IT Right and the Vetting and Barring Scheme Consultative Group;
- Influencing local council leisure services departments to implement safeguarding practices;
- Ongoing implementation of the Club Framework for Safeguarding Standards in Sport, in consultation with a wide range of sports organisations, which will ensure that core safeguarding requirements and practice is further embedded to grassroots level;
- Establishment of a range of consultation/support/information sharing for sports organisations which aim to ensure that the needs, issues and challenges for the sector are understood and communicated; and
- Ensuring that a focus on children's rights is embedded in the sector's approach to safeguarding as reflected in its revised vision statement. NSPCC recommends these to

the Committee as examples of good practice which are, in many cases, transferable to other CAL sectors.

Sport Northern Ireland

165. In its written submission to the Committee (Appendix 3), Sport NI highlighted:

“The CPSU regularly presents to Sport NI on general progress or difficulties with safeguarding measures across all sports. Sport NI holds individual meetings between the CPSU and each sport providing feedback on further embedding good practice for which they are responsible. CPSU expertise is fully integrated into Sport NI’s 100 day review meetings with all funded sports”

166. This provides an excellent insight into how sport, with the assistance of a specialist unit like the CPSU, can ensure that the protection and safeguarding of vulnerable groups is embedded in all aspects of its activities. It also means that there is an expert Unit that can be called on to offer up-to-date advice and direction and can provide useful trouble-shooting.

167. In its submission, Sport NI confirmed that all of the governing bodies that it funds must have effective child protection and safeguarding policies and procedures in place and be able to demonstrate appropriate vetting within procedures for the recruitment and selection of staff and volunteers; as well as having training in place for those working with children in child protection and safeguarding and designated officers at governing body level. A network of 14 tutors has been established to deliver safeguarding training tailored to sports coaches and volunteers. Sport NI offers two workshops which directly impact upon safeguarding practices in the sports sector. These are targeted at all types of coaches, officials and volunteers.

168. The development of Sport NI’s ‘Clubmark NI’ accreditation programme, which includes safeguarding, has raised standards within sports clubs. This scheme is considered in the next section. To gain accreditation the club must demonstrate that a safeguarding policy is in place, trained designated officers are in place, all coaches and volunteers in contact with children and young people attend the awareness workshop and are subject to safe recruitment procedures including Access NI checks. Sport NI has made an undertaking to the Committee in its submission that it will encourage sports governing bodies to take a children’s rights approach to sport participation and deliver the ‘Coaching the Whole Child’ workshop which builds on the emotional and social needs of the child and promotes a positive sporting and coaching ethos. Sport NI has also undertaken to examine what other areas of its funding could be linked to safeguarding standards and extend the linking of safeguarding standards to non-funded governing bodies in an appropriate way. Sport NI has also indicated to the Committee that it will ensure that the two sporting bodies that support vulnerable adults and people with disabilities (Special Olympics and Disability Sports NI) are involved in the safeguarding auditing process and are required to provide evidence of their procedures.

169. Sport NI has highlighted to the Committee in its submission that it will also pursue four Priority for Action (PfA) areas (paraphrased below):

- PfA1 – ensure that all funded sports introduce an Acceptable Users policy which will be a code for communication by young people and adults through any form of media with guidelines about when and how to communicate appropriately with young people;
- PfA2 – using the opportunities that sport provides, will use ‘sport’ to raise awareness of two issues facing children and young people and adults – self harm and suicide;
- PfA3 – will work to ensure that governing bodies of sport recognise the importance of safeguarding high performance athletes; and
- PfA4 – will continue to support governing bodies of sport to maintain and embed safeguarding practice.

170. Sport NI confirmed the Committee's view of the CPSU in its submission, saying:

"The provision of a dedicated sports specific service through the CPSU that works exclusively in sport has enabled the sports sector to have trust in the expert advice on not only child protection concerns but on training, safe recruitment decisions, legislation changes and most importantly how best to create a culture of change in the hearts and minds of those involved in sport".

171. In Sport NI and the NSPCC's (CPSU) joint briefing to the Committee, Sport NI's Interim Chief Executive indicated that:

"Around 70 of funded governing bodies of sport have attained a satisfactory level of assurance following their safeguarding audits. There are six standards for each sport, and each standard has three levels....The first level shows that organisations have the correct policies and procedures in place. The second level assesses whether the organisation has the processes to regularly communicate those practices to its coaches, young people and parents. Thirdly, it assesses whether the organisations have processes for checking whether their clubs are implementing the policies, procedures and advice properly".

172. Sport NI's briefing illustrated to the Committee that it is not enough to ask organisations for paperwork to show that they have safeguarding policies in place and procedures that can be implemented if an incident occurs. This must be accompanied by the sort of ongoing safeguarding audit process. It is also supported by a reporting process that allows Sport NI to hold information about protection and safeguarding incidents and subsequent follow-up action centrally. The CPSU reports to Sport NI quarterly, including reports of incidents so these can be held centrally and collated. The number of queries is also collated. Paul Stephenson (CPSU) describes the CPSU as a "one-stop shop".

173. **Recommendation: The Committee recommends that Sport NI continues to engage with the NSPCC and other expert providers to consider any further suggestions that it might have for embedding the safeguarding message into all sports and all aspects of sport. The Department should also support the extension of this facility to all its ALBs.**

Swim Ireland

174. Swim Ireland is the governing body for swimming in both jurisdictions in Ireland. The organisation provided the Committee with a written submission to this investigation (Appendix 3). The Committee particularly appreciates the input of Swim Ireland as swimming has been identified as posing unique risks for vulnerable groups. Swim Ulster operates as the regional body for aquatics, while Swim Ireland is responsible for all the systems and policies for safeguarding. Swim Ireland welcomed the opportunity to contribute to the Committee's Investigation.
175. Swim Ireland's membership comprises Club and Associate members. Club members are individuals within a Club and Associate members are individual coaches or teachers with a recognised qualification. Swim Ireland has a full time National Children's Officer with responsibility across the organisation for safeguarding policy and implementation. Swim Ulster employs a full time Development Officer whose role includes assisting with the implementation of the safeguarding policy and practices and supporting the clubs in Ulster. All other safeguarding roles in the organisation are filled by volunteers. These include a regional representative appointed to the national Child Welfare Committee one of whose functions is to: "...ensure a child centred approach and that children will be kept safe and have fun...under the auspices of Swim Ireland".
176. Every Club is mandated to appoint at least one Club Children's Officer and a Designated Person, with specific and distinct roles: to act as an advocate and support for young people in the clubs, and to liaise and report to the statutory authorities where there is a concern about a child, respectively. Swim Ireland works with the Irish Sports Council through the Participation Unit and with Sport NI through the CPSU to ensure that policy and

implementation are in line with recommended best practices. In its submission, Swim Ireland reflected:

“Swim Ireland acknowledges the support and guidance it has received from both Sports Councils and particularly in Ulster, the CPSU...The co-operation between Swim Ireland and CPSU has benefited from sport specific guidance whilst utilising expertise from the NSPCC gained in other areas of child protection”.

177. Again, the approach of using an expert unit, such as the CPSU, with expertise in dealing with protection and safeguarding issues can be seen to be effective. Swim Ireland's policies are rooted in more general documents on child protection and safeguarding, but they have been modified to suit the sport. Swim Ireland ensures that the policy is 'live', while not subjecting it to constant change which would be confusing. Every club and member has to sign a declaration on the membership application form that includes an awareness of the policy document; for clubs, this documentation also forms part of their club handbook and induction process. Members are required to sign up to the codes of conduct annually. Ensuring this is the job of individual clubs for Club members and Swim Ireland for Associate Members. Swim Ireland has imposed mandatory practices, including safe recruitment practices, child protection training (both basic and advanced courses), supervision and the vetting of individuals.
178. Every club has access to the support of the National Children's Officer and Club Development Officer for advice and guidance on practice and procedures. Swim Ireland monitors implementation of the safeguarding policy:
- Annually clubs must affiliate with notification that the required roles within the club are filled;
 - Each club is responsible for ensuring mandatory requirements for roles are fulfilled – the National Children's Officer visits 40% of clubs annually unannounced to check this, with clubs being encouraged to sign up to Clubmark;
 - The National Children's Officer also makes a series of planned visits to clubs where issues or concerns have been raised by the clubs themselves, or through external monitoring – e.g. a drop in or movement of members;
 - Mandatory requirements for Associate Members are also checked annually as part of the affiliation process; and
 - Use of the 'Club Framework for Safeguarding Standards in Sport' (CPSU and Sports Councils, 2010) as a formal measuring tool for reporting progress and status to Sport NI and CPSU, whilst the framework forms part of the ongoing audit process.
179. Swim Ireland must meet the standards required by the sports bodies in both jurisdictions and Swim Ireland has adopted the highest standard and applied this universally. Swim Ireland provides clear advice with respect to the use of social media for adults working with young people. It is more challenging for clubs to convince young people of the possible dangers of social media. The organisation believes there is a need for greater awareness generally as change in this medium is so rapid:

“A benefit of the implementation of safeguarding policy within our sport is that there is a monitoring of issues and concerns that result from different interpretation of policy and standards. This enables sports to respond to gaps or, for example, changes in legislation quickly and effectively for the benefit of the young members”.

Ulster Gaelic Athletic Association (GAA)

180. Ulster GAA is the Provincial Council and Governing Body of the GAA in Ulster. In its written submission to the Committee (Appendix 3), it describes how it oversees the work of the nine County Committees and almost 600 GAA Clubs as well as GAA activity in over 1,500 schools and colleges. Some 250,000 volunteer members are actively involved in Ulster.

181. The GAA centrally has employed a National Children's Officer to support and assist volunteers on the ground and Ulster GAA employs a Children's Officer and a Child Protection Administrator. Each county and club has a voluntary Children's Officer and Designated Officer who are selected by the county/club rather than being elected. In its submission, Ulster GAA stated:
- "All of these officers have a role to play in the Safeguarding of Children and Vulnerable Adults within the GAA and are committed to creating and maintaining the safest possible environment for all Children and Vulnerable Adults who participate or engage in our Games and Cultural Activities".*
182. Ulster GAA is a Registered Umbrella Body with Access NI which carries out vetting of staff and volunteers for all sports within the GAA family. Ulster GAA also works with the authorities in the Republic of Ireland for clubs and members in Cavan, Monaghan and Donegal. Ulster GAA has produced documents on Child Protection, including Vetting Policies and Procedures. Part of Ulster GAA's role is to assess if applicants are fit to work with children and vulnerable adults when their Access NI certificates have been issued to Ulster GAA. There is a dedicated team to undertake this role. However, with the changes to the vetting process that are coming, decisions will be made on the ground by volunteers, rather than the dedicated team, and Ulster GAA has grave concerns about this. It expressed concerns that the new system will produce gaps and possible problems. The Committee has heard similar concerns from other contributors and is aware that these are being pursued by some of the expert organisations.
183. Ulster GAA has a pool of tutors who undertake their ongoing Child Protection and Awareness programmes. The courses are delivered regularly to club officials, players, parents and supporters. The elements that the course covers are paraphrased below:
- Existing relevant legislative frameworks;
 - Background information on child abuse;
 - Awareness of the risk of self-harm and suicide;
 - Safeguarding children in sport;
 - Importance of the Code of Behaviour, including the dos and don'ts in sport and parent/spectator behaviour;
 - Other policy areas, including photography, transport, physical contact, recruitment and social media;
 - Child abuse – signs, concerns and making judgements;
 - Dealing with allegations of abuse in line with GAA guidelines; and
 - Best practice and contact information for help.
184. It is a mandatory requirement for coaching awards that all coaches must have received a Child Protection Awareness Certificate as part of the overall award. Ulster GAA works closely with a number of partners in government and the public sector to ensure that its policies and procedures are in line with current guidelines and legislation. Ulster GAA appealed for support and assistance to move forward in response to changes in the NI criminal records regime as per the Sunita Mason Review. Again, these concerns were raised by other contributors and the Committee is aware that they are being taken forward by the expert organisations.
185. Ulster GAA operates within six best practice standards for Safeguarding children and vulnerable adults and is audited by Sport NI under the following standards:
- Recruitment good practice;
 - Effective management of volunteers and staff;
 - Reporting;
 - Codes of behaviour;

- Sharing information; and
- General safety and management.

186. Again, these correspond to the “building blocks” that have been discussed earlier and provide an excellent framework to assess protection and safeguarding policies and procedures. Ulster GAA strives to protect children from bullying and abuse through social media. Courses are used to expand the knowledge and understanding of members about the issues involved. The Ulster GAA website also has information. Ulster GAA also operates ‘Club Maith’. This is a Club Development and Volunteer Support Programme which promotes good governance in clubs. It includes a website, a tool kit which is a resource manual that contains relevant information for club officials and covers all aspects of club activity. It also comprises an accreditation scheme which allows clubs to benchmark themselves against best practice. The aim is to encourage excellence across governance, duty of care, community outreach, coaching and games and culture. Accreditation is awarded as a quality mark from bronze through to platinum.
187. Ulster GAA also provides Club Officer Training Days at the beginning of each year. There is a County Day where specific workshops are delivered for each role within the club, including those of Children’s Officer and Designated Officer. A dedicated workshop provides these members with information in relation to their responsibilities, policies, and best practice in the area of safeguarding children and vulnerable adults. The Ulster GAA newsletter and match programmes also highlight issues. The Ulster GAA began its Respect Campaign in 2009 which encourages all members to respect one another in all GAA activities. Ulster GAA launched an anti-bullying campaign earlier in the year. Subsequent to the launch, tutors will be trained to deliver specific anti-bullying courses.
188. Again, the Committee can see that the governing bodies in sport, such as Ulster GAA, have worked hard to ensure that their approach to protecting and safeguarding vulnerable groups is as expansive as possible and is carefully monitored. The input of Sport NI and the CPSU can be seen to be very effective in raising and maintaining standards and pushing forward innovative approaches.

Irish Football Association (IFA)

189. In its written submission to the Committee (Appendix 3), the IFA indicates that its Child and Player Welfare Department (CPWD) employ two full-time members of staff dedicated to child protection and safeguarding. A Child and Player Welfare Manager was appointed in 2005, with a CPWD appointed in 2007. An administrative assistant works two days a week to help manage the CPWD’s workload. Additionally, all staff or volunteers employed by the IFA in regulated activity must complete a satisfactory Access NI enhanced disclosure check and a criminal conviction disclosure form before commencing employment. All staff and volunteers working in regulated activity must also attend the IFA’s Safeguarding and Young People in Football child protection awareness training course within six months of taking up their post. This course lasts three hours. While the IFA delivers its own courses it also uses four external tutors to keep up with the demand. Approximately 61 courses have been delivered over the past year to about 1,200 coaches/volunteers through Level 1 coaching awards and club courses. To date approximately 5,300 coaches/volunteers have been Access NI checked. The IFA acts as an Access NI umbrella organisation facilitating club vetting checks. Any coaches from outside NI will also be subject to Access NI checks.
190. The CPWD works to the CPSU/Sport NI standards for protection and safeguarding and is currently rated as “satisfactory”. The Child Welfare Officer is currently developing new policies and procedures and these will apply to the IFA and all affiliated clubs. Clubs have previously been given hard copies and CD versions of policies and procedures for them to adapt to their own needs. The IFA’s website also has a protection and safeguarding section which provides guidance to individuals and clubs. Additionally, regular advice is given to coaches, parents and clubs regarding good and poor practice. The CPSU is always available to supplement any advice.

191. Annually free training and vetting is offered to the staff of the Milk and Foyle Cups and the CPWD attends these events to deal with any incidents that might arise. Considerable planning is undertaken to minimise any possible risks at these and other events. In conjunction with Swim Ireland, Gymnastics Ireland and the Ulster GAA, the IFA supported the NSPCC, CPSU and Sport NI in organising an all-Ireland safeguarding in sport conference which was held in Armagh in September 2012.
192. The CPWD Manager and Officer attend the quarterly all-Ireland Designated Safeguarding Children Officers' meetings organised by the CPSU and the Irish Sports Council. These meetings are attended by representatives of up to 36 sports throughout Ireland and they act as an opportunity for discussion and the exchange of good practice regarding protection and safeguarding.
193. Every four to five months meetings take place between the IFA, English, Scottish, Welsh and Youth Football Associations and the Football Association of Ireland. At these meetings there is an opportunity to discuss and exchange good practice around protection and safeguarding. The most recent of these meetings was held in Belfast in April 2013.
194. Currently the IFA's CPWD is working with Jim Gamble (Chief Executive, INEQE) to develop a Safeguarding Application for mobile devices. This represents a unique and innovative approach to the issue which could prove to be revolutionary. Mr Gamble also advises the IFA with respect to the development of new social media policies. The Committee is aware of the development of this 'App' and believes that it has tremendous potential to be used to address any gaps in protection and safeguarding knowledge of those who work with vulnerable groups. If widely publicised it could be a valuable tool for educating parents, vulnerable groups and, perhaps most importantly, those who work with vulnerable groups as 'self-employed persons' outside the funded/regulated/affiliated environment. A recommendation has been made below regarding the App, in the Internet and Social Media section.
195. As part of domestic licensing, the 12 Irish Premier League and six Championship Clubs must implement five areas of safeguarding. These are reflective of the "building blocks" that have been discussed above. The IFA wants these standards to be applied by all clubs and has a process for the implementation and assessment of them:
 - Appointment of a child welfare officer;
 - Policy and procedures in place;
 - Training of staff;
 - Vetting of staff; and
 - Mission statement on display in clubs.
196. The IFA Board has already approved a Safeguarding Strategy for 2013-17. The main development in this is that every regulated activity club must appoint a Child Welfare Officer. An Education in Safeguarding Plan has been put in place and will see 350 officers trained during the 2013-15 period. League and Association Officers will also be put in place. Jonny Evans (Manchester United and Northern Ireland) is an ambassador for the CPWD, as is Ashley Hutton (Northern Ireland Ladies' Captain). They assist in the promotion of the protection and safeguarding programmes.
197. The IFA suggested in its paper that the Committee should consider encouraging the Department to ring-fence funding for safeguarding to governing bodies so that it can be used to educate coaches and parents, as well as children and young people.

The Irish Rugby Football Union (IRFU) – Ulster Branch

198. In its written submission to the Committee (Appendix 3), the Ulster Branch of the IRFU highlighted:

"The fundamental policy of IRFU (Ulster Branch) is to respect the dignity and rights of each individual under age player and will strive to promote, create, and maintain safe environments for under age players".

199. The Ulster Branch of the IRFU is a Registered Body for the administration of Access NI vetting and barring for staff, coaches and member clubs. The IRFU Ulster Branch works closely with Sport NI and the CPSU and adheres to the Framework for Safeguarding Standards in Sport. They are currently rated “satisfactory” by the CPSU in meeting the six standards of the Framework (as referred to in the Ulster GAA section above). The main issues for improvement to move to a “substantial” rating are covered in the development and rolling out of the ‘Club Excellence’ award. The submission includes a table outlining in more detail how it plans to move to a “substantial” audit rating.
200. The comments above from Sport NI and some of the sporting governing bodies around the work of the CPSU and the stimulus provided by a proper audit framework suggest that there are structures and lessons which could be transferred to the culture and arts sectors. The advantage that sport has over these other sectors is that the organisations in sport in receipt of public money tend to be larger and have more members than their equivalents in the arts and culture sectors. The sports sector is also more organised and has a greater level of affiliation than the arts and culture sectors. Additionally, the arts and culture sectors tend to be where a significant proportion of the private tutors and small unaffiliated and non-regulated groups exist. Sport has been forced over the past number of years to put its house in order as incidents in this sector have tended to be more high profile. With these issues in mind the Committee realises that it will not be easy to replicate in the arts and culture sectors the success that the sports sector has enjoyed with respect to established standards and systems to manage the protection and safeguarding of vulnerable groups. However, the Committee believes that it is important to establish a co-ordinated structure for the arts and culture sectors to mirror the work that the CPSU and Sport NI do in the sports sector with respect to protecting and safeguarding vulnerable groups.
201. **Recommendation: The Committee recommends that the Department, in conjunction with the relevant departmental ALBs and partners, seeks to establish an equivalent of the Child Protection in Sport Unit for the arts and culture sectors. The Committee looks forward to receiving proposals from the Department suggesting how such a body might be advanced, how it might be constituted and the key roles and functions that it would have. The Committee believes that departmental core funding of the body represents the greatest likelihood of securing its long-term continuation. Again, consideration must be given as to how this might work with respect to the cross-border bodies.**

The Internet and Social Media

202. This area of the investigation proved extremely interesting and Members reflected that the use of the internet and social media can provide tremendous benefits for communicating and learning. However, Members are also very aware that they provide scope for a number of challenges, including grooming for abuse, cyber bullying and inappropriate content.

Beattheycyberbully

School Discussion Forum Event (2nd May 2013)

203. As part of its Investigation, the Committee held a discussion forum event on 2nd May 2013 with parents, young people and teachers from four schools to discuss the benefits and challenges presented by the internet and social media. The event was hosted by Grosvenor Grammar School and, as well as representatives from Grosvenor, there were parents, teachers and young people from Lagan College, Ashfield Girls’ School and Our Lady and St. Patrick’s. The discussion was facilitated by Wayne Denner of Beattheycyberbully. Again, the Committee would like to thank Grosvenor for hosting the event and Wayne for facilitating and all of those from the other schools who took part.
204. Members gained a number of insights into the issues that young people, their parents and teachers face. It was agreed by all present that the internet and social media bring positive

benefits and provide unparalleled opportunities for being informed and for communication. However, a number of the challenges presented by these media were discussed too.

205. Members heard how parents struggle to keep up with innovations online and often feel unable to offer advice to their children with respect to their online activity. The young people also talked about how peer pressure can often be brought to bear to cause them to become involved in social media sites. Teachers highlighted how a significant proportion of how the pastoral care issues they deal with now involve social media. Against a backdrop of suicides of young people as a result of cyber bullying it was clear that there is a need for better education for all those involved. Young people, their parents and teachers need to be informed about how to be safe online and, additionally, the authorities need to do what they can to ensure that tools are provided to allow parents and teachers to regulate young people's online activity.
206. In its written submission to the Committee (Appendix 3), the Safeguarding Board NI indicated that it believes it is paramount that we educate our young people (and their parents and carers) to ensure that they develop an informed approach to their use of technology and become responsible citizens both offline and online. The Board considers that: "E-safety risks and issues can be roughly classified into three areas: content, contact and commerce". In its submission the Board continued:
- "Child internet safety is therefore a real concern for the SBNI and as such, SBNI has been working closely with the Junior Ministers and their officials within OFMDFM to discuss the on-line risks in greater detail and the need for a Strategic overarching approach to address the issues".*
207. The Board also pledged to seek to co-ordinate an effective Member Agency approach to help children at risk of: becoming criminalised through on-line activity; bullying through cyber activity; and sexual abuse (through 'sexting' and on-line exploitation). The Committee commends the Board's stance on these issues and is supportive of the work that it is taking forward.
208. The NSPCC provided a number of statistics in its submission to the Committee (Appendix 3) around social media, including: 29% of UK children have had online contact with someone that they had not met before; 11% of UK children have viewed online sexual images and 12% have received them. The NSPCC agrees with the Committee that the internet and social media can be positive, but challenges for children and young people include:
- Inappropriate access to, use or sharing of personal details;
 - Unwanted contact with children/young people by adults with poor intent;
 - Text bullying by peers;
 - Being sent or sending offensive inappropriate material (including 'sexting');
 - Grooming for sexual abuse; and
 - Direct contact and actual abuse.
209. Challenges for adults:
- Lack of understanding and awareness of communication through social media;
 - Misinterpretation of communication; and
 - Potential investigation and disciplinary agencies.
210. NSPCC recommends that the Department oversees the development of codes of conduct for communication with young people and the development of an Acceptable Users' Policy. The NSPCC goes on to suggest that the Department may also consider the development of an overarching e-strategy for its remit, which includes access to advice and guidance. With respect to cyber bullying, the NSPCC sees a need for education about online safety issues, guidance on being safe on the internet as well as risk management policies for

schools and other organisations. Teachers and parents need to have a better understanding of the online world young people inhabit. The NSPCC Safeguarding in Education Service in NI published research in 2011, demonstrating the importance and need for preventative education programmes. The research also identified teachers' need for further training to give them greater confidence in dealing with the issues presented by the internet and social media. The research recommended the development of a comprehensive package of training, development and support and evidence-informed resources for the whole school community.

211. The Assembly's Research division produced a paper in September 2010 (Appendix 4) looking at internet safety for children and young people. It highlighted a survey published by Ofcom in 2008 which found that 99% of children across the UK have access to the internet, while 86% have access at home. The paper outlined that concerns associated with children using the internet can be summarised as:

- Accessing inappropriate content;
- Forming online relationships which may be exploitative;
- Identity theft; and
- Cyberbullying.

In other words, many of the same issues that the NSPCC had highlighted in its paper.

212. In 2009, the UK Department for Children, Schools and Families, published a report on Young People and Parents' Attitudes around Internet Safety as part of 'Every Child Matters: Change for Children' policy programme. A series of interviews were held with 1,433 parents of children aged 0-17 across the UK and 833 children. The survey showed that:

- Internet safety is not a major concern for parents of 5-17 year olds until they are prompted to think about it;
- Children aged 12-17 have fewer concerns in relation to internet safety than parents;
- The level of parental concern about material on the internet is significantly higher than the perceived risks around using the internet;
- 39% of parents were concerned about their children making some kind of inappropriate contact on the internet;
- 91% of parents said they would take action in the event of their children experiencing harmful content on the internet;
- Of the 18% of children who experienced inappropriate or harmful content on the internet, only 55% did 'something' about it – 34% avoided or blocked the site themselves, 12% spoke to someone, and 4% reported it to an authority;
- 75% of parents say they would seek help or advice if their child saw or did something inappropriate online – 74% of parents and 82% of children say their school has taught their own children/them to use the internet safely; and
- An estimated 25% of parents of children aged 5-11 and 22% of parents of children aged 12-17 would be likely to register for free official internet safety training if offered in their local area.

213. An Ofcom report of 2010 shows that, across the UK, 40% of adults live in a household that has used social networking sites, with 32% using them on a weekly basis. In NI the 2009 Kids Life and Times Survey found that 48% of the participants aged 10 and 11 said they are on social networking sites. Of those that said they were using the sites, 29% said they use them a lot. A study in 2008 revealed that many young people who maintain cross-community relationships in NI do so through texting and social media websites which allow them to chat freely with friends from other areas. Social networking also holds the potential for a range of learning and personal development opportunities. Childnet International suggests that regular use of networking and blogging sites can encourage young people to become active,

vocal and articulate citizens with independent views, also helping them to build skills as writers, content managers and team players. As stated at the beginning of this section, the Committee is well aware of the pros and cons of using the internet and social media. The statistics above indicate the prevalence of their use, so Members realise it is about their safe use rather than turning back the tide of their use.

214. Media and Internet legislation is conducted on a UK-wide level and is not devolved. In the United States an Internet Protection Act was enacted in 2001 to address concerns about access to computers. Schools and libraries must certify that they have an internet safety policy which addresses:
- Access by minors to inappropriate matter on the internet;
 - The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
 - Unauthorised access, including so-called hacking and other unlawful activities by minors online;
 - Unauthorised disclosure, use and dissemination of personal information regarding minors; and
 - Measures restricting minors' access to materials harmful to them.
215. The Act also states that schools and libraries must use 'technology protection measures' to block or filter internet inappropriate content. In its evidence to the Committee (above and at Appendix 2), Libraries NI indicated its policies for safe internet usage by minors in libraries which mirror these American provisions closely. The C2K project in schools here also provides these kinds of protections.
216. In 2008, the UK government commissioned Professor Tanya Byron to review the risks to children from exposure to potentially harmful material on the internet and in video games, and to assess the effectiveness and adequacy of existing measures to help protect children from being exposed to such material. The Byron Review did not recommend legislation as a method of tackling the risks posed to children using the internet, citing the likelihood of discouraging children and parents from taking an informed approach to managing their own risks and lulling them into a false sense of security. The Review instead proposed the creation of:
- '...a shared culture of responsibility with families, industry, government and others in the public and third sectors all playing their part to reduce the availability of potentially harmful material, restrict access to it by children and to increase children's resilience'.*
217. The Review recommended the creation of a UK Council on Child Internet Safety (UKCCIS) which was launched in September 2008, comprising 140 organisations, companies, government departments and agencies (including the devolved governments in Scotland, Wales and NI – the NI Health Minister sits on the Council), law enforcement, charities, parenting groups, academic experts and others (including Google, Microsoft and the NSPCC). The Council developed the 'Click Clever Click Safe: The First UK Child Internet Safety Strategy' (launched in December 2009), setting out work carried out so far to keep children safe online; commitments to parents, children and young people and the work UKCCIS is planning to do to make them happen; and how the public can monitor their level of success in making children and young people safer.
218. OFMDFM created a ten year strategy for children and young people in Northern Ireland in 2006. This didn't contain any specific mentions of internet safety concerns; however, a cross-departmental statement on the protection of children and young people by the NI Executive was published by OFMDFM in June 2009. It refers to the extent to which young people use the internet and highlights the significant role to be played by the CEOP in policing the virtual environment and producing a set of resources guiding children and adults in the safe use of

- the internet. The Department of Finance and Personnel, in conjunction with the Department of Communications, Energy and Natural Resources in the Republic of Ireland, launched the 'MakeITsecure' campaign with a range of private sector organisations and part-funded by the EU.
219. DHSSPS leads an Executive group taking forward the Child Internet Safety Strategy with DE, DCAL, DETI, DFP, OFMDFM and key voluntary groups. DE is also active with the Classroom 2000 (C2k) network providing schools with access to the internet. This access is fully monitored and subject to a detailed filtering policy, which categorises websites into groups which are allowed or not allowed. This filtering process is updated several times daily, either as a result of requests from schools, or as new sites appear on the internet. DE regularly issues guidance to schools on best practice and ICT Co-ordinators in the Education and Library Boards (ELBs) have provided training on internet safety and have hosted conferences addressed by CEOP.
220. The ETI monitors approaches to child protection and in pre-inspection questionnaires parents are asked if they have been made aware of the schools' Internet Safety Policy. ICT is used throughout the school curriculum and teachers receive support and guidance on integrating internet safety into lessons. The Council for the Curriculum, Examinations and Assessment (CCEA) runs a voluntary ICT accreditation scheme for schools which includes the area of e-safety in terms of supporting teachers and educating pupils. CEOP also provides Ambassador training to teachers and ELB officers, which they are then able to cascade to pupils and colleagues.
221. The NSPCC has created some guidance for parents and carers on how to monitor their child's internet use, including some sites where they will have the opportunity to meet others. The guidance is as follows:
- Familiarise yourself with the sites your children are using;
 - Your child should understand the importance of protecting their privacy online;
 - Your child should be careful about who they add to their 'friends list';
 - Photos and descriptions on their profile should be suitable;
 - They must know to seek your agreement before meeting with a stranger;
 - Talk to your child about online bullying and the importance of acting responsibly; and
 - Report concerns of a sexual nature to CEOP.
222. In May of this year the House of Commons Library produced a paper 'Internet: protecting children' (Appendix 5), which highlighted a number of statistics and issues. In June 2012, Westminster government consultation on three broad options for protecting children:
- **"Default-on" or "Opt-in"** – where people's home internet service provider blocks harmful content automatically before any customer buys it – parents can later choose to adjust or remove the blocks;
 - **"Active choice"** – customers are always presented with a choice about whether they want filters and blocks installed on their home internet and/or each internet-enabled device they are buying; and
 - **"Active choice plus"** – where customers are presented with a list of online content that will be blocked automatically unless they choose to unblock them.
223. The majority of respondents did not favour any of these options. In her Review mentioned above, Professor Tanya Byron highlighted the key role that parents play in managing their children's access to such material through the use of blocking tools etc. Her Report also recommended the creation of the UKCCIS to provide better regulation, including voluntary codes of practice and better information and education, indicating the key role that government, law enforcement, schools and children's services will play in this. An

independent parliamentary inquiry into online child protection (April 2012), chaired by Claire Perry, noted that:

“...while parents should be responsible for monitoring their children’s internet safety, in practice this is not happening”.

224. Reg Bailey, Chief Executive of the Mothers’ Union, issued an independent report, ‘Letting Children Be Children’, which argued that parents are best placed to manage their children’s online access. In October 2012, BT, Talk Talk, Virgin Media, and Sky – the 4 main providers – signed up to a code of practice which gives all new customers an active choice of whether or not to apply controls and filters to block harmful content. Work is also ongoing with laptop and hardware manufacturers to sell new products with an active choice prompts at first switch-on. UKCCIS has also worked with mobile phone manufacturers and public wifi providers to block access to adult material in public places. The government has noted that default filtering can cause a false sense of security of the part of parents as it does not filter all potentially harmful content as this is not possible, and there is a risk of “over-blocking”, preventing access to websites which provide useful information on sexual health or sexual identity. Nor does it deal with bullying, grooming, personal abuse or sexual exploitation. It also does not encourage parents to engage with the issues and learn about keeping their children safe online.

225. In its briefing to the Committee (Appendix 2), the PSNI commented:

“There remains a gap in the knowledge of the victims of online abuse and, as importantly, in the knowledge of the carers of the victims”.

226. The PSNI confirmed that there were 102 cases reported to the child internet team in the 2012-13 financial year, mainly channelled through CEOP and other UK-wide services. This figure was up 40% on the previous year. The PSNI stated:

“Bullying, including cyber bullying, may be defined as deliberately hurtful behaviour usually repeated over a period of time where it is difficult for those bullied to defend themselves... [and] Education regarding those issues is of paramount importance”.

227. In its briefing to the Committee (Appendix 2), BeattheCyberbully clarified that cyber bullying is using email, Twitter, Facebook and text messaging; it is about content; it is about making malicious comments about other people; and it is making a person feel withdrawn from society. Wayne Denner from the organisation stated:

“Each of us creates content online, and it is that content that we need to be responsible for...we have a duty of care not to become bystanders in the area of cyber bullying”.

228. BeattheCyberbully stated in its submission to the Committee (Appendix 3):

“Cyber Bullying and the culture of negative and unsafe behaviour online and via mobile devices is increasing and will continue to have a profound effect on our Children and Young People’s lives and our society”.

229. The organisation praises a number of sources which seek to provide advice and guidance, such as the CEOP website and its ‘Thinkyouknow’ campaign videos; also Childnet International and Childline. BeattheCyberbully believes that there is a gap in how we approach the use of the internet and social media:

“...teaching on social media, positive online use and digital citizenship topics in the formative years and throughout our CYP (Children and Young People’s) education will help avoid cyber bullying, cyber crimes, cyber related mental health issues and cyber related suicides”.

230. BeattheCyberbully makes a number of recommendations, including:

- The promotion, awareness and understanding of cyber bullying and positive online use throughout our education system and communities;
- Training being delivered by government partnerships with digital and youth engagement/communications experts as opposed to ICT professionals;
- Keynotes and workshops for CYP and educators;
- Focus groups led by CYP;
- Relevant modules in teacher training;
- Community and church leader training;
- Parent information workshops; and
- Legislation to ensure schools' Acceptable Users' Policies are updated on cyber bullying and general cyber use; and
- Digital citizenship model to be introduced to the curriculum.

231. The majority of these are focused on the Education remit and are therefore outside the scope and terms of reference for this investigation; however, this report will be circulated to the Education Committee and its members may wish to highlight these recommendations to the Education Minister.

The Child Exploitation and Online Protection (CEOP) Centre

232. A key player in keeping our children and young people and other vulnerable groups safe online is the Child Exploitation and Online Protection (CEOP) Centre, which was established in April 2006 and is affiliated to the Serious Organised Crime Agency (SOCA). CEOP's paper to the Committee (Appendix 3) highlights that it has a remit for tackling the sexual exploitation and abuse of children in both the online and offline environments. It has three central themes: Prevent; Protect; and Pursue. CEOP works with government departments, law enforcement agencies nationally and internationally, educational establishments, industry partners and children's charities to bring a holistic approach to tackling child sexual abuse.

233. In June 2012 CEOP published its most recent 'Threat Assessment of Child Sexual Exploitation and Sexual Abuse', highlighting the changing nature of the threats in the online and offline environment. The assessment report identified five key threat areas:

- The targeting of children online based on their heightened vulnerability;
- Those who sexually offend against children using the anonymity afforded by the hidden internet;
- The production, distribution and possession of the indecent images of children;
- Those who travel overseas to sexually offend against children; and
- Group and gang associated sexual exploitation of children.

234. CEOP will transition into the National Crime Agency (NCA) as one of four commands. The NCA is intended to be fully operational by the end of 2013. Multi-agency co-operation to protect and safeguard children is essential and is supported by the Children (NI) Order 1995. 'Working Together to Safeguard Children (2006)' was superseded by 'Working Together to Safeguard Children (2010)', which gives detailed guidance on inter-agency working. The current definition of Child Sexual Exploitation (CSE) by the Department for Children, Schools and Families: National Working Group for Sexually Exploited Children and Young People (NWG, 2008) is:

"Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or others performing on them, sexual activities. Child

sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet/mobile phone without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability".

235. In January 2013 the Association of Chief Police Officers (ACPO - England, Wales and NI) adopted a comprehensive 'Action Plan Against Child Sexual Exploitation', which is now being implemented. CEOP states in its paper:

"There is always scope for more sector-specific joint training but the links are being made".

236. CEOP also noted the positive development of the creation of the Safeguarding Board NI in September 2012 and highlighted Sport NI's positive step of identifying six standards, as mentioned in the Sport section above. CEOP also welcomed the work of the Child Protection in Sport Unit which is a partnership between NSPCC, Sport England, Sport NI, Sport Wales; and in Scotland Children First and Sports Scotland. CEOP commended the CPSU's development of standards and a useful audit toolkit for those involved in sports to not only create a safe working environment, but also to enable individuals working with children to make better informed decisions, promote good practice and challenge practices that are harmful to children. This self-audited process adopted in the voluntary sector provides a voluntary inspection regime (supported by governing bodies) would complement the statutory published guidelines and ensures that at least in theory, consistency of processes for safeguarding children from harm.

237. CEOP sees an important part of its work being to:

"...empower children, young people, parents and carers with the awareness they need to protect themselves from online risks..."

238. To this end, the ClickCEOP button is available on hundreds of websites popular with young people that can connect them to CEOP or the appropriate authorities if they wish to report something. CEOP's 'Thinkuknow' programme has been viewed over 12million times. This is an outreach programme to reduce the harm caused by those individuals that seek to abuse children and young people through the misuse of technology. CEOP has undertaken considerable awareness training in NI between April 2006 and January 2013: recorded views of Thinkuknow in NI is over 250,000; the number of CEOP Ambassadors in NI is 97; the number of trained Thinkuknow users in NI is 522; and the number of users on the Thinkuknow website from NI is 1,636. CEOP highlights that:

"The education programme is an effective resource that can be easily transferable to cascade messages targeting hard to reach groups in areas such as clubs or youth groups".

239. In February 2012, CEOP Ambassadors were deployed in the Disney store in Belfast as part of the Safer Internet Day activities. In November 2012, CEOP education and communications staff undertook a seven day regional tour in NI rolling out the education film 'First to a million'. This interactive film looks at the risks associated with posting self generated indecent video material online and the help available when things may go wrong. The team worked with schools and the PSNI. The next annual CEOP Ambassador course will be delivered in Belfast on 16/17 October. Since 2006, CEOP has disseminated a number of intelligence packages regarding suspects to forces in Ireland: PSNI – 235; Republic of Ireland Interpol – 732; and the Garda – 33.

240. In his briefing to the Committee (Appendix 2), Peter Davies, Head of CEOP, commented that:

"Education and working in partnership are key".

241. In its paper to the Committee (Appendix 3) the NIASW indicated that the British Association of Social Workers (BASW) has developed a social media policy to support members to use social media appropriately and ensure practice is based on the BASW code of ethics. The NIASW believes that:
- “Bullying of children is the most preventable source of harm children experience and for children who have been abused there is often found to be an element of bullying and coercion in their experience...the Department of Culture, Arts and Leisure could do much through its Arm’s Length Bodies to standardise and develop material for children, young people, parents and coaches on safe internet usage. All Arm’s Length Bodies should have guidance made available to expectations and standards”.*
242. NIASW notes in its paper the development by the Office of the First Minister and deputy First Minister of an e-strategy, and it encourages the Committee to make recommendations to the OFMDFM that it should deal with cyber bullying and social media sites.
243. In the section above there are a number of clear messages about the internet and social media. As stated at the outset, they provide tremendous positive benefits around communication and the sharing of knowledge and information. However, it is also clear that to enjoy these benefits and to avoid the challenges presented by the internet and social media, which are set out clearly above, we must educate our children and young people from an early age about the appropriate use of these powerful tools. Additionally, we must educate and inform parents and teachers so that they are fully able to support our children and young people in their use of the internet and social media.
244. **Recommendation: The role of educating children and young people, teachers and parents in the positive use of the internet and social media largely falls to other departments. However, the Committee recommends that the Minister engages with relevant Executive colleagues to seek best practice in this area to share with the CAL family. These departments are then likely to be the first points of contact regarding the wider roll out of a chartermark standard, following a successful CAL pilot. It is important to raise parents’ awareness of sources of information regarding the protection and safeguarding of their children.**
245. **Recommendation: It is clear to the Committee that the development of an overarching e-strategy is the responsibility of the Office of the First Minister and the deputy First Minister. However, the Committee recommends that the Minister takes the lessons learned from the CAL remit and contributes fully to the development of the e-strategy with her Executive colleagues, particularly ensuring that the needs of vulnerable groups and parents are addressed. Additionally, the Committee recommends that the Executive’s e-strategy should form the basis for the development of a specific DCAL e-strategy in conjunction with the Arm’s-Length Bodies and expert stakeholders, and with reference to advice on existing policies and frameworks. Again, the Committee sees a DCAL e-strategy being linked to the CAL sector chartermark standard.**
246. **Recommendation: The Committee recommends that the Minister undertakes, in conjunction with the CAL Arm’s-Length Bodies and relevant expert stakeholders, to develop and introduce a CAL ‘Acceptable Users’ policy and a code of conduct for communication with young people through any form of social media with guidelines about when and how young people should be communicated with. Again, consideration should be given to the inclusion of such a policy and code in a CAL sector chartermark standard pilot.**



Northern Ireland
Assembly

Appendix 1

Minutes of Proceedings

Thursday 13 December 2012

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr William Humphrey MLA
Mr Robin Swann MLA

10:35am The meeting opened in public session.

8. Chairperson's Business

Agreed: The Committee agreed to conduct a focused investigation into child protection measures across the culture, arts and leisure remit, including social media.

Agreed: The Committee agreed that the Committee Office should conduct a scoping exercise on the investigation over Christmas Recess.

Agreed: The Committee agreed a draft press release outlining its intention to conduct a focused investigation into consistency across child protection measures within the culture, arts and leisure remit.

[EXTRACT]

Thursday 10 January 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mr Robin Swann MLA

10:41am The meeting opened in public session.

12. Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

The Clerk briefed Members on the draft Terms of Reference of the Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit.

Agreed: The Committee agreed the draft Terms of Reference.

Agreed: The Committee agreed to invite Wayne Denner to brief the Committee on 24 January 2013; and to ask RalSe to identify other people and organisations to give evidence to the Committee on the recommendations.

[EXTRACT]

Thursday 17 January 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA
Mr Robin Swann MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr George McClelland (Clerical Officer)
Mr Chris Baird (Clerical Officer)

Apologies: None

10:34am The meeting opened in public session.

Agreed: The Committee: noted the briefing from RAISE on Potential Witnesses for its Investigation into Consistency in Child Protection across the Culture, Arts and Leisure remit; and agreed that Clerk should review the list and invite organisations to give either oral or written evidence.

[EXTRACT]

Thursday 24 January 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA
Mr Robin Swann MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Humphrey MLA

10:08am The meeting opened in closed session.

10:21am The meeting moved into open session.

8. Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit

Agreed: The Committee agreed to invite PSNI to give oral evidence as part of its Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit; and to invite the following organisations to give written evidence: Mencap; Disability Sport NI; PIPS; and Opportunity Youth.

Agreed: The Committee agreed to invite Volunteer Now to brief the Committee on the Investigation on 14 February 2013.

Briefing from Beattheycyberbully

11:51am The following officials joined the meeting:

Researcher, Wayne Denner; and

Researcher, Elaine Montgomery.

The officials briefed the Committee.

A question and answer session followed.

[EXTRACT]

Thursday 31 January 2013

Board Room, Culture Company Offices, Ebrington

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA
Mr Robin Swann MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Mr Michael McGimpsey MLA

10:46am The meeting opened in public session.

4. **Briefing from DCAL on Committee's Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit**

10:54am The following officials joined the meeting:

Director of Finance and Corporate Services, Ms Deborah Brown; and
Equality Officer, Damian Brady.

The officials briefed the Committee.

A question and answer session followed.

Agreed: Officials agreed to provide a written briefing to the Committee on its oral submission.

11:33am The officials left the meeting.

Agreed: The Committee agreed to write to NILGA for its assessment of the procedures and practices for child protection and safeguarding across local Councils.

[EXTRACT]

Thursday 7 February 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA
Mr Robin Swann MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: None

10:36am The meeting opened in closed session.

10:50am The Committee moved into open session.

5. Briefing from NSPCC on Committee's Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit

10:54am The following officials joined the meeting:

Policy and Public Affairs Manager, Mr Colin Reid;

Child Protection in Sport Officer, Mr Paul Stephenson; and

Senior Training & Development Consultant, Ms Irene McCready.

The officials briefed the Committee.

A question and answer session followed.

Mr William Humphrey made a declaration that he is a member of the Scouts Association.

11:57am The officials left the meeting.

11:57am Deputy Chairperson, Mr William Irwin, took the Chair.

11:57am Chairperson, Miss Michelle McIlveen, left the meeting.

6. Briefing from Arts Council for Northern Ireland on Committee's Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit

11:58am The following officials joined the meeting:

Director of Strategic Development, Mr Nick Livingston; and

Youth Arts Officer, Mr Gavin O'Connor.

The officials briefed the Committee.

A question and answer session followed.

[EXTRACT]

Thursday 14 February 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr William Humphrey MLA
Mrs Karen McKeivitt MLA
Mr Cathal Ó hOisín MLA
Mr Robin Swann MLA

10:44am The meeting opened.

2. Briefing from Sport NI on Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

10:45am The following officials joined the meeting:

Sport NI's Acting Chief Executive, Mr Nick Harkness;

Sport NI's Policy, Planning and Research Manager, Mr Paul Donnelly; and

NSPCC's Child Protection in Sport Unit Officer, Mr Paul Stephenson.

The officials briefed the Committee.

A question and answer session followed.

Agreed: Officials agreed to provide to the Committee information on its Coaching the Whole Child Workshop.

11:51am The officials left the meeting.

[EXTRACT]

Thursday 21 February 2013

The Performance Space, Lisburn Library

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Michael McGimpsey MLA
Mr Robin Swann MLA

10:37am The meeting opened.

6. Briefing from Foras na Gaeilge on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

12:20pm The following officials joined the meeting:

Chief Executive, Mr Ferdie Mac an Fhailigh; and

Director of Development Services, Mr Éamonn Ó hArgáin.

The officials briefed the Committee.

A question and answer session followed.

[EXTRACT]

Thursday 21 February 2013

The Performance Space, Lisburn Library

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Michael McGimpsey MLA
Mr Robin Swann MLA

10:37am The meeting opened.

5. Briefing from Libraries NI on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

11:41am The following officials joined the meeting:

Chief Executive, Ms Irene Knox;

Director of Library Services, Ms Helen Osborn; and

Assistant Director, Ms Trisha Ward.

The officials briefed the Committee.

A question and answer session followed.

[EXTRACT]

Thursday 28 February 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Mr Robin Swann MLA

10:12am The meeting opened.

5. Briefing from Safeguarding Board NI on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

11:48am The following officials joined the meeting:

Chairperson, Mr Hugh Connor; and

Director of Operations, Ms Sharon Beattie.

The officials briefed the Committee.

A question and answer session followed.

12:40pm The officials left the meeting.

[EXTRACT]

Thursday 14 March 2013

The MAC, St Anne's Square

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr Basil McCrea MLA

10:46am The meeting opened.

5. Briefing from Child Exploitation and Online Protection Unit on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

11:57am The following official joined the meeting:

Chief Executive, Mr Peter Davies.

The official briefed the Committee.

A question and answer session followed.

12:43pm The official left the meeting.

Agreed: The Committee agreed to write to the Chief Executive with outstanding questions in relation to legislation in other jurisdictions regarding child protection and safety.

[EXTRACT]

Thursday 21 March 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr William Humphrey MLA
Mr Basil McCrea MLA
Mrs Karen McKeivitt MLA
Mr Cathal Ó hOisín MLA

10:10am The meeting opened in closed session.

10:38am The Committee moved into open session.

5. Briefing from PSNI on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

11:33am The following officials joined the meeting:

Deputy Superintendent, Alan Skelton; and

Chief Inspector, Iain Hall.

The officials briefed the Committee.

A question and answer session followed.

12:20pm The officials left the meeting.

[EXTRACT]

Thursday 11 April 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Basil McCrea MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Mr Michael McGimpsey MLA

10:36am The meeting opened.

4. Briefing from NILGA on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

10:55am The following officials joined the meeting:

Chief Executive, NILGA, Derek McCallan;

Chief Executive, Banbridge District Council, Liam Hanaway; and

Assistant Director of Leisure Services at Lisburn City Council, Brendan Courtney.

The officials briefed the Committee.

A question and answer session followed.

11:28am The officials left the meeting.

5. Briefing from Ulster Scots Agency on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

11:30am The following officials joined the meeting:

Education Officer, Jane Wallace; and

Director of Corporate Services, David McCallum.

The officials briefed the Committee.

A question and answer session followed.

11:47am The officials left the meeting.

[EXTRACT]

Thursday 18 April 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Mr Basil McCrea MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA

10:33am The meeting opened in closed session.

10:37am The meeting moved into open session.

4. Briefing from National Museums Northern Ireland and Northern Ireland Museums Council on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

10:51am The following officials joined the meeting:

Director of Learning & Partnership, National Museums Northern Ireland, Mr Paddy Gilmore;

Head of HR, National Museums Northern Ireland, Mr Mark Wilkinson;

Visitor Services Manager, Ulster Folk and Transport Museum, Ms Ruth Turkington; and

Director, Northern Ireland Museums Council, Mr Chris Bailey.

The officials briefed the Committee.

A question and answer session followed.

11:31am The officials left the meeting.

[EXTRACT]

Thursday 25 April 2013

Armagh Planetarium

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Basil McCrea MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA

10:57am The meeting opened in closed session.

11:01am The Committee moved into open session.

4. **Briefing from Armagh Planetarium on the Committee's Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit**

The Committee noted the Committee Office memo outlining the itinerary for the stakeholder event at Grosvenor Grammar School on 2 May 2013.

The Committee noted the tabled Annual Report and Accounts for the Armagh Planetarium and Observatory for year ended 31 March 2012.

11:16am The following official joined the meeting:

Child Protection Officer & Director, Mr Tom Mason.

The official briefed the Committee.

A question and answer session followed.

Agreed: The official agreed to provide to the Committee a copy of its child protection policy and a list of the schools that have visited the Planetarium over the past year.

12:10pm The official left the meeting.

[EXTRACT]

Thursday 9 May 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Mr Basil McCrea MLA

10:35am The meeting opened in closed session.

10:39am The Committee moved into open session.

7. Investigation into Consistency in Child Protection across the CAL remit

Agreed: The Committee agreed to include the following papers in its report on the Investigation into Gaps in Child Protection across the culture, arts and leisure remit: RalSe briefing on child protection; RalSe briefing on internet safety for children and young people; House of Commons note on Internet: Protecting Children; Armagh Planetarium's Child Protection Policy; additional information from Safeguarding Board NI on home tutors; and a written submission from Ulster Scots Community Network.

[EXTRACT]

Thursday 6 June 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr Basil McCrea MLA
Mrs Karen McKevitt MLA

10:04am The Committee meeting started in closed session.

11:22am The Committee moved into public session.

Agreed: The Committee agreed to include the additional information from NILGA regarding Child Protection policies across local councils into the Committee's Investigation Report into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit.

[EXTRACT]

Thursday 13 June 2013

Tollymore National Outdoor Centre, Bryansford

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mr Basil McCrea MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Humphrey MLA
Mrs Karen McKeivitt MLA
Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA

11:24am The meeting opened in public session.

5. Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

Agreed: The Committee agreed to postpone its consideration of its draft Report on the Investigation into Gaps in Child Protection across the Culture, Arts and Leisure remit until Tuesday 25th June 2013.

[EXTRACT]

Thursday 2 July 2013

Room 30, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr David Hilditch MLA
Ms Rosaleen McCorley MLA
Mrs Karen McKeivitt MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Chris Baird (Clerical Officer)

Apologies: Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr William Humphrey MLA
Mr Basil McCrea MLA
Mr Michael McGimpsey MLA

10:20am The meeting opened in public session.

7. Draft Report on the Committee's Investigation into Consistency in Child Protection across the Culture, Arts and Leisure Remit

Members discussed the draft recommendations and direction was given.

Agreed: Members agreed to consider the recommendations at its next meeting in September.

Agreed: The Committee agreed to contact Sport NI in relation to the proposed recommendation for disability sports.

[EXTRACT]

Tuesday 10 September 2013

Room 30, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Malcolm Collins (Clerical Officer)

Apologies: Mr David Hilditch MLA
Mr Basil McCrea MLA
Mr Oliver McMullan MLA

10.20am The meeting opened in public session.

10.50am The meeting moved into closed session.

10. Investigation into Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

The Committee discussed the recommendations in its Report.

Mr William Humphrey made a declaration that he is a Member of the Congregation of the Presbyterian Church.

Agreed: The Committee agreed that the Clerk should discuss the practical implementation of a number of draft recommendations with key stakeholders.

[EXTRACT]

Thursday 12 September 2013

North West Regional College, Londonderry

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Basil McCrea MLA
Mrs Karen McKeivitt MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Malcolm Collins (Clerical Officer)

Apologies: Mr David Hilditch MLA
Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA

10:14am The meeting opened in public session.

11.29am The Committee moved to Closed Session.

10. Investigation into Consistency in Child Protection across the CAL remit

Agreed: The Committee noted the Clerk's progress in reviewing the recommendations and agreed to consider these again at the meeting on 19th September 2013.

[EXTRACT]

Thursday 19 September 2013

Room 115, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr Dominic Bradley MLA
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Basil McCrea MLA
Mr Michael McGimpsey MLA
Mr Cathal Ó hOisín MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Malcolm Collins (Clerical Officer)

Apologies: Mr Oliver McMullan MLA
Mrs Karen McKevitt MLA

10:15am The meeting opened in public session.

11.20am The Committee moved to closed session.

11. Consideration of the Committee Report into its Investigation into Consistency in Child Protection across the Culture, Arts and Leisure Remit

Agreed: The Committee noted the Clerk's progress in reviewing the recommendations and agreed to consider these again at the meeting on 26th September 2013.

[EXTRACT]

Thursday 26 September 2013

Room 21, Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mr Michael McGimpsey MLA
Mrs Karen McKeivitt MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Malcolm Collins (Clerical Officer)

Apologies: Mr Dominic Bradley MLA
Mr Basil McCrea MLA
Mr Oliver McMullan MLA
Mr Cathal Ó hOisín MLA

10.18am The meeting opened in public session.

12.25pm The Committee moved into closed session.

12. Consideration of the Committee Report into its Investigation into Consistency in Child Protection across the Culture, Arts and Leisure Remit

Agreed: The Committee noted the Clerk's progress in reviewing the recommendations and agreed to consider these again at the meeting on 3rd October 2013.

[EXTRACT]

Thursday 3 October 2013

Magee Campus, University Of Ulster, Londonderry

Present: Miss Michelle McIlveen MLA (Chairperson)
Mr William Irwin MLA (Deputy Chairperson)
Mr David Hilditch MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley MLA
Mrs Karen McKeivitt MLA
Mr Cathal Ó hOisín MLA
Mr Basil McCrea MLA
Mr Dominic Bradley MLA

In attendance: Mr Peter Hall (Clerk)
Ms Ciara McKay (Assistant Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Malcolm Collins (Clerical Officer)

Apologies: Mr Michael McGimpsey MLA
Mr Oliver McMullan MLA

10.28am The meeting opened in public session.

12.12pm The Committee moved into closed session.

12. Consideration of the Committee Report into its Investigation into Consistency in Child Protection across the Culture, Arts and Leisure Remit

Agreed: The Committee noted the Clerk's progress in reviewing the recommendations and agreed to consider these again at the meeting on 10th October 2013.

Agreed: The Committee agreed that Appendix 1 – Minutes of Proceedings stand part of the Report.

Agreed: The Committee agreed that Appendix 2 – Minutes of Evidence stand part of the Report.

Agreed: The Committee agreed that Appendix 3 – Written Submissions stand part of the Report.

Agreed: The Committee agreed that Appendix 4 – Research Papers stand part of the Report.

Agreed: The Committee agreed that Appendix 5 – Other Papers submitted to the Committee stand part of the Report.

[EXTRACT]

Tuesday 15 October 2013

Room 21 Parliament Buildings

Present: Miss Michelle McIlveen MLA (Chairperson)
 Mr David Hilditch MLA
 Mr William Humphrey MLA
 Ms Rosaleen McCorley MLA
 Mr Oliver McMullan MLA
 Mrs Karen McKeivitt MLA
 Mr Cathal Ó hOisín MLA

Apologies: Mr William Irwin MLA (Deputy Chairperson)
 Mr Dominic Bradley MLA
 Mr Basil McCrea MLA
 Mr Michael McGimpsey MLA

In attendance: Mr Peter Hall (Clerk)
 Ms Ciara McKay (Assistant Clerk)
 Mr Jonathan Lamont (Clerical Supervisor)
 Mr Malcolm Collins (Clerical Officer)

10.14am The meeting opened in closed session.

3. **Consideration of the Committee Report into its Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit**

The Committee discussed the recommendations in the report.

Agreed: The Committee agreed the Report's recommendations from 1 to 2.

Agreed: The Committee agreed the Report's recommendations from 3 to 8.

Agreed: The Committee agreed to request that the IFA demonstrate its app advising on protection and safeguarding issues.

10.41am As quorum was lost, the meeting suspended.

The meeting reconvened at 10.48am when Mr Cathal Ó hOisín and Mrs Karen McKeivitt joined the meeting.

Agreed: The Committee agreed the Report's recommendations from 9 to 22.

Agreed: The Committee agreed the full Report on its Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit.

Agreed: The Committee agreed that the Report be the First Report of the Committee for Culture, Arts and Leisure to the Assembly of the 2013/14 Session.

[EXTRACT]



Northern Ireland
Assembly

Appendix 2

Minutes of Evidence

24 January 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr David Hilditch
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín
 Mr Robin Swann

Witnesses:

Mr Wayne Denner *Beatthecyberbully*
 Ms Elaine Montgomery

1. **The Chairperson:** Good morning, and I apologise for keeping you waiting. We had departmental officials in talking about the review of arm's-length bodies, and it went slightly longer than anticipated; so, many apologies. You are welcome to the Committee. May I ask you to make an opening statement, and we will follow up with some questions?
2. **Mr Wayne Denner (Beatthecyberbully):** I start by thanking the Chairperson for the invitation and the opportunity to talk about something that I believe is a very important issue in Northern Ireland. I would like to follow that up by thanking the Committee for its attention and the opportunity to highlight this issue.
3. I am here today to talk about the Committee's investigation into gaps in child protection and safeguarding across the culture, arts and leisure sphere. After reviewing the NSPCC submission on safeguarding in sport, we are here to assist and to provide insight into specific areas. Your terms of reference include:

"Members will examine the issues around 'cyber-bullying' and Social Media, including education on safe and effective use of the internet for children and young people".
4. My background is that I have been involved in the digital communications industry for about 15 years. I class myself as being very much a "digital native"; I have grown up with technology. It is how I communicate and engage with people. About 18 months ago, I started to look into cyberbullying. I asked Elaine Montgomery to volunteer her time to carry out a bit of unpaid research into how young people are communicating online.
5. We have come up with a number of different areas that we want to highlight today. I want to focus on cyberbullying and bystanding; negative online culture, which I believe to be a big issue in Northern Ireland and the UK; and education and training, specifically looking at volunteers at risk.
6. I have been involved in a number of community festivals in south Down over the past couple of years, such as the Maidens of the Mourne and Youth Fest. As a volunteer, I have had to attend a number of training courses on child protection and stewarding, and I think that an area that is lacking is how volunteers are at risk from cyberbullying and the use of online communications. The NSPCC course that I attended is compulsory for those who want to volunteer at culture, arts and leisure events, and I believe that it should include a programme for safeguarding children from cyberbullying.
7. It should specially look at education and training on online sharing and inappropriate connections between adults and children, which is a big area right now; adults using Facebook, and young people and children wanting to connect with adults on such platforms, which is not always the most appropriate thing to do. There is also the issue of the photography, the videoing of children and content sharing online. We all want to video our kids, but it is a question of

- where and how that content is shared online and who is sharing it. Are other children commenting on that content online? What comments are they making on that content? Is that content having a negative impact on a child's life?
8. Specifically, I want to look at good practices. I also want to talk about the links to suicide and self harm; I think that is very important. I want to talk about vulnerable children and about recommendations and improvements around how all these things can be targeted.
 9. I am having discussions with a number of organisations. I am talking at length to Jim Gamble, founder of the Child Exploitation and Online Protection Centre (CEOP), about some stuff that I am hopefully going to be doing with him. The Southern Education and Library Board (SELB) youth service has also expressed an interest in working with me. There are also the Health Protection Agency and the Public Initiative for the Prevention of Suicide and Self Harm (PIPS) in Newry, who I am working very closely with in developing programmes on how to use social media responsibly. That is the big challenge; how to educate young people in the use of social media. There are also the Northern Ireland Anti-Bullying Forum (NIABF) and the Southern Regional College, where I am a part-time lecturer.
 10. As regards progress to date and creating awareness, I have been aggressive in my efforts online, specifically on the Twitter channel, in pushing out awareness to parents and educators. I released an e-book called 'Beat the CyberBully', which is available as a free download from the website for parents and educators, again all in a voluntary capacity.
 11. Programmes have been developed and are ready to be piloted through PIPS and other organisations. So, we have spent time writing up the programmes. We are hoping to get one of the programmes accredited by the Open College Network, which means that anyone who takes part in the course will receive certification. We are looking for other options as well.
 12. That wraps up my overview. I will be happy to take any questions.
 13. **The Chairperson:** Thank you very much, Wayne. You named some of the people with whom you had discussions. Have you had conversations with Departments?
 14. **Mr Denner:** No.
 15. **The Chairperson:** Nothing at all?
 16. **Mr Denner:** Nothing, bar this invite today to the Culture, Arts and Leisure Committee.
 17. **The Chairperson:** So, this is your first invitation. It may be useful for us, then, to develop some of the issues that you discovered through your research. Perhaps you may want to share some of that with us.
 18. **Mr Denner:** Yes, we have been looking at how children form online relationships. About 43% of 5-year-olds to 15-year-olds have a social networking profile. I have been talking to schools, and there is a big gap in the delivery of training to young people. I am the parent of a child who turned five today. I went into his school, Carrick Primary School, Burren, to give a presentation to the P1s and P7s, and they did not have any awareness about keeping safer online.
 19. I believe there is a big gap for facilitators to go into schools and talk to and engage with young people on how keep safe online. I want to talk to more schools and organisations. I specifically want to deal with volunteers at risk because I believe there is a big aspect where volunteers are at risk. A lot of volunteers are involved in community groups and organisations and maybe do not have the correct understanding of the appropriate use of technology when it comes to how they engage with young people. I believe there is a massive gap in the market there to deliver those programmes.
 20. I believe there is very little out there to tackle cyberbullying. It is an issue that needs to be addressed across a

- number of Departments. It is not just this Department or the Department of Education. It is government-wide.
21. **The Chairperson:** Can you really define cyberbullying?
 22. **Mr Denner:** It is difficult to find a World Health Organization definition for cyberbullying. There are a number of definitions. To me, it is using technology to bully young people. They say that bullying stops at the age of 18. It does not; it is up to 18 years of age. So, it is using e-mail, Twitter, Facebook and text messaging; it is sharing content; it is making malicious comments about other people; and it is making a person feel withdrawn from society. That is how I understand it.
 23. **The Chairperson:** I am showing my age because I had never heard of Snapchat until yesterday.
 24. **Mr Denner:** Yes.
 25. **The Chairperson:** Will you talk to us about that? I think there is an understanding that images on Snapchat disappear, but I read up a little about this last night and discovered that that is not necessarily the case, which in itself presents quite a danger.
 26. **Mr Denner:** I believe that to tackle cyberbullying, we need to be responsible for the content that we create. That is very important. Each of us creates content online, and it is that content that we need to be responsible for. Our children are creating content online. Take Snapchat and that sort of platform. Kids are taking pictures freely, appropriate or not appropriate, and are sharing those pictures with friends and family. The issue is how those pictures are used further on.
 27. Take a case that happened recently in the States, for instance: a young couple of 14 or 15 years of age were in a relationship; the boyfriend was sitting with all his friends and asked the girl to take a picture; the girl agreed to take a picture. There was a ripple effect in how that picture was shared through his friends, and then his friends sharing it with their friends on Facebook. It was a ripple effect. That particular picture was created for a specific purpose, but it was then used maliciously for enjoyment, and then it went full circle to cyberbullying.
 28. Technology is a wonderful part of modern childhood. It is very useful in the classroom; it is how children are learning now. I believe that the problem is in how we are using it, and I believe that we need to create more education on the responsible uses of technology.
 29. **The Chairperson:** None of us will argue with the fact that the internet and technology presents huge opportunities for all of us, particularly children. However, there are risks associated with that. It is about making sure that there are sufficient safeguards in place for those who are, I suppose, vulnerable. I suppose that there are a number of levels on which that responsibility needs to be taking place. Do you believe that the industry does enough to safeguard those who are using technology.
 30. **Mr Denner:** Certain aspects of the industry are taking steps. Platforms such as Facebook work a lot with authorities and give information. If there is evidence of cyberbullying in certain spaces, it will remove pages or content. Recently, a parent contacted me about children at a school who had set up a Facebook page against their daughter. Children were posting comments on the page and sharing pictures on it. The problem that the parent had was that she did not know where to go. She did not know who to turn to. The school did not know what to do. It is not, fundamentally, only the fault of the school; it is everyone's responsibility. We have a duty of care as parents, educators, politicians, teachers and friends. We all have a responsibility, and we have a duty of care not to become bystanders in the area of cyberbullying.
 31. I believe that not enough is being done in education or at legislative level. There are changes, and delivery is another key area. It is about going out and talking to young people; it is about talking to P1s.

- It is also about looking at community groups and organisations throughout culture, arts and leisure and working with volunteers. If we can build an army of potential volunteers who are aware of what constitutes cyberbullying, they will be able to look out for the signs and symptoms of somebody being cyberbullied. They will know the correct course of action to take after that. They will know what to do when they have identified somebody who has been cyberbullied.
32. In my conversations with PIPS about suicide prevention, I have seen that there is a vacuum and that there are people in that vacuum. They are seeking advice and are actively looking for someone to talk to. I believe that there are two sets of people; those who are in the vacuum now, and those, such as my son, whom we can educate now to be responsible in the use of social media. If those people are educated now, they will be less likely to get caught up in the vacuum because they will be aware of it. They will know how to use technology responsibly and they will know how to engage in responsible communications online.
33. **The Chairperson:** There are very high-profile discussions on the mainland around the use of Twitter. As a result, there have been discussions by the legislators on the use of social media and whether the internet can be regulated. Do you think that that is possible?
34. **Ms Elaine Montgomery (Beatthecyberbully):** In the past few days, Facebook admitted that it cannot monitor children under 13. It finally admitted that it cannot do anything about that. Facebook, along with Twitter, are probably the most powerful people out there.
35. **Mr Denner:** In 2011, there were probably more than 7.5 million under-13s using Facebook. That is a lot of users of that age on that platform. I believe that parents have a duty of care to understand what their children are doing online. It is very simple. We need to start understanding the internet as a space or a place where children go to. You would not bring your children to the park and let them go up and talk to people freely. You would want to know who they are talking to; you would want to know who that person is, and you would want to give them advice about who it is appropriate to talk to. If we can start to understand the internet as a very useful place where children go to, we will be able to educate them a lot more easily. It is like riding a bike at school; you learn the green cross code. You would not put your child into a car at 16 and say, "Away you go" without insurance, MOT, road tax or driving lessons.
36. We are handing smartphones and technology to children, and we are just saying, "Away you go; the world is your oyster." It is a great platform; it is very useful. It is a great learning tool. I am a big advocate of it. However, we need to learn about and start working on the responsible use of social media. The bottom line is that we need to educate not just the children but the parents, the community volunteers and our politicians. Everybody needs to be educated about it. I believe this because I have spent so long in it; it is how I communicate, how I get stuff done and how I connect. I share these positive stories when I talk to children and young people about it. This is another positive story; I am here today only because I have campaigned for change online. There is no other way. It is by connecting with like-minded people who have similar ideas. This is a positive story that I can take away from this experience and share with children and young people.
37. **The Chairperson:** I am glad that you find this to be a positive experience; I do not think that everyone who comes here finds it to be. *[Laughter.]*
38. **Mr Denner:** Any platform that I can get is a positive experience.
39. **Mrs McKevitt:** Thank you very much for addressing the Committee. As a parent of five children, I am not sure whether I have moved with the times. When I was growing up, people probably did not have a telephone even in the home. When

- you wanted to communicate with your friends, you met them in school, when getting off the bus, or when you walked to their house. Now, it is all at the touch of a button — if you can get a signal.
40. It is 20 years since the first text message was sent, and education has evolved around computers. Information and communication has totally changed now. You made a good point about the lack of knowledge and education about the damage that can be done. We all see how you communicate, but if somebody put their photograph on Facebook, I do not fully understand how that can change and turn around so quickly. It could go right around the world. I really commend the work and research that you have done. I looked into your Beatthecyberbully book, which I found very useful. In fact, it has probably educated me a wee bit more on how to tweet and how to do all different things.
41. I am delighted to hear that you are communicating with organisations such as PIPS. The news headlines just before Christmas were of two sisters who were allegedly cyberbullied, and they both committed suicide. That is tragic for the family, their friends and all who knew them. Your link with the Southern Regional College is the right way to go. There is an opening across the Departments to educate. We are mad keen to open up doors for that. The PSNI is now engaging in neighbourhood watch schemes and neighbourhood policing. It should go back to the days when your local policeman knew wee Bobby or wee Jimmy. We need to educate our police teams and stuff. I would be keen to work with you locally on that, if I can, because you are from south Down.
42. **Mr Denner:** Of course.
43. **The Chairperson:** Was there a question?
44. **Mrs McKevitt:** No, it was just that I agree with Wayne on the gaps and the lack of knowledge and how you grow with that. It was well highlighted. Perhaps the Committee could propose a motion in the future around cyberbullying
- or the inclusion of the gaps that need to be addressed.
45. **Mr Denner:** Ultimately, when I talk to people, the common denominator is those issues. Parents are not sure about what to do; they may not be on Facebook. They wonder whether they should snoop on their children. We need to start thinking about the internet as a place. If snooping is what you need to do a little bit of just to get an understanding, then that is what you need to do. There is technology out there to help. Jim Gamble is doing some very good stuff, and there are people out there who are champions for change.
46. I do not want to see what is happening in the South happening here. There have been some suicides directly connected with the type of bullying we are talking about, and I do not want to see anything like that happening up here. We have a great opportunity. I am trying to champion it as much as I can in a voluntary capacity to take it to the next level to try to engage with as many schools, Departments, youth organisations, Radio Ulster — whoever I can talk to — just to get the message pushed out there that we have a growing problem, and that if we do not take some sort of action, something will happen.
47. **The Chairperson:** You raised the issue of privacy. Is there a problem about moving into the realms of an invasion of privacy of children and young people by parents?
48. **Ms Montgomery:** I was having a discussion with Lee Kane from the NIABF yesterday, and I very much agree with his view. As Wayne said earlier, if you brought your child to a park, would you hide in the bushes? You would not. You should be openly communicating with your child asking, “Who were you talking to there?” It is about opening channels of communication with your child and trying to keep them open.
49. Obviously, our kids are not going to tell us everything. My sons are at a young age and do tell me everything,

- but that is going to change. As regards teenagers especially, and young people generally, there has to be some balance where you are openly saying, "Who are you chatting to now?" and "Who are your friends now?" We have to bring it all out into the open.
50. It is the same with suicide-related cyberbullying. As regards the recent developments with suicide, people are bringing the issues out into the open and are talking about them, saying, "These are important. We need to talk about them and take the taboos away." As regards children's privacy, there has to be a balance. There is a duty of care, and parents, educators, teachers and community leaders need to say to themselves, "We are giving them all of this technology, we are placing it in their hands and we have a duty to be responsible and teach them about that technology and communicate with them."
51. **The Chairperson:** The challenge obviously is the mobile aspect of technology. It is in your hands.
52. **Ms Montgomery:** Yes.
53. **Mr Denner:** We need to understand that when I was at school, I might have come across a bully and got a quick box or whatever. That would have been it and things would have calmed down. Now, the bully is potentially in my pocket 24 hours a day. The bully is at the side of my bed, in the bathroom with me, in the car, on the bus and under my pillow. The bully is everywhere. We have a duty of care as parents. If we have this technology in our house; we need to make sure that we know what kids are doing with it upstairs in their bedrooms.
54. One parent took their 12-year-old son out for a meal recently, and the first thing the child said to the waiter when he got to the restaurant was, "What is the Wi-Fi password?". He did not say, "Can I have a drink?" or "This is what I want". He asked for the Wi-Fi password because he wanted to use Facebook to connect with his friends.
55. Equally, another friend contacted me recently and said that it was his 13-year-old's birthday and that she was really upset. I asked what was wrong with her and he told me that she was not upset about the number of birthday cards she got or the number of presents she got; she was upset about the number of Facebook "likes" she got and the number of people wishing her a happy birthday on Facebook. That tells me that there has been a big change in the way that young people communicate online. That is a self-esteem issue, and not enough people liking her Facebook status and not enough people wishing her "happy birthday" on Facebook has potentially knocked her self-esteem because that was the channel in which she communicated.
56. **Ms Montgomery:** The other thing is that although children and young people are unbelievably confident in what they do online and with the technology, unfortunately they are not emotionally equipped to deal with negative comments or experiences that they have online.
57. **Mr Ó hOisín:** Thank you very much, Wayne and Elaine. Obviously, you are very passionate about what you do. It is not just young people who are miffed by the fact that somebody does not "like" them on Facebook. I know quite a number of politicians who think likewise.
58. My mother was a district nurse, and because of that we had one of the very few phones in the village. Things have come a long way since then. Somebody recently compared cyberspace with a country that has a different language and a different set of morals. Thinking like that may be the way to deal with it. However, I also heard a very cogent argument on the radio yesterday evening about the rights of young people to their own space. It is not the same as going through your daughter's diary, as it would have been some years ago. However, those of us who are parents still have worries.
59. At the start of the meeting, we talked about the written and oral evidence

- that we would need to take to have consistency in the investigation. This is a very useful exercise, in that we could tie in, particularly with you, Wayne, and get that expanded to include the organisations on the coalface, including Lifeline, PIPS, Divert, and all the rest. Perhaps that would be an idea.
60. We were scratching about earlier trying to think of organisations that we should contact. We cannot underestimate the extent and the influence of the internet. My 11-year-old has informed me that he is learning Russian online. I do not know what his intentions are. He helps me with phrases every now and again.
61. Those are the things that come up day and daily, and most people in the room are not over it. You are right, Wayne: schools, youth groups and many of the organisations that we have been talking to are not over this at all. I contend that online is where most bullying takes place now.
62. **Ms Montgomery:** Much of it is moving to that platform.
63. **Mr Ó hOisín:** We should be working closely with the likes of Wayne and getting together his thoughts on how best we advance our investigation.
64. **Mr Denner:** I want to follow up on the point about schools. From what I hear, schools are struggling, and many of them are saying that it is not really their area. However, I believe that it is. Children spend a great deal of time at school and in community groups. There is a massive opportunity to infiltrate schools, to educate kids and to talk to them about being responsible. You should talk to kids about etiquette online and the appropriate conversations to have with people and how the internet can be used responsibly. Last year alone, I had two trips to the Middle East, purely off the back of conversations that I had online — appropriate and responsible conversations. People wanted to bring me out to talk to them. I share those positive stories and tell them how they can use the internet effectively and what they can achieve out of it. I tell them how they can build their profile online and what they can do. However, I also tell them about the pitfalls and the dangers and what they need to be aware of. I talk to them almost like a big brother; that is how I rock up. I have a connection with them. It is not someone in a suit or an ICT professional; it is someone dressed the way that they would dress when they go out. They are getting information and building a rapport. I talk to them on their level, because that is how we need to talk to them. Those are the messages that I push out. It is very much focused around that.
65. Equally, there is a different message for parents, and we need to have that awareness and do that campaign.
66. **Mr Swann:** Thank you for your presentation. Earlier, you talked about the wee girl and how she was concerned about how many “likes” she had. Not long ago, I heard two MLAs talking about how many followers they had on Twitter, and that seemed to be a status for them.
67. Wayne, have you any connection or interaction with the Internet Watch Foundation in your work?
68. **Mr Denner:** No. I have spent about 18 months looking at that, and I have spent a lot of time trying to build connections with various groups, fundamentally focusing in and around the area that I started this thing out in and gradually trying to move it forward. I am constantly looking for new people to connect with and to talk to and new opportunities for pushing out my message. I am open to talking to any organisation or any group that has an interest in helping me — and in my helping them — to tackle cyberbullying.
69. **Mr Swann:** It might be a useful organisation. I think that it is one of BT’s sponsored charities for the year, so they have quite a good standing.
70. **Ms Montgomery:** We have come across quite a bit of research from the Internet Watch Foundation. One of the points that we made in our written submission

- was that there are loads of excellent online stuff from CEOP, Childnet, NSPCC, Childline, BeatBullying, NIABF and the Internet Watch Foundation. Again, however, much of it is about delivery to schools, parents and community groups. There is a massive gap in delivery. There is a guide down South by Mr Mulrine. He is an IT person, but he is making the effort and going out and talking to people; he does parent workshops, talks to teachers, and so on. It is not really delivered in the best way possible, but at least he is trying. That is how the few people who are doing it do it.
71. **Mr Denner:** Among the community and voluntary sector, it is about groups in the culture, arts and leisure sector: the likes of the Maiden of the Mournes festival and the World Police and Fire Games. There will be so many volunteers, and we need to have a handle on cyberbullying. We need to have a handle on what issues may crop up down the line in relation to taking content from people who are involved in those events and where that content goes. We need to educate the volunteers about what is appropriate and what is not appropriate through technology during those games and events.
72. **Mr McGimpsey:** Thank you for your presentation. I am interested to hear what you said around suicide and the role that the internet and providers play in that. A number of years ago, when I became the Minister of Health, I saw that there was a clear connection between a suicide cluster in Northern Ireland and internet advice on how to commit suicide. I met the providers in London; Google and Yahoo!, and so on. Their issue was that they just provide the service; they said it was nothing to do with them. We, therefore, took it to the next stage. The Byron Report came out of Downing Street through Gordon Brown. Byron set up a task force. The head of social services here, Sean Holland, who was then grade 5, sits on that task force. What is your assessment of where that task force is now? That is to say, is it making providers — Google and Yahoo!, and so on — police their own systems? As I said, the providers told me that, frankly, what goes on is nothing to do with them. They simply provide the system; how it is used is not their problem. They had a psychiatrist there to talk to me and all the rest of it. They are multi-billion dollar businesses based in places like Texas or California. We are small fry. The UK is small fry. I just wonder where you think that is now. What effect has that had?
73. This cannot be done by a few volunteer groups; it cannot be done by one Department in a small government. This has to be done collectively throughout the UK and the Irish Republic. We are all working together on this. It is about government dealing with this at the highest level.
74. **Mr Denner:** You are absolutely right. I have come across cases where providers have said that they just build the platform and provide the service; that is as far as they go. Look at the recent articles about ask.fm. I spent a bit of time looking at what is going on there. The questions that are being asked of 13-, 14- and 15-year-old girls on that platform are absolutely shocking. The founder came back with a statement that he just provides the platform, and that perhaps children in the UK and Ireland are meaner than in other parts of the world.
75. **Ms Montgomery:** Ask.fm should be shut down because of the anonymous posting. I say that unequivocally. People of whatever age can go on and say whatever they want; it is completely anonymous. The comments are unbelievably shocking. At least on Facebook and Twitter, you have a profile; people know who is making the comments.
76. **The Chairperson:** You might want to explain what ask.fm is, as you may be just a wee bit ahead of members.
77. **Ms Montgomery:** Sorry.
78. **Mr Denner:** Ask.fm is a media platform where you put up your profile and ask questions. Karen may have a question about how to fix her car. That is an

- appropriate use of it. She would post that question so that other people can come back to her. For example: “I have a problem with my headlights; how do I replace the bulb?” The reply might come back: “You take the back panel off, screw the bulb out and put the new bulb in.” That is an appropriate use.
79. Some children use the platform to communicate and engage with friends. However, other people use it anonymously and completely inappropriately to ask questions of minors. Recently, I saw a girl based in the UK who was no more than 14 being asked what her bra size was. When you see such questions being posed to young people, it is kind of scary. Those are the kinds of questions being asked on this platform.
80. Let us not forget: this platform is making money. Advertisers need to take responsibility for the advertisements that they push. That is another battle that I will start to ramp up with major brands — I will not mention any names here today — that use those platforms to advertise their products, services and stores in the UK and Ireland. Surely advertisers have a responsibility if children are taking their lives as a result of what is on those platforms. They have a duty of care. The platforms also have a duty of care, and they need to work a lot more with organisations.
81. When the issue of music piracy was raised because of file-sharing on the internet, the UK Government and internet service providers (ISPs) shut the providers down. Why can they not shut down those other providers if people are taking their lives? That is how I see it.
82. **Ms Montgomery:** Ask.fm has been associated with at least three cyberbullying-related suicides in the South of Ireland. In the UK, Canada and America, ask.fm is associated with many more cyberbullying-related suicides.
83. **Mr Denner:** It is based in Latvia, so it is outside our control, but it is pushing content into the UK.
84. **Mr McGimpsey:** Google’s headquarters in Europe are in the Irish Republic.
85. **Mr Denner:** Dublin.
86. **Mr McGimpsey:** Therefore, it is accessible. The Irish Republic’s Government, of course, —
87. **Mr Denner:** And Facebook and Twitter.
88. **Mr McGimpsey:** — are a wee bit shy about taking the stick to them. It is through the advertisers and their home offices in the US, but they are huge generators of cash for the US Government, and that is the issue.
89. **Ms Montgomery:** They are too powerful.
90. **Mr Denner:** We need to start looking at that. If they can close down ISPs and file-sharing websites, surely we can get something passed that says, fundamentally, that if this takes place and it is found that cyberbullying came from there, we will take action and prosecute.
91. It boils down to education. Young people need to understand that words can cause harm online and can be around for a very long time and that what you say online can haunt you down the line.
92. **Mr McGimpsey:** You educate young people by educating their parents.
93. **Mr Denner:** That is exactly what I think.
94. **Ms Montgomery:** We have started looking at an online social and moral code and researching that with a psychologist and with people in mental health organisations. We have looked at an online social and moral code with very young children at primary school who are four or five years old. It is very simple stuff such as saying, “If you would not say that to your granny, you would not post it online”. Obviously, they will say different things to their friends, but it is along those lines. For example, “If you would not say that to your friend in the street, or make fun of them, or do this or do that, do not do it online”. It is about doing really simple stuff from a very young age. If you start looking at safety and an online moral code in

- those formative years, you can address those problems. It is about looking at prevention as well as intervention.
95. **Mr Denner:** You are always going to have cases.
96. **Mr Hilditch:** Sorry for missing the start of your presentation. You mentioned events with schools, Departments, the media and youth clubs. Have you had any interaction with the sporting sector on the internet issue? Vast numbers of kids are driven to sports, and there are large numbers of volunteers in that sector, which has policies and what not. Associations and clubs are continually looking for partners from the voluntary and charitable sector to campaign with. Have you done anything on the group side of things?
97. **Mr Denner:** We have not really done a great deal on that. We have been trying to highlight the issues and whatever policies are in play and to update those accordingly in order to bring in aspects of cyberbullying. There is an action plan so that if something happens, we are not sitting scratching our heads and looking at each other saying, "What do we do next?", because cyberbullying tends to escalate very quickly.
98. We have all seen how quickly stuff can be shared online when it goes viral. It only takes someone to video something in a club for it to go round the world.
99. **Mr Hilditch:** The young ballboy last night got 70,000 hits on Twitter minutes after the incident.
100. **Mrs McKevitt:** The photos were all edited to suit.
101. **Mr Hilditch:** There is an opportunity for awareness of the campaign.
102. **Mr Denner:** If we look at the road safety campaign —
103. **Ms Montgomery:** From the NSPCC report on safeguarding in sport, it looks as though great progress has been made. However, we need to focus specifically on cyberbullying and online safety.
104. **Mr Denner:** Yes, because those platforms will continue to grow. Apps such as Snapchat will continue to come out, and there will be something next week, next month and next year. People like me who are involved in this space need to be thinking about what is coming down the line next and what we need to be thinking about. It is about bringing information out to educate.
105. **Ms Montgomery:** Gaming through social networking is massive.
106. **Mr Denner:** Girls are more likely to be bullied online than boys, and girls send an average of 221 texts a week. All that research is out there. How we use digital communications to connect and engage with people is rampant. That is another reason why public houses are suffering: people are staying in and chatting to their friends on Facebook; they are not going to restaurants and bars. There has been a fundamental shift in communications. When I left school in 1995, there were three computers in the Southern Regional College in Newry, and we asked, "What is this internet all about? It looks interesting." Now, every student in the classroom has a computer. When I am in there to deliver a lecture, much of the time they are not listening because they are on Facebook. As educators, we need to find a way of engaging with students so that their learning evolves through the use of technology, because that is what they are doing, and that is how they want to be communicated to.
107. **The Chairperson:** I can understand the problem. *[Laughter.]*
108. **Mr Denner:** I do it, too.
109. **Mr Swann:** I am listening, Chair.
110. **Mr McGimpsey:** You can do more than one thing at a time.
111. **The Chairperson:** Are you multitasking?
112. **Mr McGimpsey:** I can even chew gum at the same time.
113. **Mr Swann:** It is an Ulster Unionist thing.

114. **Mr Irwin:** Most areas have been covered. Among the public, adults and parents are not fully aware of the dangers. I may be a bit old-fashioned. You mentioned a child in a restaurant whose first question was about connecting to the internet. There is also a danger of addiction, and that is an issue for parents.
115. **Ms Montgomery:** Yes, definitely, and of mental health problems because of the noise when you are sitting using an iPad.
116. **Mr Irwin:** I know of a housewife who sat for six or seven hours a day on Facebook. I do not think that the husband was too happy. Perhaps when children are very young, it is a good thing because it gets them out of the way. It is important that parents are made fully aware. Most parents have no idea of the dangers. How that is done, I am not so sure.
117. **Ms Montgomery:** We are running a parenting workshop next week at our son's school.
118. **Mr Denner:** Parents need to be educated. That is what the schools are doing. Some schools are proactive and have contacted me. They have reached out and said that they would like me to come in. I cannot go around volunteering for the rest of my days — I would love to. This kind of thing has evolved almost as a corporate social responsibility for me, and it is consuming a lot of my time. I am passionate about it, and it needs to move forward. However, we need to look at implementing programmes. The school that we mentioned is Carrick Primary School in Burren. The principal said that he wants us to come in to deliver a parents' workshop on how to keep their children safe online and what they should look out for. Let them know what Facebook, Twitter, Foursquare and Snapchat are and how they can take proactive action in their homes and how they can look out for opportunities to carry on the message and educate their children. That is very important.
119. **Mr Irwin:** It will be impossible for you to do that on a widespread basis.
120. **Mr Denner:** I am trying to train people. My next thing is to develop training programmes through which I can train facilitators to go out to community groups.
121. **Ms Montgomery:** We have already developed a programme to facilitate a training programme that PIPS will run as a pilot; we hope to get it accredited by the Open College Network.
122. **Mr Denner:** The health trust in Newry and Mourne has also been in touch about coming in. Nuala Quinn from Protect Life contacted us about running something in its department and educating not only parents but youth leaders. That is what the Southern Education and Library Board wants me to do. It wants to train 20 volunteers from its service who work with youth clubs to go out and be the messengers on the ground, if you will. I will relay the information to them. You cannot be everywhere.
123. **Ms Montgomery:** We are going to the meeting of the Union of Students in Ireland on 6 March. We are also meeting the youth service of SELB on 5 February. At least that will get the awareness out a bit more easily than having to visit individual schools.
124. **Mr Denner:** That is an all-Ireland conference for all the student union officers of the Union of Students in Ireland. They want me to do a 45-minute keynote presentation. They are contacted all the time by people who are being cyberbullied, and they do not know what to do. They do not know where to signpost them, and that is a problem. If someone knocks on your door and tells you that they are being cyberbullied, where do they go? Do they go to Facebook? Facebook does not care. We get e-mails all the time asking how someone can remove content. I am working with a law firm in Belfast that does a lot of media litigation on Twitter and Facebook. We are working together to write blogs to educate people on

what is appropriate and inappropriate to say on Twitter. More and more of those cases will crop up.

125. **The Chairperson:** Thank you for the time that you have spent with us this morning. You have certainly educated members on the various forms of digital communication. No doubt they will be investigating that further themselves. The message coming across today is one of awareness, signposting and education. That has been incredibly useful for us.
126. Again, on behalf of the Committee, I thank you for your time. If there is anything further that you would like to share with us, contact the Committee office and we will relay it to members.
127. **Mr Denner:** Thank you very much.
128. **Ms Montgomery:** One last thing that I would like to say is that the e-book provides a really good background for what we have been talking about today. If you get a chance, download it and take just a few minutes to skim over it. We would really appreciate it. Thank you.
129. **Mr Denner:** Brilliant. Thank you.

31 January 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín
 Mr Robin Swann

Witnesses:

Mr Damian Brady *Department of Culture,*
 Ms Deborah Brown *Arts and Leisure*

130. **The Chairperson:** I welcome Ms Deborah Brown, the Department's director of finance and corporate services and Mr Damian Brady, the Department's equality officer. Thank you for making the trip. Please make an opening statement, after which members will have an opportunity to ask questions.
131. **Ms Deborah Brown (Department of Culture, Arts and Leisure):** I thank the Committee for the invitation. I apologise for not being able to make it last week, and thank you for accommodating us this week.
132. We welcome this investigation, which is being led by the Committee. It is very timely given the legislative changes to disclosure and barring arrangements and, obviously, the publication of the Yewtree report on Jimmy Savile.
133. This briefing will outline the existing safeguarding structures and the arrangements operated by the Department. It will provide the background and some insight into how we develop our safeguarding measures. It will demonstrate our ongoing commitment to ensuring that children and young people can avail themselves of culture, arts and leisure opportunities in a safe and secure environment.
134. The Department rarely provides services directly to children. However, most of our partners' activities involve contact with children and young people. The aim of the work with our partners is to establish agreement on and consistency in safeguarding standards, and we want to maximise and extend our influence to individuals or organisations funded or commissioned to provide any services for children and young people in the culture, arts and leisure sector, to ensure that they effectively address the safeguarding requirements. The Department is committed to developing and implementing the policies and procedures that enable everyone to know and accept responsibility in their duty of care for young people.
135. I would like to outline some of the background to how we arrived at our current safeguarding guidelines. In 2006, we commissioned the Education and Training Inspectorate (ETI) in the Department of Education (DE) to undertake a review of the child protection arrangements in a sample of the organisations sponsored by the Department of Culture, Arts and Leisure (DCAL). ETI's findings were that, although there were a number of strengths and instances of good practice, there were some gaps and inconsistencies in both policies and practice. The report found much uncertainty and a lack of understanding among some of the sponsored organisations about exactly what was required of them and how the child protection aspect of their work should be managed. The 2006 ETI report identified the need to provide formal guidance to sponsored organisations on matters relating to child protection; to deliver a child protection workshop with external input and providing examples of best practice; and to examine how the Department, given its arm's-length management and arrangements, can develop a more robust system

- of monitoring the child protection arrangements across its sponsored bodies.
136. In response to that report, the Department developed its written departmental safeguarding guide, which was issued to arm's-length bodies (ALBs) in June 2009. We held two training events, in February 2008 and May 2010, which were attended by departmental staff and representatives from arm's-length bodies, to consider the complex safeguarding issues. Those workshops included input from internal and external agencies, so we had in attendance representatives of the National Society for the Prevention of Cruelty to Children (NSPCC) and the Department of Health, Social Services and Public Safety (DHSSPS), for example, to support the sponsoring bodies in developing and understanding the rigorous safeguarding policies and procedures. We introduced a system of monitoring and reporting child protection arrangements across our arm's-length bodies, and we established a departmental child protection working group to act as a co-ordinating unit for raising awareness on the implementation of the safeguarding policies and legislative developments that were affecting DCAL and its sponsored bodies at that time. That group consisted of a representative from each business area and a policy officer from the NSPCC.
137. I will turn to how we monitor and report. We have regular governance and accountability meetings, with which you are familiar, and those also ensure that child protection policies, and nominated child protection officers, are in place in all of the arm's-length bodies. Safeguarding is an agenda item at those ALB accountability meetings. ALBs have to complete an annual audit checklist, which assesses the organisation's performance against those generic standards. Safeguarding also forms part of our risk management process, and our heads of branches within those sponsored bodies ensure that the appropriate checks have taken place. That, in turn, is reported on at the end of the year through what was the statement of internal control in the annual accounts, but which has now been changed to the governance statement. These processes provide the departmental accounting officer with assurances that satisfactory safeguarding measures are in place across all arm's-length bodies.
138. Following on from the review in 2006, we asked ETI to carry out a follow-up investigation, which it did throughout the year 2009-2010. That report found that the quality of safeguarding arrangements in all sponsored bodies inspected was satisfactory. In particular, it noted good progress made by DCAL in ensuring that the sponsored bodies had comprehensive and appropriate guidance on safeguarding children. It recognised and noted the inclusion by DCAL of the monitoring of the respective safeguarding arrangements in each of its sponsored bodies through the accountability meetings; the compliance of the sponsored bodies with DCAL's guidance; and the appropriate use of the associated annual checklist, which evaluates the safeguarding arrangements in place within organisations.
139. Following the recent developments, and the NSPCC's briefing to the Culture Arts and Leisure Committee in November, we met the NSPCC. We discussed the recent report and also, more importantly, where we could add value and make improvements to our current safeguarding provision. The NSPCC suggested a number of areas that we should look at, such as developing links with the new Safeguarding Board for Northern Ireland (SBNI), so we have set up a meeting with the board for 11 February. The NSPCC also said that DCAL should consider the merits of an internal safeguarding group to bring together the issues in the arm's-length bodies and to promote awareness. So we have decided to reinstate our departmental child protection working group. Obviously, the membership of

- that group includes representatives of the arm's-length bodies.
140. The Office of the First Minister and deputy First Minister (OFMDFM) has a gapping exercise under way on child internet safety. That will be a good vehicle for us to look at any issues coming to our attention. Those issues should then be passed on to the arm's-length bodies. We are represented on the OFMDFM interdepartmental group, and we will ensure that anything that comes out of it is disseminated across the arm's-length bodies and then into the funded organisations.
141. They suggested that there might be a business case for developing structural support for the arts similar to the child protection in sport unit. That suggestion was in the report, and we will look at it in the context of our wider review of the child protection and safeguarding arrangements that we have in place. We will consider the business case and the need for it. They also said that there would be opportunities to develop the NSPCC 24-hour helpline, specifically in the arts sector. Our safeguarding guidelines highlight a number of organisations that can be turned to, and the helpline is one of those. However, we want to work with the NSPCC on how we can better promote that.
142. We have also used the opportunity to undertake a formal review of our safeguarding policies. We have engaged with the DHSSPS office of social services and safeguarding vulnerable groups unit and asked them to look at our safeguarding guidelines. Given the developments in September 2012, we know that the guidelines on vetting and barring, and so on, need to be updated. We asked them to look at whether the guidelines were still fit for purpose and whether there were areas in which we could improve them. We are happy to feed back to the Committee any recommendations that come out of that review. We will take those recommendations on board, and, through the working group that we will re-establish, and which will include arm's-length bodies, we will ensure that
- the information is disseminated across the DCAL family.
143. I hope that I have demonstrated that the Department sees it as critical and crucial that we ensure that we have the appropriate safeguarding arrangements in place and that our arm's-length bodies are complying with them appropriately. We want to continue to work on and develop them and ensure that we take into account any recent developments.
144. We welcome the Committee's investigation and are happy to listen to its comments, views and any recommendations that it makes and reflect those accordingly in our safeguarding guidance. More importantly, we will ensure that the information is properly communicated and disseminated across the DCAL family.
145. That is an overview of where the Department is with safeguarding, and we are happy to take any questions.
146. **The Chairperson:** Thank you very much. It seems that you have been very busy in the past number of weeks looking at the issues that have been raised, and the Committee welcomes that. That work was spurred on by some of the work done here, too, so thank you again for what you are doing and for responding very positively.
147. This is, of course, a topic of great interest to all Members, as reflected in debates planned for the House next week on internet safety, cyberbullying, and so on. It is also a topic that, unfortunately, appears regularly in the media.
148. You said that you had regular meetings until the ETI report was published and that you subsequently asked for a review. However, the departmental working group that had been established then ceased to meet. Why did you take that decision?
149. **Ms D Brown:** We did not consciously take a decision to cease meeting. The vetting and barring issue was still being debated, and we had set up that group specifically to ensure that it understood on whom it was necessary to have the

- appropriate checks done. Then, as we know, some changes were made, and we were not quite sure where those were going. As we know, the changes have, in fact, relaxed the position slightly from where we had thought that vetting and barring was going. So this was not a conscious decision; it was simply because there were no further developments at that point to necessitate meeting. We had meetings about issues that were due to come up, and that was how they were geared. However, the group did not meet again because very little had been happening on that front. Given the focus now and some of the changes, we recognise that it is right and proper that we should reconvene the group. We have not yet decided how often we should meet, but it might be sufficient to do so biannually. We also have the accountability meetings, and a structure is in place whereby the arm's-length bodies are supposed to report any incidents to the Department — to me as children's champion — and we look at those. In many cases, the incidents are very isolated and do not require us to say that something happened despite the safeguarding arrangements that were in place. It is more a case of incidents being reported, dealt with appropriately and referred to the police and social services as required. No huge lessons have been learned as a result of the small number of incidents that have been reported to us.
150. **The Chairperson:** Do you hold data on those incidents?
151. **Ms D Brown:** We have some information on those occurrences.
152. **The Chairperson:** Are they held centrally and analysed over time?
153. **Ms D Brown:** Yes. In 2012, we had six incidents in the museums sector, eight incidents in the library sector and two incidents in the arts sector. In each case, we were satisfied that they were dealt with appropriately. Some cases were referred to social services and the police. In some instances, it was a question of re-examining internet access security and such issues. The incidents were dealt with appropriately, and we have received information on each of them.
154. **The Chairperson:** Do the same policies apply in all the arm's-length bodies in the way that they report back to the Department?
155. **Ms D Brown:** Yes. When we wrote our guidance in 2009, we made sure that the arm's-length bodies were consulted, and all their guidance mirror our guidelines. The arts guidelines, for example, clearly go through a code of behaviour on what to do in those situations; how to approach a child; and how to deal with the way in which the issue is raised. They reflect our guidelines. Training is available and is run through the NSPCC or Volunteer Now.
156. **The Chairperson:** You are probably the best person to ask this question: is there an allocated budget for child protection in the Department?
157. **Ms D Brown:** There is not a budget for child protection in the Department, but the arm's-length bodies are required to have a designated officer who is the point of contact, has an element of expertise in the area and is able to signpost and advise people when those issues arise. Our arm's-length bodies are required to have that, and all of them do. In a sense, there is a budget in that they are funded to make sure that they have those officers in place. Some of them are full-time, and for others it is only part of their job, depending on the nature of the issues. We have designated dedicated people in libraries, for example, whereas in other bodies it would only be part of their role.
158. **The Chairperson:** The NSPCC mentioned the success of the sport unit and the possibility of replicating that for culture and the arts. What is the Department's stance on such a proposal? You mentioned a business case.
159. **Ms D Brown:** We are more than happy to have a look at that. That came about in 2001 as a result of

- work by UK Sport and a number of organisations. It emanated from a joint code of ethics and good practice for children in sport in Ireland that was published by the Irish Sports Council and Sport NI. It was recognised that a central point was needed to which people could go. We have the NSPCC helpline. When someone reports an incident appropriately, social services and the police are involved, so the right people are involved. We need to establish whether there is a need in the arts sector or whether ChildLine, and so on, and the designated officers, are sufficient. This particular unit goes beyond advising people who are not only funded by DCAL, whereas, in the arts, our concern is that those who are funded by DCAL and by an arm's-length body must have appropriate safeguarding arrangements in places. They can get advice through the designated officers in the Arts Council and so on, but it does not go beyond that. So if a local dance class is not funded by DCAL, for example, where does it go for help? The issue is to make sure that there is proper signposting and promotion. We will work with the NSPCC to ensure that it is the right model and to find out whether we should do further work to make people aware of where they should go.
160. From the Savile case, it is very alarming that incidents were not reported for 40 or 50 years. Why is that? We know that, in the 1970s, there was not the same level of awareness, but there are no excuses now. How do we make sure that people know where to go to when something like that happens? That is the important issue.
161. **The Chairperson:** You have hit it on the button. You have been able to expound the information on arm's-length bodies and what they do in the processes that are in place, but dance groups, individual piano teachers and so on are perhaps working in all innocence. They may become a perpetrator, but at the same time they become a victim. That is the precise issue that we are looking at. It is outside our remit over arm's-length
- bodies. People who are involved in those types of activities need to know that they are covered and can be signposted in the right direction.
162. **Ms D Brown:** We know that a lot of it is about education. Even with cyberbullying, the Department of Education has a huge role to play in getting the right messages out to children and raising awareness. Primary responsibility for safeguarding a child lies with the parent, so how do we make sure that a parent knows, if a child attends a dance class or whatever, that the right checks, balances and assurances are in place and that a child knows how to approach someone. There is more awareness now, but there is also an education aspect to let people know where they can go to when such an issue arises.
163. **Ms McCorley:** Go raibh maith agat, a Chathaoirleach. How confident are you that measures are in place that can help to deal with cyberbullying? It is an underground problem, and it is difficult to see how it can be stopped.
164. **Ms D Brown:** That is completely outside our remit, and I have no expertise on the subject. OFMDFM is setting up a group, and there is a key role for the Department of Education to make children and parents aware.
165. **Ms McCorley:** So cyberbullying is not covered by your work.
166. **Ms D Brown:** No, it is not. However, we ensure that training is given so that people such as coaches know the signs of a child being bullied. That training includes coaches being made aware about how they should behave on Facebook and being careful about friends and access. When we get more information from the OFMDFM working group and consider DE's work, we will ensure that we link into that and that our arm's-length bodies give up-to-date and appropriate training to their staff and the funded organisations.
167. **The Chairperson:** Did you have any discussions with the Safeguarding Board before it was raised by the NSPCC?

168. **Ms D Brown:** No.
169. **The Chairperson:** Did you have any contact with it on sport-related issues?
170. **Ms D Brown:** No, we did not.
171. **Mrs McKevitt:** Apologies for being late. When the Department funds groups, do the guidelines insist on you seeing a child protection policy and the training?
172. **Ms D Brown:** Yes.
173. **Mrs McKevitt:** What follow-ups does the Department do to make sure that that is hitting the right buttons? I know, from having been involved in local clubs, that you can simply go onto the internet and get guidelines on child protection and another organisation's policy that perhaps no one knows the details of. What assurances do you give to those who need training, are setting up a new group or are looking for funding? What checks do you do?
174. **Ms D Brown:** There is a safeguarding checklist that people have to go through to ensure that they have done x, y and z. They have to be able to produce the evidence. It is not just about going onto the internet and pulling up some material: for example, they have to produce a copy of their statement to show that they are promoting it on their website. They have to ensure that the organisation has written procedures for the recruitment and selection of staff and their volunteers so that we have the job description and the application form. References are also sought and written references are followed up. All those types of things, which are detailed on a list, are supposed to be documented. Funding usually goes out from an arm's-length body to a funded organisation, and it is a condition of that funding. The Arts Council, for example, is clear when it issues funding that it is about ensuring that those conditions are in place and that organisations are operating effectively and have appropriate training.
175. **Mrs McKevitt:** As part of the bid, can some of the funding be used specifically for training in child protection?
176. **Ms D Brown:** It depends on the programme or project. If staff are involved and there is a requirement to ensure that child protection is incorporated, that can be part of the bid. It depends on the criteria and the funding conditions.
177. **Mrs McKevitt:** Have Departments been given any guidelines? Changes in the past few years mean that child protection requirements can go out of date very quickly. I am particularly referencing cyberbullying, the internet, Facebook and so on. Has the Department investigated increasing the possibility of a new line of child protection guidance?
178. **Ms D Brown:** We have done that with DHSSPS, because there are no real recommendations coming out of the Savile affair that this, that or the other should be done. It is more concerned with what failed to happen, and there are issues such as awareness and proper signposting. We have asked the safeguarding unit in DHSSPS to look specifically at our guidance because, in light of what happened in September 2012 with vetting and barring, we know that it needs to be refreshed to find out whether any improvements are needed. That unit is looking at our guidance now.
179. **Mr Ó hOisín:** The remit of the investigation is to cover a lot of the people who were falling through the grate in the area of protection. Have you considered creating a trickle-down effect on the arm's-length bodies that fund some of the governing bodies, perhaps through the education boards' youth services, to throw the net as wide as possible? How far can that spread? You gave the example of individual piano teachers. There are organisations and activities that are not necessarily covered by arm's-length bodies, governing bodies or other services.
180. **Ms D Brown:** We will work with the NSPCC and DHSSPS to see how to manage those areas that we do not fund directly or have a direct influence over. There is legislation in place that requires organisations to do x, y and z, but we

- will need to liaise with the NSPCC and DHSSPS.
181. **Mr Damian Brady (Department of Culture, Arts and Leisure):** There is a role for the involvement of local government. Much culture, arts and leisure activity takes place in local government facilities, which is where the gap is. We need to ask local authorities what they demand of someone who comes to hire a hall or a venue in the local leisure centre. Is that coach's vetting checked by the council? I do not know whether that happens, and that is where the big gap is in Northern Ireland.
182. **Mr Ó hOisín:** There will also be an insurance issue at local government level. Some facilities are hired only to bona fide groups with their own insurance. There must be some crossover, and there may be a lack of knowledge between those two factors.
183. **The Chairperson:** Deborah, you mentioned reports from National Museums NI, Libraries NI and the Arts Council. Have you ever had any reports from Foras na Gaeilge or the Ulster-Scots Agency?
184. **Ms D Brown:** I have only the 2012 information. I do not recall. There may have been.
185. **Mr Brady:** No incidents were reported from that sector.
186. **The Chairperson:** Do they work alongside the same processes and guidelines as other arm's-length bodies?
187. **Ms D Brown:** Yes.
188. **Mr Hilditch:** Damian hit the nail on the head when he talked about disparity between certain tiers. There are the simple, downloaded templates that people use for funding, right through to the high-spec, all-singing, all-dancing type, where some clubs can be accredited and be exemplars of policy. It is about the range in between — in that gap — at the end of the day.
189. I am aware that, from a council perspective, local courses are available, and not just through the associations that are involved in arm's-length bodies. Local government is now trying to deliver locally. When you take a course that is dedicated to your activity but move to a different activity — say that you are involved in football and took a child protection course, but you move sideways into hockey, for example — you have to revisit the course. The course is not overarching.
190. **Mr D Brady:** Previously, a child protection awareness course would carry from sport to sport, but, under the vetting and barring arrangements, you could not carry your vetting check with you. You had to get a fresh vetting check for every move —
191. **Mr Hilditch:** From Boys' Brigade (BB) to football club, or whatever it might be.
192. **Mr D Brady:** Even if a governor of a local school were moving to another school, a fresh check would have to be done. That has now changed as a result of the changes to the vetting and barring arrangements that came into effect in September 2012.
193. **Mr Hilditch:** To go back to the original point about the different levels and the gap between them, is that a concern?
194. **Mr D Brady:** We can reach out only to the organisations that we fund. There is a massive number of them, particularly in the arts sector, outside those organisations that are funded by the Department or the Arts Council. It is about getting the message across to those organisations. That is where a partnership role with local government could help.
195. **Mr McMullan:** I agree with you. Local authorities need to revisit their child protection policies. However, as long as their current policies tick the boxes, for want of a better phrase, for them, they can get their programmes out. Moreover, the issues around child protection for young people with special needs and disabilities have not been explored in depth. Those issues always get lost in the wording of a policy. The policies are general in nature, but there are complex needs and issues around special

- needs and disability, and those require a standalone policy, because there are more and more groups out there with children and young adults, many of whom still come under the Children Order. That throws up another problem, which is not being dealt with by local authorities.
196. In all honesty, a lot of the time, council officers in local authorities are not up to speed. I do not know whose fault that is, and I will not go into that. However, that is an area that needs to be looked at seriously.
197. **Ms D Brown:** Our guidelines have a section on dealing with a situation in which a concern is raised by a child with a disability, where there is a need for a slightly different approach to be taken. Our policy reflects the need to recognise that in the first instance and manage it. That has been fed through in the policies for our arm's-length bodies as well. I take your point that it is about training and how that plays out in practice.
198. **Mr McMullan:** You said that the policy mentions it, but some organisations look at the delivery of that child protection course for disability as being an additional expense on top of the expenditure on the course that deals with protection for able-bodied children. The whole question of expense comes into it. I have first-hand experience and knowledge of that, so I ask you to look into that area.
199. **Mr Swann:** I want to go back to your checklist. Who does it apply to, and at what stage?
200. **Mr D Brady:** It is a two-pronged process. It is usually an accountability meeting between the Department and the arm's-length body. We then advise the arm's-length body to use the checklist with the funded organisations. It is used by the Department to ensure that the ALBs are meeting standards, and then it is used between the arm's-length bodies and the funded organisation.
201. **Mr Swann:** Is there any onus on the ALB to use it, or is it merely guidance?
202. **Ms D Brown:** It has to be done annually. All that feeds into our annual assurance statement and our governance statement, which find their way into our annual accounts.
203. **Mr Swann:** I am just trying to get my head around this. The Department insists that the ALB uses it. The ALB insists that any organisation that it funds uses it. What if that organisation is then breaking down further funding? I am just thinking about the structure of organisations. The main funding body might fund a subgroup. Is there any requirement for that group to use the checklist?
204. **Ms D Brown:** The conditions of the funding are that appropriate safeguarding arrangements be in place. It should follow the pound.
205. **Mr Swann:** It should follow the pound to the subgroup.
206. **Ms D Brown:** It should, yes.
207. **Mr Swann:** Are there any checks?
208. **Ms D Brown:** I do not know the detail of how the ALB does that in practice. However, we get assurances from ALBs that these things are being done.
209. **Mr Swann:** If there is a simple checklist or tick-box form, should due diligence be done to make sure —
210. **Ms D Brown:** If an arm's-length body funds an organisation, that organisation is required to have appropriate safeguarding arrangements in place. If that organisation, in turn, funds other organisations, it is required, under its safeguarding guidelines, to ensure that any funding that it gives out is properly managed and that appropriate safeguarding arrangements are in place.
211. **Mr Swann:** If those arrangements went the whole way down, the Department would be happy enough that the final recipient is compliant with child protection.
212. **Ms D Brown:** We get our assurances through those various methods. They are as good assurances as you can get.

213. **Mr Swann:** The Department would be happy enough if those assurances were in place.
214. **Ms D Brown:** Yes.
215. **The Chairperson:** Do you look at best practice elsewhere?
216. **Mr D Brady:** We have regular contact with the National Society for the Prevention of Cruelty to Children and Volunteer Now. In the past 12 months, we have brought Volunteer Now into the Department to train our staff who have direct contact with children, although only a very small number of fisheries officers have that direct contact. That was the most up-to-date training provided at the time.
217. We keep in regular touch with the NSPCC. It sits on a number of interdepartmental groups with DHSSPS, as do a number of sector organisations. We are constantly aware of what is happening out there.
218. **The Chairperson:** Do you look at anything that is being done in other jurisdictions or at any European-wide models? Do you look at innovation and technology, at how things are moving forward, and at how that could be best applied here so that we keep moving forward?
219. **Ms D Brown:** We have not, but we place reliance on the NSPCC, Volunteer Now, OFMDFM and DHSSPS to make us aware of that.
220. **The Chairperson:** I understand that the Irish Football Association (IFA) will be launching a safeguarding app shortly. That could be looked at and adapted for others in the sector and perhaps rolled out across the arts sector. It is about using technology in a positive way.
221. **Mrs McKevitt:** I come in on the back of what Damian said about Volunteer Now. Do you find that there is a gap in local volunteers putting themselves forward to be the designated person who has to take on such responsibility within the child protection loop?
222. **Mr D Brady:** I will speak personally outside of my work role. I volunteer, and that was the initial fear in the organisation that I am involved with when the new vetting and barring requirements came on board. However, I can say that those did not deter anyone. We had no issues with carrying out the vetting checks or having designated officers.
223. **Ms D Brown:** Having those checks and balances gives people reassurance. If they are dealing with children and have their clearance, they get confidence. Therefore, it is in everyone's interest.
224. **Mr Ó hOisín:** I know that a number of organisations still have a concern over vetting and the time frame for its delivery, whether that is done through Access NI or the PSNI. There is a concern that people are being prevented from coming forward. In one case that I was dealing with as recently as yesterday, the organisation has already been waiting 90 days for clearance to come through. There is a frustration there, and it might prove to be a deterrent to people coming forward.
225. **Mr McMullan:** To go back to local government, I think that you have an excellent opportunity now, through the review of public administration (RPA), to go in with a fresh policy with two council clusters, taking into account all that.
226. **The Chairperson:** We are all speaking off the same page on these issues. It is about making sure that children and young people feel safe in environments. We must do our utmost to make sure that that happens. I appreciate the positive work you have been doing in recent weeks. Anything that comes out of this will only help. It is not to be seen as a criticism but as being of assistance.
227. **Ms D Brown:** Words such as “gaps” are quite worrying. We are trying to improve and enhance what we already have in place. What we have in place is good. We just need to make sure that it is robust and fit for purpose, given the issues that have been raised here.

The question is this: what is DCAL's remit outside those organisations that it actually funds? We must make sure that we are lining ourselves up with what the NSPCC, DHSSPS and other organisations are doing so that there is no duplication or confused messages. It is about making sure that the right people are taking the lead, and that we are doing what we need to do behind that to complement it or, in some cases, to take the lead. It is about making sure that we are clear about who is doing what.

228. **The Chairperson:** That is important. It is also very important that it be signposted for those who are outside the normal funding mechanisms. I take the point on local government. That may be something that the Committee will want to take up in correspondence.
229. Thank you for your presentation. Is it possible to have a copy of your written briefing, which we did not get in advance?
230. **Ms D Brown:** Yes.
231. **The Chairperson:** It may be useful for members to have a look at that later. Thank you very much.

7 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mr Oliver McMullan
 Mr Cathal Ó hOisín
 Mr Robin Swann

Witnesses:

Ms Irene McCready	<i>National Society for the</i>
Mr Colin Reid	<i>Prevention of Cruelty to</i>
Mr Paul Stephenson	<i>Children</i>

232. **The Chairperson:** I welcome to the Committee Colin Reid and Paul Stephenson, who are no strangers to us, and Irene McCready, who is the senior training and development consultant of the National Society for the Prevention of Cruelty to Children (NSPCC). Is this your first visit to the Committee?

233. **Ms Irene McCready (National Society for the Prevention of Cruelty to Children):** Yes.

234. **The Chairperson:** Thank you for coming this morning. I will leave it to Colin to give us an opening statement, and we will follow up with some questions.

235. **Mr Colin Reid (National Society for the Prevention of Cruelty to Children):** Thank you very much for the opportunity to give evidence to the Committee. It is a delight to be here. Go easy on Irene; she is a wee bit nervous because it is her first occasion in front of an Assembly Committee.

236. I am joined by Paul Stephenson, who has had responsibility for our child protection in sport unit for many years. Irene is a nurse by professional background, but we will not hold that against her. She was a child protection nurse specialist. Interestingly, in her role

in the NSPCC, she has worked with a number of the Department of Culture, Arts and Leisure (DCAL) bodies in providing training. I have responsibility for policy and public affairs. I worked on the NSPCC's national work on disclosure and barring arrangements in the Protection of Freedoms Act 2012, so you might bear that in mind for questions.

237. I will make a number of brief opening observations. This is an extremely important and very timely investigation. Operation Yewtree recorded 214 criminal offences against Jimmy Savile that covered a variety of institutions and settings over 54 years. I would not dismiss it or categorise it as something that happened in the past because some of the offences were quite contemporaneous. It has acted as a wake-up call for all of us about the barriers and difficulties in reporting abuse.

238. DCAL and its family have responsibility for vast numbers of children, probably more than any Department other than the Department of Education. A lot of the DCAL families work with groups that are quite unstructured. There is a range in sport from very structured to unstructured groupings, which is a real challenge. DCAL, as a corporate parent, plays an important role in safeguarding children. I was very glad to hear the activity that has taken place and was reported to you last week by DCAL since you announced your investigation into the issue. That is very helpful.

239. We have made eight overarching recommendations to the Committee that cover the terms of reference. Paul will say more about the operation of the child protection in sport unit, which was established in 2001. In partnership with Sport NI, it has done much to improve safeguarding arrangements in sport. You would not go too far in sport without

- coming across the work of the child protection in sport unit.
240. In our briefing paper, we set out some of the outcomes of the work, all of which are portable to other sectors. They include developing standards, links to funding, reporting structures and processes, networks of designated officers and training. We also address the challenges of new social media. It was interesting to listen to the debate on Tuesday in the Assembly. I think that you, Chair, spoke during that debate. It is very welcome that the Office of the First Minister and deputy First Minister (OFMDFM) will take a strategic lead on internet safety. There is no doubt that some of your findings will feed into those developments. The internet has huge benefits to children in a range of ways. There are also a lot of challenges, as you know, for children and adults. At one end of the spectrum, it is about naivety and not being aware of some of the risks that new social media pose. At the other end of the spectrum, we have seen the growth of sexting, whereby children send inappropriate pictures through the internet that break the law, and cyberbullying. You will be well aware of some of the significant tragic consequences of that. We make two recommendations on the development of codes of conduct and an acceptable users' policy. We urge you to recommend that DCAL develops an e-strategy for its families around internet safety and new technology.
241. We refer to other structural and system improvements. A key issue for us is structured support to the leisure and arts sector — something akin to the child protection in sport unit. It is all fine and well to have policies and procedures, but, when you talk to various bodies, they are really struggling with infrastructure and the actual support that is available to deal with groups on the ground. We recommended previously to DCAL, and also in our briefing paper, the development of a strategic group at the Department with links to the Safeguarding Board for Northern Ireland. I note in DCAL officials' evidence that they will reinstate that group, into which we had some input a number of years ago. We really stress the importance of that group meeting and regularly developing a dynamic agenda. We have no doubt that it could deal with many issues.
242. We have also suggested that DCAL collate and keep data on safeguarding issues to facilitate policy development. That is not about reporting every incident to the Minister but about the Department being aware of the types of issues that it is dealing with. To illustrate that, in the annex to our paper, we pull together a few examples that our teams have come across on our helpline and the types of cases that it deals with. That is probably a small, unrepresentative sample of many issues that organisations deal with that relate to safeguarding, but it is important that the Department gather that information for future policy development.
243. I will move on to the role of local government. That was mentioned to you previously in an evidence session, and we have done some work on that with the Department of the Environment (DOE), which has policy responsibility for local government structure. There is no doubt that many arts, leisure and culture activities take place in local government settings, and there is some work to be done to ensure that local government sees that it also has a responsibility for child protection. I sometimes get very concerned when Departments say that child protection is a matter for the Department of Health, Social Services and Public Safety (DHSSPS). It is not a matter for that Department. The DHSSPS has lead policy responsibility on a range of child protection issues, but safeguarding is a key responsibility for DCAL, the DOE, OFMDFM and other Departments.
244. Finally, I will flag up the role of our helpline and ChildLine, which are two UK-wide services that we provide in Northern Ireland. They are different. You will be very familiar with ChildLine, which is a wonderful source of help for children, and many children contact

- it. We have two bases in Northern Ireland, and I offer the Committee, if it is interested, an opportunity to see around ChildLine. It is an amazing operation, so please do so. If you want to hold a Committee meeting in ChildLine, we would be very happy to facilitate that. ChildLine is a source of help for children, and a lot of children know about it. You may not know about our adult helpline service. Last year, it received 691 calls from Northern Ireland, which is not an insignificant number. It does not generate into referrals. About 50% are generated into referrals to health and social care agencies, and 50% are about advice and guidance. We think that the helpline service could be promoted within the raft of DCAL non-departmental public bodies (NDPBs) and next-steps agencies as sources of help and advice for parents who contact them.
245. That is all I want to say. I am sure that you will have some questions, and we will pick up the ones that are relevant to our experience and background.
246. **The Chairperson:** Thank you very much. You have read last week's evidence from the Department, and it was very positive to hear that, since we decided to undertake this work and since your meeting with the Department, it is now following up on a number of those issues and taking it forward seriously. Our concern is that its focus is very much on the arm's-length bodies that fall directly within DCAL's remit and are receiving funding. As members, we are aware that there are groups that fall outside that and issues for those who are involved in dance, music, and so on. Given Paul's work with the sports unit, my first question is for him. Do you feel that what goes on in the sports unit could be replicated in culture and the arts?
247. **Mr Paul Stephenson (National Society for the Prevention of Cruelty to Children):** Colin mentioned the child protection in sport unit and a number of successes. I suppose that I would say that because I have been working in the unit, but we believe that those have had a dramatic impact on sporting organisations. Many of those issues could transfer over to other sectors, but it needs co-ordination rather than our reacting to situations. The Department for Culture, Arts and Leisure said last week that it has had x amount of child protection enquiries when previously it had not been capturing that information. That is a useful start for the Committee in asking those questions of organisations.
248. Sport NI, rather than waiting for something to happen or to be forced to do things, has been proactive in rolling out standards, offering training through its coach education programme and raising general awareness and expectation. Linking that to funding has been one core push for organisations. It becomes more acceptable that organisations need to report and record, capture information and be held to account. That has been one of the big drivers over the past few years, and I am sure that Sport NI would acknowledge that the requirement had been simply to implement good practice, and everybody said yes to that. Until we drill down to what that looks like — how you communicate with parents, what you communicate to parents and ask those very specific questions — that is a substantial improvement for organisations.
249. Bringing organisations on board has also been a challenge. We do not want organisations simply to do things because they are being told to; we want to motivate them to do this for the right reasons. Colin mentioned that organisations quite often do not understand their responsibilities. They want to run coaching clubs or drama clubs, and they do not understand what child protection has got to do with them. It is about driving home the point that, if you have an interface with young people, you have a level of accountability and responsibility for their safety, and safeguarding is everybody's responsibility. The Department of Health takes that line, and we hope that other Departments will also do so.
250. We are here today because we believe that many other agencies could have

- a more proactive response, in the same way as Sport NI. They need to implement standards, have a co-ordinated approach to providing advice, motivate people, take every available conference and ask every organisation to consider safeguarding procedures. Now that Sport NI has come forward and is looking at strategic plans, we are asking organisations to consider safeguarding. If organisations want to increase their number of coaches and their participation levels, they need to understand the impact that that will have on safeguarding. It is about making sure that that is on the agenda on an ongoing basis.
251. **The Chairperson:** Irene, you are a senior training and development consultant. What is your role? What have your experiences been?
252. **Ms McCready:** I deliver safeguarding training to any agencies in Northern Ireland that require it. I also develop child protection policies and procedures for agencies. I was approached by the language body and the museums to look at their training and child protection policies, and I did particular work with the language body. I found it to be very enthusiastic about developing good policies that could be disseminated to its smaller groups and used effectively and simply by them. It provided basic safeguarding training for its senior management, conducted designated officer training and developed its child protection policies. I know that those policies are reviewed regularly because I am contacted and asked whether there is anything new on policy and so on.
253. It would be good to have an overarching strategy that would allow all the bodies to take that and filter it down to the smaller groups in the DCAL family.
254. **The Chairperson:** Have you had any experience with groups outside the arm's-length bodies that deliver on the DCAL remit?
255. **Ms McCready:** Yes; I have worked with dance groups. Some of them are confused about who they should go to.
- They do not know, for example, who their designated officer is, what policies to use and what forms need to be filled in. That needs to be addressed so that smaller group have clarity. They need to know whether they should use DCAL's recommendations or develop their own child protection policies. There needs to be good guidance and structures in the DCAL area for those people. That is particularly so for dance groups because people are putting on children's outfits and helping them to put on shoes and so on. They need guidance on what they can touch so that their area of work, specifically with children, is very clear.
256. **The Chairperson:** How have you been able to signpost them in the direction of the correct process?
257. **Ms McCready:** If a school comes to me with an issue about a language body, I generally direct it to the language body. I also refer them to our training, the gateway team and our adult helpline.
258. Policy development is an issue. It is about taking information back to management and making sure that it is aware. I have found that the smaller groups are eager to [Inaudible.] management is not aware of the changes that need to be made.
259. **Mr Stephenson:** I want to give a personal example. My daughter was involved in gymnastics, Irish dancing and ballet. When I registered her for gymnastics, I was given clear information by the local club in Lisburn about my role and responsibilities, how I was meant to behave and how I was meant to get her to behave. I had to sign a parental consent form, there were posters around the club showing who the designated officer was, and there was an open-vision area where we could watch what was happening. My daughter has been involved in Irish dancing for many years. We gave the dancing teacher our mobile phone numbers on a scrap of paper, and I provided my card. I also offered to provide free training to the organisation, but that offer was never taken up. It was only last year that the dance class introduced a parental

- consent form. There is no information on safeguarding. It is the same with ballet. There is a need to motivate organisations that want to do things, teach people, give them skills, and so on. They need to up their game.
260. **The Chairperson:** It is about raising awareness and streamlining the process to make it straightforward for such groups to work their way through.
261. **Mr Stephenson:** We recognise that the DCAL remit is mostly about volunteers. This is not about creating more bureaucracy for them. It is about professional support mechanisms whereby they can download forms, information and guidance and access training that is specific to their sector. It is about supporting the voluntary sector. It is not about saying, "You have to go and do this, but we do not have any answers for you." That is the difference with Sport NI. It has accessible training and information on its website, and sample pro formas are available.
262. **Ms McCreedy:** Simple things — a community group knowing what form to fill in or who to go to — are very important.
263. **Mr Hilditch:** You are very welcome, folks, and thanks for your presentation. We are mostly looking at the DCAL end of things, but your briefing paper touches on local government. It has a part to play because activities are either hosted or sponsored in those areas. Will you give us a wee bit more of your thoughts on that?
264. **Mr Reid:** We did a lot of work with local government a few years ago. There have been some excellent working examples of local government embracing the issue of child protection. I worked with Lisburn City Council, which has done a huge amount of work. If you go into any of that council's facilities, you will no doubt see the operation and outworkings that, and we helped it with its policy. We also work with the DOE. Initially, we had some difficulties with the DOE in that while it has a policy responsibility for local government, it did not see that it had any child protection or safeguarding responsibility. We worked with it over a period of time and ran a conference in, I think, 2006.
265. The challenge is to embed child protection in local government. Local government has to do many things. Although we have done some work, we probably need to revisit the issue. There are challenges for local government in the provision and hiring of facilities, ensuring good practice and so on. I sense that many councils have embraced the issue, but you may want to look at it or make a recommendation in your final report.
266. **Mr Hilditch:** Do you have any views on consistency across council areas?
267. **Mr Stephenson:** I can simply say: there is no consistency. I deal with a lot of sports development officers in different areas, and councils quite often delegate safeguarding issues to them. That is not the case in Lisburn, but I often get child protection enquiries that are not sports-related but that come through sports development officers because they have met me in the past. When an organisation wants to hire a facility, all councils do not ask the same questions. Who is your umbrella body? Do you have insurance? Are you vetted? Do you have a child protection policy? Who do you report to? Certain councils ask those questions as good practice. They not only do that but say, "If you do not have those things, we will support you in achieving them. We provide that training, and it is co-ordinated in our local area." Some councils do not do that.
268. **Mr McMullan:** That is part of the problem. Nobody seems to have any teeth to do anything about child protection. It keeps coming back to individual groups. If a council is not adhering to a policy, somebody should take that council to task for not doing so. If one council is doing it and another is not, it sends out the wrong message to the public. Groups out there are struggling. A lot of them tell me that you can follow a child protection policy in one group and then, when you move to

- another group, you have to do it all over again. It is all about time. If a person goes through the rigours of passing the policy of one group, surely that should be enough. Bureaucracy is part of the problem.
269. **Mr Reid:** Are you talking about vetting checks?
270. **Mr McMullan:** Yes; vetting for child protection. In one year, I did two or three child protection courses run by two or three different groups. The groups are probably all bona fide. I did the courses in the council, and the certificates from the different groups are sitting in my house. There does not seem to be one co-ordinated group that undertakes the training. Different groups come to councils to deliver courses. People might say that they had already done a course but are told that this is a different group and they have to do another course. It is the same course. That is not solving the problem. A lot of groups in country areas find it very hard to get volunteers. Such bureaucracy does not help. People can be vetted very closely in one group but then have to go through the same procedure again if they move to another group to help keep it going.
271. **Mr Reid:** You will be glad to know that, under the new arrangements that came in under the Protection of Freedoms Act 2012, Access Northern Ireland, in conjunction with what is happening in GB, will be developing a more portable system of disclosure. Therefore, you will only ever have one enhanced criminal record certificate check that will enable you to work between various groups. That will eventually take care of the multiple checks, because those are a problem for organisations. If you happen to be a scout leader and also work for the GAA or some other organisation, you have to get a check in each context.
272. Your point about co-ordination is well made. We think that DCAL could co-ordinate things slightly better through the development of a group, from within DCAL and its agencies, to try to ensure a bit more streamlining and standardisation of child protection training, policies and procedures so that what you talk about stops happening.
273. **Mr McMullan:** That should stop with councils. If councils run a child protection course, they should not be bringing people back to do another course. If people have already done a course with one group, why are councils bringing in another body to do another course? A lot of it boils down to how much these bodies are charging councils for providing the course. For some groups, it is free, as they may have a grant for it. Others charge councils. You will find that a lot of it comes down to cost.
274. **Ms McCready:** Part of it is about guidance and the overall strategy. It is about getting answers back from agencies on how often people should get child protection training. There needs to be more guidance on how often training should be done. People would then know that the certificate will last them for three years, two years or whatever. That would be indicated clearly on the cover of the certificate, and that child protection training certificate could be carried over into the next group.
275. **Mr McMullan:** That should be done very quickly. Having one check has been talked about for years. The discussion is as old as the hills.
276. **Mr Reid:** It is hopefully coming in the not-too-distant future.
277. **Mr McMullan:** That will save groups a lot of money.
278. **Mr Stephenson:** One cause of the delay was the change of Government. They needed to relook at the structure, and they obviously wanted to change what the previous Government were doing. That was one reason for the delay.
279. If you move between sports, there is not a requirement to do the course all over again. There is recognition that you have attended a Sport NI workshop, a GAA workshop or whatever. That transfer will be accepted on the training side of things. I spoke to Sport NI's coach education department. The NSPCC

- does not say that you must retrain every three years. We put the onus on the organisation to make sure that it has a process of ensuring that it gives the right information to its volunteers. If things change, such as codes of conduct or guidance on social media, there should be a process to communicate that. It should not be a case of bringing somebody back in three years' time and making them sit through the same thing.
280. We are looking at online-learning refresher courses for people as a quicker method of getting information to people. People could do those courses in their own home, as opposed to having to come back for training. A number of sports currently ask for refresher courses to be undertaken, and people will come back and do a few hours. However, that is to do with insurance and the fact that their insurance companies have paid out so much money on child abuse.
281. **Mr McMullan:** You said that people can move from sport to sport. That message is not getting out to the public. I know people who went into another sport yet had to do another child protection course.
282. **Mr Stephenson:** If those people were to come to me, I would liaise with them and smooth the waves between the two sports. The message coming from the governing bodies is that they will accept previous checks.
283. **Ms McCready:** I have recently been working with two local councils to renew their child protection policies. One of the things that they are taking into account is visitors coming to use their premises. That is being built into their child protection policies. They are being very forward-thinking.
284. **Mr Swann:** Thanks for your presentation, folks. Paul, your personal experience of gymnastics and ballet is the same as that of a lot of parents and organisations.
285. Reflecting on your role, Irene, in the development of policy, you mentioned e-learning and all the rest of it, but my concern is that there are a large number of organisations out there that confuse developing policy with downloading policy. They think that if they can simply find a child protection policy on a website somewhere, they can download it, change the header, send a couple of people to the courses that Oliver was talking about, and that is them done and dusted.
286. On the recommendation about DCAL keeping data and maintaining information of types, how do you see that developing? Is that going to be a separate unit? Is there the expertise and experience in DCAL so that if there were organisations out there at ground level that developed and maintained proper child protection policies and had the training all in place, they could be DCAL-inspected and DCAL-registered, and that should be them done and dusted?
287. **Mr Stephenson:** The relationship has to be with the direct arm's-length body, in that same way in which Sport NI has a relationship with DCAL and can report back to it how many safeguarding issues have been dealt with in sport. That report goes to Sport NI every three months and outlines the number of child protection enquiries. It is done between that arm's-length body and DCAL. We are encouraging the sport sector to try to capture not just the reactive issues but the proactive ones — how many people have been through safeguarding courses and how many enquiries it has had from organisations that are planning away trips. You see the message getting out there when people are phoning up for advice rather than waiting until they are away somewhere and find out that one of the coaches has got drunk and is not looking after the young people. People are being proactive with codes of conduct, by phoning us or by going to the government body and getting the information.
288. Those are the sorts of proactive things that we would like to see people capture as well so that they can judge whether there has been an impact on their communications strategy out to their organisation. If an organisation

- says that nobody comes to it with any safeguarding issues, it is not getting its message out there to communicate that it should be working more proactively with young people. Organisations should be getting calls from parents and clubs that feel confident enough in your systems to say that they are not happy, for example, about how a person spoke to a young person or about a bullying issue. If an organisation is working with young people and says that it has no safeguarding issues, it is not being proactive in its message. It may not have any direct child protection issues, but it is not being proactive in getting the preventative safeguarding message out there.
289. I did not have the opportunity to listen to the comments made last week in Committee, but Colin gave me a quick summary, and I was very pleased to see the impact that the inquiry has had, with DCAL saying that it will relaunch its strategic group. A number of years ago we had an opportunity to meet that strategic group. One of the arm's-length bodies at the time came forward to say that it had no child protection issues at all in the organisation. I was very conscious that, the year before, either the CEO or the chief executive had been convicted of grooming a young person through the internet, yet that body came forward and said that it had never had a child protection issue. When asked, the response was that that person was not actually a member of its staff. If you are looking at things from that narrow response, you are not getting the message that we are trying to get across. We want people to be proactive and to say what they are doing actively to engage their audience and their volunteers, and to support those volunteers. It is not just about the Independent Safeguarding Authority or that sort of higher-level stuff.
290. **Mr Swann:** Irene, how do you crack the nut of developing policy versus downloading policy?
291. **Ms McCready:** One thing is the direct one-to-one contact with agencies and by looking at the policies that someone has downloaded. People have sent me the policies that they are using and asked what I think of them. The policy has to be directly related to, and in the context of, their organisation. We recommend that they look at policy development in a very secure way. Perhaps there is a strategy or an overarching idea of the sort of policy that should be used. Not every agency can use the same policy, but an overarching policy can be developed that can be made to suit every agency. However, it is better if it suits every agency individually.
292. **The Chairperson:** In your recommendations, you propose that DCAL establish links with the Safeguarding Board for Northern Ireland (SBNI). Will you talk to us about the Safeguarding Board, what its role is and how you think DCAL could benefit from having such links with it? Representatives from the board will be at the Committee soon.
293. **Mr Reid:** The Safeguarding Board was launched this year and established in legislation enacted in 2011. It creates a structured arrangement for the co-operation and effectiveness of child protection arrangements across a range of member agencies. There are about 22 bodies represented on the SBNI, including local government. It is really an attempt to try to improve the outworkings of our operational child protection arrangements in Northern Ireland. A great challenge for us is to try to look at doing things better. In the development of its strategic plan — you can ask is about this when its representatives come in — I know that the Safeguarding Board is looking at the whole issue of safeguarding within the remit of the Committee's inquiry. That is where we really want to try to protect children and where we can do preventative-type work.
294. Hopefully, the SBNI will start to make a big impact on the structural arrangements and driving forward the agenda. We encourage DCAL to have a relationship with the SBNI in developing the strategy for the SBNI's policy. It is not the case that no one except the

- SBNI does anything, but the SBNI will have a co-ordinating role in some of that.
295. **Ms McCready:** I sit on the education and training subgroup of the SBNI, and one of the things that it is looking at is the possible development of a training strategy. That would be developed and enhanced throughout Northern Ireland, but it cannot do that alone. It has to do that in conjunction with all other bodies.
296. **The Chairperson:** Is there a timescale for that?
297. **Ms McCready:** No. It had only its second meeting the day before yesterday. It is about taking that forward in a way that meets everybody's needs while ensuring that everybody can feed into it.
298. **The Chairperson:** OK. Thank you. That is useful.
299. **Mr Ó hOisín:** Thanks, folks. First and foremost, what I am increasingly hearing from people is that there are delays in the vetting process, particularly through Access NI, and that has caused a lot of frustration for those who put themselves forward for vetting. I remember that that period was actually quite short some years ago, when you would have been looking at a maximum of six weeks. Others are now saying that, in their experience, that is much extended. I do not know whether that is happening across the board, but it is a concern.
300. You rightly talked about the effect that Sport NI's policies and practices have had right across the board and said that those have been very successful at quite a number of levels. There are, of course, organisations, clubs, dance schools and all the rest that fall between two stools. Irene, you said that you try to engage with as many of them as possible, but a lot of people are obviously very difficult to reach. I am thinking of people who are unaffiliated to their governing bodies and, indeed, those involved in sports that are not currently a Sport NI-recognised sport, of which there are quite a number. I know that a number of contact sports, such as kick-boxing, are in the process of being recognised. What is the extent of that? What has been the uptake in getting advice from the likes of you, Irene? What is the estimate of the work in hand to be done?
301. **Ms McCready:** Most of the sporting groups go through Paul, because it is recognised that Paul's name is well known in the sporting arena. The groups that come through my side of things for training and consultancy are smaller. They really are confused about what to do in the safeguarding arena and need guidance. Have they got policies and procedures? Do they have the right documentation to make a referral if they are concerned about a child? I think that those smaller groups can be — the only word I can think of is this — confused about what to do, and they need more guidance.
302. **Mr Ó hOisín:** Paul, you said that your kids attend Irish dancing but that you have only recently swapped numbers with the teacher. We have found that Irish dancing in particular I am sure that this is true right across the board is taken by an individual or perhaps a group, and dancers obviously take part in competitions organised by the likes of Comhaltas Ceoltóirí Éireann. Is there some remit within that to have a more formal setting to encourage uptake and to see what is good practice?
303. **Mr Stephenson:** I can speak only as a parent and as someone who volunteered his knowledge and service to the chairperson of one of those dancing organisations but got no reply. I am not sure whether they go elsewhere, but that certainly has not been cascaded to me as a parent. That is one of the worries that I would have about the other organisations in the DCAL family. There is a co-ordinated approach for sport. It might take a while for people to get to us, but when they do and issues need to be dealt with, there are procedures in most sporting organisations to deal with complaints. I am certainly conscious of someone in Irish dancing who was in the press a while ago. When I raised that — this was on my daughter's side of Irish dancing — with the dancing school, its response was, "Innocent

- until proven guilty.”He was consequently convicted of sexual offences, but he had been allowed to continue as a dance instructor. There are issues in organisations that do not have robust procedures. Driving that forward may mean providing organisations with consistent advice.
304. I am not aware of a constant delay at Access NI. There are issues in the process, and it is often when they leave the organisation as opposed to Access NI's delay. It is normally a voluntary organisation that may get an individual's application and not send it out for a week or so. That can cause delay, or if people have a number of addresses, they all need to be contacted. However, the turnaround time is still two to three weeks.
305. **Mr Ó hOisín:** I am not sure how wide-spread it is, but I did have a couple of cases where people were bidding, and in once case it took nearly three months.
306. **Mr Reid:** In our view, Access NI runs a pretty effective ship; we have a lot of contact with it. One reason why there may be a delay is that if someone has local police force information against them, Access NI has to write to the PSNI. Therefore it sometimes takes some time, and if there are multiple addresses and somebody has lived in multiple parts of jurisdictions, that can add time to the process.
307. A challenge for small, voluntary organisations are the disclosure and barring arrangements. At present, they have a statutory duty to refer to the Independent Safeguarding Authority — or the Disclosure and Barring Service, as it is now called — anyone whom they have moved for harming children. All those organisations have a statutory duty.
308. Government also places a statutory duty on them to carry out a check, so some infrastructure work needs to be done, with even very small organisations. Just as they have health and safety requirements, they have vetting requirements. Part of Paul's work with sports organisations will be to steer them through the complicated and convoluted process that are the disclosure and barring arrangements. That is a challenge for small clubs in the arts and culture and leisure sector.
309. **Mr Ó hOisín:** What about non-recognised sports?
310. **Mr Reid:** It does not matter; it applies to them, too.
311. **Ms McCready:** One thing that I am also finding with the smaller groups is that many of them have never seen or heard of the Area Child Protection Committee (ACPC) regional child protection policies and procedures, nor, it seems, their own child protection policies and procedures from their governing body. It helps groups if they know what to do if they have a child who is causing concern.
312. **Mr Stephenson:** Going back to non-regulated groups, Sport NI is working with unfunded but recognised organisations to put in place requirements for them to step up to a proportionate level of accountability, different from the funded organisations but with some of the key points.
313. It is important that it does not happen just in sport and that someone offers all those smaller organisations support, direction or asks them questions. That is why it is important if you are hiring a facility that there is consistency across local government. I am also conscious that if you are hiring halls from faith-based organisations, some of those are starting to ask organisations about their child protection policies and procedures. That can be the prompt for some of them to seek help. The question is where they get that help.
314. **Mr Humphrey:** Thank you very much for your presentation. I declare an interest as a member of the Scout Association because I want to draw on my experience from my time there. The protection of children is paramount in everything that you do and all the things that we discussed this morning. I have a slightly different way of coming at this. I see this not as a child protection

- policy but as a child protection and adult protection policy.
315. The focus here is on protecting the child, but surely the policy is also about protecting those who work with children. Can that not be brought into consideration in the title deed of the document? Often, the practitioners and volunteers who give of their time and talents freely in society feel that every one of them is under some suspicion because of the naming of those policies. What is your view on that?
316. **Mr Reid:** You raise a very important point. Children benefit greatly from volunteers and people who work with them. My child is an Ulster and Irish swimmer, and she benefited greatly from the dedicated coaching and volunteering from a whole raft of people. We do not want to discourage people from participating in sport, which is so important to children.
317. However, your point is well made. Sometimes, we have to provide policies and guidance to staff working with children that encourage good practice and sensible work with them. An example is Facebook. New social media can prove an absolute nightmare for people who, through naïve practices or unfamiliarity with what they are doing, end up, for example, befriending children and all sorts of things happen. Any guidance on child protection needs to include good practice guidance for adults who work with children in the context of helping them to adopt best practice. I agree totally with you.
318. **Mr Humphrey:** I was a district commissioner and was responsible for the training of all the scout leaders in my district. You try telling that to a new leader who is handed a 10-point code of conduct by the Scout Association. Frankly, when he or she reads it, they will have second thoughts about getting involved because the whole thing is “don’t, don’t, don’t, don’t, don’t”. I am making a point about the titles of documents, and we need to get the message across to people that it is about protecting them as well as the children and that they are not perceived as a potential criminal.
319. David made a point earlier about consistency. I am alarmed to hear from Paul that there is no consistency across local government. Therefore, it seems to me that responsibility should reside with regional government and the police. There is inconsistency in other areas of local government, because some councils have greater resource than others. For example, the very small councils will not have the resource of Belfast City Council. If resource is a problem in the delivery of this, regulation to ensure consistency and protection should reside with the regional government and the police. What is your view on that?
320. **Mr Stephenson:** Can I respond to your first point first? Sport NI’s course is wholly reliant on volunteers, so part of it emphasises that this is about keeping yourself safe as well. The tutors say that to all the attendees. The difference between what the scouts get and our sample policies is that ours are written in a more proactive and positive way. They are about the ethos of the organisation, the dos and the values that you should have when working with young people. There are some don’ts as well, but they start off with a more proactive approach, and our advice to organisations is to induct volunteers appropriately. We need volunteers, but we need the right volunteers with the right attitude.
321. **Mr Humphrey:** You used the word “attendees”. You should make it more attractive for people to attend the courses and not a deterrent. People have said to me, “I did not realise what I was getting involved in”, and people who I worked with in my previous job used to say to me, “Why do you bother doing that? Look what you are exposing yourself to”. There is complete inconsistency. I take your point. I am member of the congregational committee of the Presbyterian Church, which has its own regulations on this. We have the Girls’ Brigade, the Boys’ Brigade and the Scouts, and some

- people are leaders in two organisations and have to go for three sets of training. It is crazy. People do not have that time.
322. **Mr Stephenson:** I am a trainer for the Presbyterian Church. They should not have to do that.
323. **Mr Humphrey:** I can assure you that, in my experience, the Scout Association will tell them that they have to go for training, and so will the Presbyterian Church.
324. **Mr Stephenson:** That should not be the case because there is a memorandum of understanding on vetting and training that is recognised in the faith-based organisations. That was drawn up between the uniformed organisations and the Presbyterian Church. There are issues with communicating with people.
325. In sport, we are working to make sure that volunteers feel supported, do not feel that they are being accused, and do not feel guilty about volunteering to work with young people. We are a child protection agency; we are about protecting children and preventing abuse but also about transforming people's attitudes. We talk about a safeguarding course in sport, and we try to use that term as opposed to "child protection". We are looking at preventative methods for people who come forward.
326. **Mr Humphrey:** The Prime Minister talks about the big society. The truth of the matter is that people who are involved in the Guides, the Scouts, GB, BB, Sunday schools, sports clubs and dance schools on a voluntary basis could not be paid by government for their contribution, and there is a tremendously rich culture of people wanting to join organisations to put something back into the community or the organisation that they benefited from when they were younger. Although we must absolutely protect the young people, we need to remember to protect volunteers as well and not discourage them.
327. **Mr Reid:** We have agreed wholeheartedly with you.
328. **Mr Stephenson:** That is a part of our ethos, that the young people who have a positive experience now will be junior leaders or volunteers because they have had a good experience with coaches, and will stay in that sports club, dance club or organisation.
329. **Mr D Bradley:** Good morning. Thank you for your presentation. I was somewhat disturbed by what Paul said about the Irish dancing class that his daughter was attending. There are two parent bodies, as I understand it, for Irish dancing; one is worldwide, the other island-wide. I would be very surprised if they did not have safeguarding policies for their organisations. Having said that, I suppose that there is nothing to stop individuals starting lessons in Irish dancing or in any form of the arts or sports. I wonder whether there is anything that we can do to protect children from unregulated activities, where an individual starts up a class in arts, dance, sport or whatever. The individual is not associated with any parent body and, therefore, the parents and children do not have the reassurance of the overarching policy that a parent body would provide.
330. **Mr Stephenson:** We need to transform people's attitudes on what they are willing to ask of organisations and what to expect of organisations that they let their children attend. I have no concerns about my daughter's club and where it goes; I am talking about the umbrella body. Do not ask me which organisation is involved. The umbrella body did not have guidance for this volunteer teacher, and that was my issue. There was no structure in place for that volunteer, who was doing the right thing, putting in the hours with the young people, and was a fantastic teacher. However, if there were concerns, or if a young person was to come to her with a concern about something that was happening elsewhere, she may not have the confidence or the structure to go elsewhere with it.
331. Just as we encourage local councils to have procedures in place, people who have facilities will need to have them in

- place. As church-based organisations tighten their guidance, people will voluntarily be motivated to be directed somewhere. It is a cultural change, and we have seen that motivation in sport. Last time I was here, I said that I felt like a double-glazing salesman when I first started the job because no one wanted to listen to me, whereas now I long for the days when the phone does not ring as much and I get a chance to do things. That is a huge cultural change. It is not that there are more child abuse or child protection issues in sport; it is just that people feel that they can come forward with their issues and they have a direction in which they can go. That is what we are looking for with other arm's-length bodies, that there is a co-ordination in their response.
332. **Ms McCready:** It is about communication strategy, of making sure that the word about safeguarding gets out there and that people are aware that parents should be asking for a copy of the child-protection policies. They should be aware of that; and people should be going through the vetting and barring process, etc, even volunteers who set up a small Irish dancing class on their own.
333. **Mr D Bradley:** Many people run lessons in their own homes — for music, singing, learning instruments and so on. What is your advice in that situation?
334. **Mr Reid:** That is an interesting one because it falls outside the disclosure and barring arrangements. Those are what is classed as private, voluntary arrangements that you, as a parent, make and contract with someone else. We always say to parents that they should put into practice sensible safeguards and procedures to ensure that your child is safe. You would take up references, seek other people's advice about the practice and, if anything comes from your child that causes you alarm, you deal with it. Those are sensible arrangements that you can put in place that are proportionate and realistic for that activity.
335. **Mr Stephenson:** Some years ago, we worked with the Department of Education to produce guidance for individual home tuition. That was given to the Department, although I am not sure what was done with it.
336. **Mr D Bradley:** That was with the Department of Education? Thank you.
337. **Mr McGimpsey:** I am sorry that I missed your presentation, as it is a subject that interests me. We have seen a great deal of change in the last number of years, particularly since Soham, albeit some it has been stop-start, such as the Safeguarding Board, Access NI and so on. Yet, we have now the latest revelation about Savile, and the background of the church and so on. It appears to me that we take very sensible measures, but abusers always find their ways through. What are the weaknesses in the system and how do we address them? Nothing is perfect. A great deal of effort has gone into child protection, through the setting up of the board, Access NI and so on, but there are bound to be gaps. Where are the gaps and how do we remedy them?
338. **Mr Reid:** You are right, and we can never be complacent. You will probably know better than anyone here some of the systems and process changes that the Department of Health has put in place. We are in a very different place from where we were 20 or 30 years ago. We see a proliferation of people coming forward, not necessarily because there is more abuse but because people have been enabled to come forward and talk about abuse. One of the interesting things about Savile was the number of people who came forward and reported contemporaneous abuse because of what they heard in the media and they felt that they would be listened to.
339. We can never be complacent about this inquiry. Huge strides forward have been taken, particularly around the support structure in Sport NI. That is why I come back to my opening remarks, in which I said that this inquiry is timely. We are dealing with quite an unstructured and vast array of different groups and

- organisations. If we can do anything, let us invest in infrastructure development for those groups that will help them to work through this complicated area and build up their capacity. We also need to invest in systems that encourage children to speak out, develop a rights approach for children and provide them with access to independent others from whom to seek advice. We also need to provide advice on best practice and how to protect children for parents and for those in positions of governance. If we do that as a result of this inquiry, we will have helped huge numbers of children and played a significant role in improving our arrangements.
340. **Ms McCready:** One of the things that I found out from working with smaller groups is that where people have a good child protection or safeguarding policy, all the staff or volunteers are fully aware of it and that gives them much more confidence in being able to support someone who comes to them in their organisation to stop abuse or to prevent it from happening.
341. **Mr McGimpsey:** Yes; as far as we can see, the weakness for the church abuse was that individuals did not come forward because they did not think that they would be believed or be seen as credible. It was similar with Savile. However, once one or two came forward, an avalanche of complaints came forward. Is that where you are talking about going? Is it about making it easier to complain and making complaining more accessible to individuals, very often minors, who are often dismissed? In the case of Savile, they were dismissed by police and senior authority figures.
342. **Mr Reid:** Yes. The police have an important role to play in all those systems and they have invested hugely in structural changes here in how these things are reported.
343. **Ms McCready:** In training, we always talk about children being believed. That is a very important part of having an informed status.
344. **Mr Stephenson:** That is why we are here today. We recognise that there has been a huge transformation in attitudes among the vast majority of people in the sports sector. We are just asking for that reach to be extended, because so many people volunteer in the CAL community. It is not just about their volunteering role; they are also parents, neighbours, churchgoers and other citizens. Once confidence and understanding have raised in one area, it will translate into wider society. It is about a societal confidence to come forward and deal with these issues. I think that it is a time to be proud. In delivering church training in the past, I have heard people ask what sort of a state we live in, where people are so anxious about child protection. However, I think that we live in a good time, because we are saying that the societal standards that we have in place are that we will not accept the abuse of children now. It is a proud time in which we are now doing the right thing as a society.
345. **Ms McCorley:** Go raibh maith agat, a Chathaoirligh. The strategies and guidelines for organisation are important, but the biggest area is teaching children and encouraging them to come forward. As a teenager, I was involved in two different groups, both of which had an abuser in them. Everybody knew about it, but nobody said anything. I cannot even think why we did not tell anyone, but that was the norm. One of those abusers was prosecuted 25 years later, so somebody spoke up at some point. There may still be that reluctance among children to say something. That is where the effort needs to be.
346. **Mr Reid:** You are right. The issue is empowering children to seek help. The relationship that you have with them will help them greatly to navigate the challenges they may face from people who might pose a risk to them. You are absolutely right.
347. **Mr Stephenson:** A child is more likely to come forward about personal and serious issues, such as potential child abuse, if they have confidence in their leader on other issues and they are

- listened to about other things. That is why we are encouraging organisations to consult with young people, communicate with them and be a listening ear on gentler and softer issues, because that will build up confidence so that, if there are serious concerns, they will have someone they can turn to.
348. We are making quite a push with Childline. Hopefully, we will use sports organisations. I made some reference in the paper to what some sports are doing to promote ChildLine's number and the NSPCC's number. Therefore there is that reach. DCAL has a huge reach to young people — the largest in the voluntary sector.
349. **Ms McCready:** Many staff and volunteers are worried about how they will deal with it and their personal impact. We encourage organisations to make sure that they have support for staff or volunteers who are listening to children, because children will tell you quite graphic things sometimes.
350. **Mr McMullan:** There is no mention of disability or special needs. That is a different, and nearly more complex, field, and it is one that is shied away from by some local authorities because of its complexity. You say that you want young people to come forward to report, and that is quite correct. However, with children with disabilities or special needs, you do not get that. I want to see more disability campaigns dedicated to that; you have them in local authorities, but you really only have them there in name. For example, many people do not know how to deal with some of the complex issues that affect children who have autism. That is a very hard situation, and I do not see it changing.
351. I am bit disappointed that addressing that problem does not jump out of the report, because it should. It should be a stand-alone in child protection, because it is complex. Anybody working in the area should at least be trained. I go back to what I said earlier: some groups, organisations and even local authorities shy away from that because the cost of training is too much.
352. **Mr Reid:** You raise a very interesting point. I am glad that you have, because I feel as if our report has been marked now. You were not a teacher in a former life, were you?
353. **Mr McMullan:** I have been a whole lot of things, but not a teacher.
354. **Mr Reid:** Children who are disabled are more likely to be abused. The research shows that clearly; yet they are under-represented in the statistics. Therefore your point is well made. Perhaps if DCAL established a group to look at child protection, it may want to look particularly at protecting disabled children who participate in sport, arts and culture. That is a very laudable aim. As you said, it is a specialist area, but you are absolutely right to raise it.
355. **Mr McMullan:** It is not anywhere in the report.
356. **Mr Reid:** You are quite right.
357. **Mr Stephenson:** The last time we were here in November, we had eight points from the sport sector, and one of the areas that we addressed was the particular vulnerability of young people with a disability or a hearing or visual impairment in sport.
358. In the sport sector there is a training resource that Sport NI has sponsored that is free to governing bodies and which has a number of elements; it contains guidance on how to deal with behavioural problems. That has been given to the governing bodies of sports: the next challenge is for them to use that tool and cascade it down to their organisations. Sport NI has already started to look at that as issue and at raising the profile of the particular vulnerability of young people with disabilities as an issue that must be addressed. That is a relatively new area for sport. I go back to the issue of emphasising the work of volunteers. We need to bring in volunteers who can implement this and who have an interest in working in that area. We work very closely with the Special Olympics on behalf of our youth athletes. Training resources have been developed, and the

- challenge now is to communicate them and use them to get people to take an interest in those areas and to raise awareness about that vulnerability.
359. **Mr McMullan:** The only people doing that are the likes of Mencap, whose volunteers come in on their own time to advise you. You have talked about strategies and so forth, but you should look at developing a strategy on that very quickly. It is clear that we do not have one.
360. It is something to which, for want of a better word, we pay lip-service in the hope of winging it. It should be in there, jumping out at you. Your report is very good, but the disability and special needs category should be jumping out of every page and it is not there at all.
361. **The Chairperson:** That point is well made.
362. **Ms McCreedy:** Disability awareness flows through all National Society for the Prevention of Cruelty to Children training advice when we work with groups. It is brought out in lots of scenario work and group work that we do. We include it and we try very hard to make sure that groups are aware of what to do if they have a disabled young person and how they can help them disclose if necessary.
363. **Mr McMullan:** You are not following up on that. You are sending that advice out and hoping that groups take it up, but no one is following it up to see whether they are doing it. That is where it is falling down.
364. **The Chairperson:** You talked about the internet safety strategy and mentioned the debate on that subject that took place in the Assembly on Tuesday. How do you see DCAL contributing to that?
365. **Mr Reid:** As I said earlier, I hope that DCAL sees that it has a part to play and that it can develop an e-strategy for the DCAL family. We have made a recommendation that this specialist issue should be dealt with as part of DCAL's overarching areas of responsibility.
366. **The Chairperson:** OK. Thank you very much for attending this morning. The session has been very useful.

7 February 2013

Members present for all or part of the proceedings:

Mr William Irwin (Deputy Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr Nick Livingston *Arts Council of Northern Ireland*
 Mr Gavin O'Connor *Ireland*

367. **The Deputy Chairperson:** We will now have a briefing from the Arts Council of Northern Ireland (ACNI). I welcome Mr Nick Livingston, director of strategic development, and Mr Gavin O'Connor, from the youth arts council. I invite you to make a presentation, after which members will have an opportunity to ask questions.

368. **Mr Nick Livingston (Arts Council of Northern Ireland):** Thank you for the invitation to talk about an important and timely issue: the protection of children.

369. I am joined today by Gavin O'Connor, who works for the Arts Council, not the Youth Council. He is our youth arts officer and our designated safeguarding officer. Prior to his appointment, Gavin worked for many years in the sector in childcare and in child development and directly managed several youth arts organisations, including WheelWorks, Sticky Fingers and Young at Art. He brings a background in child protection to his role as safeguarding officer in the Arts Council.

370. We recognise that safeguarding is a collective responsibility. Although the council does not directly provide services to children, we fund those who do. Our approach over the years has been to work in tandem with the

Volunteer Now “Our Duty To Care” team and more recently with NSPCC. Incidentally, that was commented on positively in the 2011 Education and Training Inspectorate (ETI) report. Essentially, our approach is to build capacity among arts organisations so that there is justified confidence among the public and users of services that organisations that we fund provide safe, enabling and well-managed environments for children to create and enjoy art.

371. It is, however, an unceasing task. Arts programmes for children need to be delivered in a caring and responsible environment, keeping art safe. It would be remiss of me not to mention the host of new challenges and future areas of work to which we will have to address our minds. They include internet safety, which we discussed, as well as social media and the need for improved structures for safeguarding in an internet age to ensure that those who are in positions of trust do not abuse that trust.

372. As the Committee is aware, we support a range of activities across the arts and almost 100 regularly funded organisations to ensure that they deliver quality arts and cultural activity. Children and young people are strategically significant as part of the delivery of that programme. That is because arts-led interventions help to stimulate a spirit of learning and discovery and to promote self-confidence. Through arts-related activity, they help children to develop life and communication skills, problem-solving and social and emotional vocabulary, and they help to foster positive mental health. That is why we are keen to extend access to the arts to young people in all walks of society and why our funded plans consciously commit resources to engage with young people.

373. We also have a dedicated youth arts strategy with themes and actions. It projects a positive message about the benefits of involvement in the arts that counteracts some of the risks to which young people are exposed. For example, the arts can prove to be useful interventions that counteract problems such as low self-esteem, as well as problems that arise from social exclusion and alcohol and substance abuse. The arts can also form part of a broader platform of community health initiatives. That is why we have been instrumental in brokering a new initiative with the Public Health Agency to work with excluded young people to promote positive attitudes towards mental health issues. We will be jointly funding a pilot initiative in that area. In getting involved in the arts either for fun or personal development, all children have the right to be protected from harm.
374. In summary, our policy as a funder aims to ensure that the welfare of children, young people and vulnerable adults is paramount in all relevant areas of our work. The organisations that we fund that work with children have to share that commitment to safeguard and promote their welfare. We take the view that all organisations that provide services for or work with children should be committed to the child's well-being and safety. They should also be clear about responsibilities to safeguard and promote welfare and have effective recruitment and human-resource procedures, including checking all staff, freelancers and volunteers and making sure that they work with children in a supportive way. We need to have procedures for dealing with allegations of abuse, particularly when they affect members of staff. We need to make sure that staff have appropriate targeted training to do their job well and that they are aware of what the procedures are, that is, to whom and how they should refer concerns.
375. Our actions extend to providing advice and guidance to our funded organisations, maintaining a high level of awareness of safeguarding in the sector by working with the duty of care team and by promoting a culture of vigilance to ensure that programmes of work that partner agencies carry out follow good practice guidelines and that grant programmes reflect that commitment to collective responsibility for safeguarding. They also aim to create an enabling environment for children and young people to create and enjoy art.
376. I will hand over now briefly to Gavin, who will give the Committee a flavour of some of the practical steps that help to take that forward.
377. **The Deputy Chairperson:** Mobile phones are interfering with the recording. Could members make sure that their phones are switched off, please?
378. **The Committee Clerk:** The meeting is being recorded by Hansard. If there are gaps in the recording, it means that we will not gather all the evidence that is required and that is being brought out in today's briefing. I stress that members must turn off their phones. It is vital that we get the full recording. Sorry, Deputy Chair. Thank you.
379. **Mr Gavin O'Connor (Arts Council of Northern Ireland):** Good morning to you all. First, I would like to say that I welcome the investigation. It is timely, appropriate and fit for purpose. I am thinking about the practical implications and challenges that face arts organisations to take all reasonable steps to ensure the safety and well-being of the children who are in their care. As the designated officer, I work with those organisations. I encourage them to follow good practice guidelines, which we developed in partnership with Volunteer Now's Our Duty to Care team and which are sector-specific. It is important to note that they are sector specific. They can actually be found on the Arts Council website. We also involve the arts sector in their development, because we want arts organisations not only to adopt guidelines and develop policies but to actually implement them in their day-to-day practice. That is so that all staff can be fully familiar with and aware of

- their responsibility for the safety and well-being of children, young people and, indeed, vulnerable adults, even though we are not discussing them today.
380. It is an ever-changing picture, and, to keep organisations up to speed, we regularly issue briefing notes on safeguarding, and we signpost groups to relevant training and guidance on safeguarding from external service providers. The main providers are Volunteer Now and Children in Northern Ireland. So, we actually take a proactive stance. We provide advice and support on safeguarding, and we do that on a one-to-one basis when required.
381. To conclude, every organisation that we fund that works with children must supply its child protection safeguarding policy and comply with the safeguarding checklist that the Arts Council developed a number of years ago for all funded client organisations. We check that, and we work with those organisations to create a safe environment for those taking part in the arts. Thank you.
382. **The Deputy Chairperson:** Thank you very much for your presentation. Organisations that you provide funding to are required to apply child protection guidelines and commit to a child protection policy. That organisation subsequently provides funding to other groups. What checks does the Arts Council put in place to ensure that those groups are also compliant?
383. **Mr O'Connor:** From my experience, I can tell you that, from our point of view, all regularly funded clients must, obviously, adhere to the safeguarding checklist. If they do not directly work with children and young people, there is no need for them to tick the “yes” box everywhere. I think that that is accepted. However, if organisations that we fund then further distribute funds to client organisations, as the safeguarding officer, I would take all reasonable steps to ensure that the delivery funding organisation was complying with the guidelines that we expect them to. To be honest, however, I am not aware of any such organisations at the moment, so I would like to know what they are.
384. **The Deputy Chairperson:** Has the Arts Council funded any projects that raise awareness of child protection issues and cyberbullying, for instance?
385. **Mr O'Connor:** On cyberbullying, at this moment, no. A while ago, between 2006 and 2008, we funded Volunteer Now, which was formerly known as the Volunteer Development Agency, to carry out extensive training over a two-year period for all arts organisations for designated officer status, child protection and safeguarding awareness. Indeed, we also did a root-and-branch review of all policies that were place in the Arts Council at that time. I think that it is important to note that we currently check policies as they come in. If it is three years old or more it is not acceptable, and we send it back to the organisation to review and reflect. We will signpost at any given time.
386. **Mr D Bradley:** Good morning to you. You said that the procedures and so on that you demand from the groups are sector specific. What does that mean in practice?
387. **Mr Livingston:** The point is that the delivery arrangements are somewhat different in the arts than in sport, where, for example, there is a formal structure of the governing bodies. We have had to adopt a tailored approach that is more specific to the prevailing circumstances for delivery in the arts. I stress that it is not just enough to have generic procedures; they have to be tailored and adapted to the circumstances and appropriate to the delivery mechanisms. The best way to achieve that is to work in conjunction with the sector so that it is not just a question of compliance but that it is actually built in to and applied in the operational practice of the organisations themselves. It becomes part of their cascading responsibilities to us and to those who take part in the activities.
388. **Mr D Bradley:** You have quite a stringent list of obligations to be met by the

- groups that apply to you for funding for arts for young people. There is also a checklist that must be fulfilled. How can you ensure that that is more than a desktop operation and that groups are doing what they say on the forms that they are doing?
389. **Mr Livingston:** That is a very important point. It rests very much on the ongoing contact that the client officer has with those groups. For instance, a cycle of meetings happens every quarter with funded organisations. Whenever the officers conduct those meetings, they are required to consider that. So, it is a matter of continuing monitoring and contact. As well as the danger of it being just a tick-box exercise, there is also the danger that it will lapse in prominence because it was done a little while ago. The idea of the checklist is to make sure that the issues remain prominent in the minds of the organisations when they make applications to us and to make sure that their processes and systems are up to date.
390. **Mr O'Connor:** I will go back to what the NSPCC stated about a need for collective awareness. That goes from the participant who is in receipt of the arts programme right through to the delivering artists and the employer. I think that it is vital that there is increased awareness and confidence. If you have a concern or an issue, it is vital that you have the right to speak out and for that to be heard and acted on promptly.
391. This is not just an arts sector problem; there are issues across the board. We are a public body that resources organisations. They comply with what we have asked them to comply with, which is, in fact, what DCAL has asked us to comply with. We have actually gone a number of stages further than the DCAL requirements. At the end of the day, Dominic, we are not a policing organisation. Therefore, it is about the collective responsibility. I remember the old adage from many years ago that said that a child-friendly environment is a community-friendly environment. If we can instil that ethos and get it across,
- the protection and well-being of children will multiply and ripple out across the community. If children are heard and taken at their face value and if systems are in place to support their safety and well-being, the wider community will feel the benefit.
392. **Mr Ó hOisín:** Good afternoon, gentlemen. I posed this question during the previous presentation. Nick, you rightly said that a lot of arts organisations are not at the same level or do not have the same competence of governance per se as sporting bodies. That is very much a fact of life. Are there any opportunities in the inquiry or the wider scale of things to look at organisations that should or could have a degree of governance for individuals and groupings that are involved in the arts sector?
393. **Mr Livingston:** A point was made earlier about proportionality in what we can expect of the organisations and the scale at which they operate. It is unsettling to think that lower standards apply. I think that a general principle might emanate from the inquiry about setting a new benchmark in safeguarding standards that we might expect in Northern Ireland. In many ways, that would provide a lead for all the organisations in the DCAL family. Certainly, our role in all that would be to make sure that there was not just heightened awareness of the issues but that active measures were in place to make sure that they are evidencing the work that they are doing and that it is systematic and built in to all their processes.
394. A second thought is that, as you quite rightly said, this is not just about the staff and those who have contact, whether they are freelancers or volunteers. It occurs, obviously, at the level of those who have governance responsibility in the sector, such as those who act in a voluntary capacity on the boards. They have a primary role in setting the tone in the organisation that will give safeguarding the prominence that it justly deserves in the organisation and its ethos. So, it is

- important that that is also reflected in the work that we do and in what might come out of the inquiry.
395. **Mr Ó hOisín:** I see a list of “nevers” in your code of behaviour for staff and volunteers. I will declare an interest at this point as a GAA official. There are a number of points about personal contacts of people who are involved with children. A lot of people’s experience is that it is useful, on occasions, to have that established.
396. The other issue, particularly for organisational purposes and possibly for safety purposes, is the whole idea of texting. Perhaps there could be a rewording or rethinking of that in that small sector. I am just talking about practicalities in the modern era.
397. **Mr O’Connor:** If I could respond to that. We developed good practice guidelines, and the interesting thing about them from our point of view was that they involved the Our Duty to Care team in Volunteer Now. We formed a working group that was sector specific. When I say sector specific, I mean that it was the arts sector, and it included those who practise circus skills, visual arts, drama, dance, movement, film-making and photography. The guidelines have specific details for what would be deemed best practice, and there is an acknowledgement that, like sport, there is a need for physical contact in some art forms. It is about how it is conducted, the manner in which it is conducted and the awareness of what is appropriate or inappropriate for the recipient of the training or support. I think that that involves general awareness of the issue. There is an acknowledgement that there needs to be physical contact with the diaphragm, etc in activities such as singing.
398. **Mr Ó hOisín:** We talked specifically about the communication of information for activities that may take place. Modern technology is increasingly used, and that should maybe be recognised in that.
399. **Mr O’Connor:** I agree with you.
400. **Mr McMullan:** Again, I will go back to disability. I see that your safeguarding policy mentions vulnerable adults. What guarantees are there that that is being followed through? I will go back to what was said to the NSPCC about the complexities of that situation. There is nothing in your paper to tell me how you can check up on what is happening. For example, a group could apply for funding from a local authority and can then fund other groups. Are we following through enough on that? Are you happy that your system is robust enough?
401. **Mr O’Connor:** As the designated officer, I am happy enough that, on behalf of the Arts Council of Northern Ireland, I have in place the most robust systems that I can currently have. However, I am open to review, support and recommendation.
402. Oliver, a specific section in our guidelines is dedicated to vulnerable adults. Specific reference is also made to those who are disabled, whether they learning disabled or physically disabled. That adheres to what is deemed to be a general awareness of those who are living with a disability. As such, in the guidelines we did not drill down to, for example, drama for those who are living without a disability and drama for those who are living with a disability. We take an overarching generic approach in the guidelines to disability.
403. If I could just add, the reason why we are confident is that the guidelines were informed by a former colleague of mine, Chris Ledger. She was the arts and disability officer in the Arts Council and is now the chief executive of the Arts and Disability Forum. So, the Arts Council is quite confident that disability has been addressed in the guidelines.
404. **Mr McMullan:** Right. I have a couple of other questions. In your report, you refer to your liaison with the health and social services trusts. The problem is that those who are working with disabilities and special needs are not aware of the complexities of the issues that are involved. Do the trusts help you to filter that down to organisations?

405. **Mr O'Connor:** I am not clear where that is mentioned in our report. Could you draw me to it? I am not being critical in any way.
406. **Mr Livingston:** Maybe I could add that we recognise that special circumstances apply as far as disability is concerned. As has been referenced, we fund a number of organisations with specialist skills and knowledge in that area, of which the Arts and Disability Forum is one of the sectoral lead organisations. It is very much about building in to their relationship with the sector their knowledge of good practice and ensuring that that is tailored and appropriate to the needs of those with disabilities.
407. **Mr McMullan:** I will come back to that in a minute. I think that RPA, which is coming up, will give you a good chance to go into councils, put that question and make sure that it is coming out. Believe it or not, I think that the Arts Council has done very well over the years in its funding of groups that deal with disability and special needs.
408. I think that some of the organisations, such as councils, that get funding from the Arts Council are not quite up to speed on the issue. I think that the RPA provides an excellent opportunity for them to go in to beef up the policy or whatever. Have you thought about that?
409. **Mr Livingston:** I take your point. We do not directly fund councils on an ongoing basis, but we do have a strategic relationship with them. As we move towards the implementation of the local government reforms, there will probably be an opportunity for us to work more collectively in a number of areas, of which, I am sure, safeguarding might well be one.
410. **Mr McMullan:** These papers show what the trusts say about safeguarding in situations where there are allegations of abuse or anything else.
411. **Mr O'Connor:** Obviously, I liaise with health and social services. Sorry, I misheard the question.
412. **Mr McMullan:** No bother at all. I would like to see it being part of it. I hope that any new council will be aware of everything to do with that and that more consideration is given to it, because it always comes down to funding. We are told that it is not appropriate because it takes too much to train people, even attendants at community centres, etc, to work with them. They do not realise what is involved — *[Inaudible.]*
413. **The Deputy Chairperson:** No other members have questions. Thank you very much for your presentation.

14 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mr Oliver McMullan

Witnesses:

Ms Sandra Adair *Volunteer Now*
 Ms Veronica Gray

414. **The Chairperson:** I welcome Ms Sandra Adair, Volunteer Now's director of policy and capacity building; and Ms Veronica Gray, the organisation's safeguarding manager. Thank you very much for attending the Committee today.

415. **The Committee Clerk:** We will need to suspend the meeting for a moment.

Committee suspended.

On resuming —

416. **The Chairperson:** I apologise for that. We lost our quorum for a few moments.

417. **Ms Sandra Adair (Volunteer Now):** No problem. Good afternoon and thank you for the opportunity to speak to the Committee. Hopefully, most of you are familiar with the role of Volunteer Now, which is involved in the development and support of supported volunteering across Northern Ireland. Obviously, a lot of volunteers are active within the Department of Culture, Arts and Leisure (DCAL) remit, so we have a long history of involvement with the culture, arts and leisure sector, not the least of which is our involvement with the World Police and Fire Games at the moment. I hope, Madam Chairperson, that the interview went well yesterday.

418. Our involvement in child protection started back in 1996, when a volunteer abused children in his care. As a result

of that, the Social Services Inspectorate asked that guidelines be made available for the sector. Those guidelines were known as 'Our Duty to Care' and were principles of good practice for keeping children safe in the voluntary and community sector. Our project, which is also called Our Duty to Care, was established as a result of that in order to implement the guidelines and to help organisations use them in their various roles. The guidance was designed to suit the needs of all organisations across the sector so that they could use them and tailor them to their own circumstances, needs and activities.

419. Using that guidance, we developed minimum standards that were endorsed by the Department of Health, Social Services and Public Safety (DHSSPS) and recognised as the minimum standards that organisations need to have in place in order to keep children safe. The sorts of things we are talking about are: having a policy statement from the outset to say that you are committed to safeguarding; providing effective recruitment, selection and management of staff and volunteers; dealing with concerns about abuse; knowing to whom and how to report suspected abuse or an allegation of abuse; setting out the sorts of behaviour that you expect when people are working with children and young people; and the general safety and management of activities.

420. Through Volunteer Now and the Our Duty to Care programme, we provide training, information and support across the sector. Our Duty to Care has become quite an important source of support. It is useful to pick up on some of the issues that were raised earlier. Our Duty to Care and Getting It Right are used in the Republic of Ireland and have been tailored to meet the needs in the South. England has also taken and tailored Our Duty to Care. Obviously, across Northern

- Ireland, the trusts, the councils and the Departments have used and are using Our Duty to Care. As you heard, the child protection in sport unit standards were based on Our Duty to Care as well.
421. We have developed a suite of training modules to try to meet the needs of the range of people working with children and young people. The range of roles is substantial. Some people have very limited contact, while others have a lot of contact. Of course, there are management committees and designated officers, so it covers the whole range. We have brochures with us that outline the sorts of modules that we have created. Disability and the whole issue of inclusion have been brought through all of those modules. We had a separate module on involving children with disabilities but, since then, we have made sure that the whole issue of inclusion is brought through in all our training.
422. As you know, the sector is huge and is very diverse. The DCAL family alone is huge. We found very early on that we could not meet the demand and that we would not be able to do it alone. We developed what became known as a cascade partnership initiative where we worked with the statutory sector and the voluntary and community sector — so the trusts, councils and the education sector were involved — to set up partnerships, and we trained trainers in those organisations to go out and provide free local training to groups that needed it. Those trainers are subject to quality assurance and are kept up to date on changes in legislation, so there is consistency in training across those partnerships. Through that and information support, we reckon that we target about 6,500 people a year, and, obviously, more people can be contacted.
423. In respect of your specific DCAL remit, we are very familiar with the child protection in sport unit. We work very closely with it, and you know the sorts of things that it does. In respect of arts and culture, we have provided guidance and support to a range of organisations, from small silver bands to larger organisations that have lots of staff and volunteers. We deal with a lot of queries. We have provided tailored training and, because funders require organisations to have certain policies and procedures in place, we find that they come to our door, looking for help.
424. A number of years ago, we did a comprehensive piece of work with the Arts Council in which we worked with the groups that it funds to look at training and an overarching policy for the arts sector, and to bring them up to speed on what legislation was in place at that time. We developed arts-specific guidance for that sector, looking at the range of issues pertinent to it at that time. That was a particularly useful piece of work that we led with the Arts Council, and we know that safeguarding practice was changed as a result. The issue now, of course, is that things have moved on substantially. Obviously, the Protection of Freedoms Act 2012 has brought about many changes to practices, and the implications of that for organisations are just starting to filter through.
425. In respect of the increasing use of technology, you have already identified that you are interested in the whole area of social media, and the changes in that alone over the past few years and in how we communicate and work with children and young people are substantial.
426. I ask the Committee to really think about the whole area of vulnerable adults. I know that your investigation is focused on children and young people, but the area of vulnerable adults is growing, and they deserve the same right to protection as children and young people. With the success of the Our Duty to Care project, the Department asked us to mirror that, and we have since developed standards, information, guidance and training on the back of that. If we have learned anything from the Savile case, it is that opportunistic offenders will take every opportunity to abuse anybody of any age. Anybody of any age can be groomed. There are

- people who put themselves in positions of trust and then abuse that trust. As a result, people may be afraid to report or to tell on that person, and there are huge issues around that. I ask the Committee to think about the whole area of safeguarding, not just one area.
427. I want to comment on some of your terms of reference and quickly look at just a couple of recommendations in relation to those. You talk about looking at structures and existing systems. Through the Our Duty to Care guidance and the Getting it Right standards, there are structures out there, such as the Keeping Safe initiatives. They are not in all trust areas, and we would certainly like that to be developed, because we are interested in consistency and making sure that, no matter where you are, you can get consistent and accurate information about how to keep children and vulnerable adults safe.
428. There are providers out there, and some of them are providing sector-specific information, but we are interested in making sure that there is consistency, quality and agreement about what it is that people need to know. Sometimes, people get hung up on whether somebody in a particular role should go for a three-hour, four-hour or six-hour training programme. For us, it is not about that. It is about deciding what it is that someone needs to know in a specific role to keep children safe. We ask you to work with the Safeguarding Board for Northern Ireland, which at the moment is developing a training strategy and training framework. For us, it is key to try to get that consistency across the sector.
429. You also asked about the systems in place in relation to the sports sector. We commend the child protection in sport unit to you. There is consistency of standards, because it bases its information on Getting it Right. The fact that it has a dedicated worker and project is excellent for the sports sector.
430. I want to mention one issue that is really useful, and that is Clubmark, which was spoken about in the last session. The protection of children and vulnerable adults (PoCVA) legislation in 2007 had a clause in it for accreditation of non-regulated childcare organisations. Unfortunately, as you rightly say, legislation changes. The safeguarding vulnerable groups legislation came in very quickly on the back of that, and that clause was no more, as such. We had worked with the Department to pilot what we call a charter mark — a Kitemark — for organisations that met the minimum standards. That is a visible sign to parents that the organisation has invested in safeguarding and has policies and procedures in place. We recommend that it might be time to think about that again, not just for the DCAL family but across the whole sector, and to look at some form of recognised accreditation or charter mark for organisations that have the standards in place.
431. You also mentioned exemplars and benchmarks. Again, Our Duty to Care and Getting it Right are there as benchmarks and exemplars. We need to recommend that those are promoted across the Province and are seen as the standards. That, again, goes back to information and consistency. There is an issue with keeping it up to date. The legislation has changed in respect of disclosure and services, obviously making big changes. That has reduced the pre-employment vetting to proportionate and common-sense levels, and we welcome that in terms of reducing bureaucracy, but it creates a greater need for effective recruitment and selection measures. If you look at Soham, Little Ted's nursery or any of those tragedies, if the building block of recruitment and selection had been in place, some of those things might not have happened. It is important that organisations really understand what they need to have in place. Also, with social media changing — we welcome the fact that the Safeguarding Board recognises social media and the internet as one of its priorities and is looking at multiagency strategies — we need to make sure that that information is getting out on the ground. As a recommendation, it is maybe the time,

- given all those changes, to map exactly which groups need help within the DCAL remit, and to audit their needs, find out exactly what they are struggling with and whether they know that the guidance is there. If they need more help with social media and keeping children safe on the internet, we need to look at that, and, on the back of that, put in some resources and support to ensure that they get the training support that they require so that their needs, issues and challenges are addressed in a co-ordinated way.
432. **The Chairperson:** Thank you very much; that was comprehensive. Thank you for sharing with us some recommendations; it has given us food for thought. Could you tell us more about the Protection of Freedoms Act 2012 and the changes that has brought about?
433. **Ms Veronica Gray (Volunteer Now):** The Protection of Freedoms Act amended the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007. Since September last year, there have been several key changes through a reduction in the scope of posts that now fall into regulated activity. We now have new definitions of regulated activity. By definition, those are posts for which employers must carry out a pre-employment check with enhanced disclosure through the barred-list check with Access NI. The basis for that is that it is an offence for an employer to knowingly employ a barred person in regulated activity, and, therefore, the check is essential. As Sandra said, we welcome a more proportionate and common-sense approach to pre-employment vetting. We have long tried to support the sector in raising awareness that vetting is neither a tick-box exercise nor the final point of safeguarding, but is one part of the overall picture. The Protection of Freedoms Act has had a significant impact for organisations in understanding the new definitions of regulated activity and, for those posts that no longer meet that definition, the eligibility that they may have in law to carry out and enhance disclosure without a barred-list check may have changed. Indeed, some posts are not eligible for that enhanced-level checking at all. That is where, as an organisation, we have some concerns about potential safeguarding gaps for service users.
434. **The Chairperson:** Could you give us examples of some posts that no longer meet the criteria?
435. **Ms Gray:** In the children's workforce, supervised activity is no longer considered regulated activity. That is teaching, training, instruction, care or supervision, and while the intention is to give local managers the flexibility to implement adequate supervision of workers to ensure the protection of children, that is a very complex challenge for some voluntary and community sector organisations that maybe are not set up and do not have the infrastructure to develop that. So there is a support need for those organisations. Other posts have come out of regulated activity in the adult safeguarding world. As an organisation, we offer a befriending project, whereby volunteers go into the homes of quite vulnerable people or socially isolated people, and that is not within the scope of regulated activity. There is a safeguarding issue with that.
436. **The Chairperson:** What are the dangers with that?
437. **Ms Gray:** That potential offenders will use those opportunities to seek access to vulnerable people, such as children, young people and adults, right across the board, and that offenders who are malicious and devious will find opportunities to exploit those potential loopholes.
438. **The Chairperson:** Does chaperoning fall under the same remit? Are befriending and chaperoning regarded in the same way? People chaperone young people or children.
439. **Ms Gray:** Like mentoring? Mentoring happens frequently with young people on a one-to-one basis, and that is regulated activity. Some organisations may struggle with the new arrangements because there are

very different definitions of regulated activity with children and adults, and any organisation working across the spectrum will have to start to understand two definitions as opposed to just one. Mentoring a child is regulated activity, but befriending an adult is not.

440. **Ms Adair:** It puts the emphasis back on the surrounding practice, such as good recruitment and selection, and good management and support of the staff member or the volunteer.
441. **The Chairperson:** We have received a number of briefings to date. Obviously, we have spoken with the Department, which is very focused on those organisations that receive funding through its arm's-length bodies. As we are very aware, a huge amount of activity is taken on outside of those bodies that receive funding directly from the likes of the Arts Council. You mentioned that you have carried out work with the Arts Council, which was successful. Obviously, things have changed. What is your current relationship with the Arts Council?
442. **Ms Adair:** We work closely and keep in touch with it to try to keep it up to date and exchange information. As I said, some of those groups will come to us on an individual basis, but work that we did through the Arts Council was a structured piece of work involving all the groups that it funded. Examples like that can be replicated, because things move on so quickly.
443. **The Chairperson:** There are obviously groups that the Arts Council fund that may then fund other groups. You are talking about a cascading partnership, and I was just wondering whether the guidance in place with the Arts Council would follow down through the whole funding stream and whether it sees itself as having a responsibility for those groups that are at the very bottom of that chain.
444. **Ms Adair:** It is up to the Arts Council and bodies like that to decide how their structures can deal with that. At Volunteer Now, we do a lot of outreach and engagement work to try to reach the very small organisations that need the practice and support. Those organisations could be completely volunteer led and have absolutely no staff, so the issue is trying to reach the whole range of organisations, because there are groups out there that are not affiliated and are struggling on their own. You will find sometimes with those groups, going back to the whole parent issue, that they are the result of parents who have seen a need, have established a service and want to go out and do something to make a difference. There is something that we need to do around promotion in making sure that everybody knows what there is out there on how to keep children safe. If parents know what is out there, they will look for it when they are placing their children in those dance classes, music schools or whatever. Also, the people who are setting those activities up, maybe in a voluntary capacity, will be more safeguarding aware and will know what they need to put in place, or at least know who they can go to in order to get that help.
445. **The Chairperson:** Very often, those practices are in place to protect the provider of the service.
446. **Ms Adair:** Absolutely, and it is very much about protecting the volunteer as well. We do not want to put anything in place that puts up barriers to volunteering and will prevent people from coming forward. It is very much about how you communicate and talk to people to make sure that they see that those measures are about protecting them.
447. **The Chairperson:** As a volunteering organisation, have you found that, with the changes in legislation, and so on, there has been a reluctance on the part of some people to get involved in volunteering because they find the whole process very bureaucratic?
448. **Ms Adair:** Our evidence does not show that. Anecdotally, you will always meet someone who says that they had a problem with an Access NI check and

- is not going to go through that again. However, we did some research recently with over-50s, asking them whether going through an Access NI check would put them off coming forward. The result was that 20% said that it would not bother them, and 20% said that it was an issue for them. There were other issues higher up the list than that. In 1997, when we did research, only about 4% to 5% of people said that bureaucracy would put them off volunteering.
449. People volunteer for many different reasons. For example, they may have a passion for something or they may want to make a difference in a certain area. Those people will try to soldier on, do what they have to do and take on board whatever procedures are there, because they are choosing to volunteer. We have been involved in Lord Hodgson's red tape inquiry and had input in that. Part of that inquiry involved looking at how to reduce the barriers in the voluntary sector. Some of that work influenced how the Disclosure and Barring Service was changed, with its measures altered to more common-sense levels.
450. **Ms Gray:** Building on that, the Protection of Freedoms Act 2012 will also bring the portability of disclosure certificates in Northern Ireland by 2014 and into 2015. That will further reduce the perceived or real barriers that some volunteers may face in seeking opportunities.
451. **The Chairperson:** How will that work?
452. **Ms Gray:** It is our understanding that when an applicant receives his or her disclosure certificate, it will be portable within, for example, the children's workforce. When a person moves or takes on a new post, the new employer or volunteer manager can verify it through an online system. The verification will either confirm that the certificate is current and valid — that there have been no problems since the date of issue — or it will signpost the employer or volunteer manager to request a new disclosure certificate. So its introduction is very much anticipated right across the sector.
453. **Mr D Bradley:** Good morning. Thanks very much for the presentation. I want to raise with you one point made in your paper. You address the terms of reference of the Committee's inquiry:
- "Building on the standards and guidance there is a widespread range of safeguarding training programmes available to groups through a number of providers, with many child protection training providers delivering sector specific courses for example Sports Council training."*
- You go on to make the point:
- "There is some disparity however in terms of what some sectors consider as the minimum learning required for the different roles involved in working with children and/or vulnerable adults. Agreement about this would ensure there is consistency of practice across all sectors and agreement on 'portability' of training across sectors."*
454. That is a very important point because you seem to suggest an unevenness of training across various sectors that needs to be tied down to, at least, a basic minimum. Do you want to comment further on that?
455. **Ms Adair:** The Safeguarding Board for Northern Ireland has started to address that through its training and education committee, which is trying to agree what is the minimum learning needed by someone who has very minimal contact, as opposed to someone who works on the front line with children and young people daily. It is about trying to identify exactly what the outcomes need to be and what learning such a person needs. As the very minimum, we always say that, if there is an allegation or suspicion of abuse, people need to know who to talk to and what to do about that. So it is really about trying to provide some consistency on that. As I said earlier, some people will say, "We will try to give a 20- or 30-minute presentation and, then, off you go." Is that enough?
456. **Mr D Bradley:** You also mentioned the potential for a regional safeguarding

- training framework. Is that related to the same minimum standard?
457. **Ms Adair:** Yes. The Safeguarding Board for Northern Ireland is trying to create that so that there will be agreement on what is required. On the other side, the Northern Ireland Adult Safeguarding Partnership is doing exactly the same thing for vulnerable adults. It is good that there would be the same system on both sides.
458. **Mr D Bradley:** The Committee has concerns across the remit of the Department of Culture, Arts and Leisure. In your presentation and paper, you mention specifically that you have co-operated well with the sports and arts sectors. Have you had any experience of the DCAL remit outside those sectors?
459. **Ms Adair:** It is, probably, limited.
460. **Mr D Bradley:** With libraries and museums, for example?
461. **Ms Adair:** We have had some contact with museums, but not a huge amount, so some work could, probably, be done there. We work very closely with Libraries NI. We have a partnership, and are in contact, with Libraries NI on a number of issues. We have addressed safeguarding with it.
462. **Mr D Bradley:** The impression that I get — I hope that I am wrong — is that a number of organisations have their oars in the water on safeguarding and protecting: Volunteer Now, the NSPCC, Sport Northern Ireland, and so on. Is there any means of ensuring that all those organisations work co-operatively and that no gaps are left because one organisation thinks that another is doing certain work?
463. **Ms Adair:** There is always a danger of somebody slipping through the net. We work very closely with all those organisations. We have a co-ordination forum whereby key organisations involved in the various parts of the voluntary and community sector come together. We communicate a great deal online to keep in touch, share information and try to ensure that each knows what the other is doing. There is no room for overlap; nobody has any capacity for that. So we try to work as closely as possible.
464. We could look at a number of issues that cut across Departments. The Department of Education and the Department of Health face many of the same issues as DCAL. There is room for more cross-departmental co-operation and discussion, particularly given the number of changes that there have been. We need to get the information out to everyone. There has to be a lot more promotion of that.
465. **Mr D Bradley:** Earlier, the Committee heard from Sport NI and the NSPCC together. I asked them whether it would be useful, from the perspective of DCAL's remit, for there to be an annual conference on protection and safeguarding. Is there a need for something like that on a Northern Ireland basis?
466. **Ms Adair:** Anything that allows communication to be shared and increases the mechanisms for getting information across is to be welcomed. We run a number of events throughout the sector that bring a diverse range of groups together. We work in partnership with organisations such as the National Organisation for the Treatment of Abusers, and we are planning a conference on child safety on the internet and social media. So a lot of those things are happening, but there is always room for improvement.
467. **Mr D Bradley:** When that conference is finished, is there any mechanism to spread the learning to benefit others?
468. **Ms Adair:** As with any conference these days, everything goes on the website. Information is usually put on the website and disseminated through newsletters, and so on. As an organisation, we do —
469. **Mr D Bradley:** There is sometimes a need to draw attention to particular findings and ensure that people are aware of them and act on them.

470. **Ms Adair:** Absolutely. You are right. The learning has to be spread as widely as possible.
471. **Mr McGimpsey:** You talk about a Charter Mark and the notion that we should, perhaps, have some form of central register so that various groups are not affiliated to various bodies. That would give comfort to the parents and carers of children and vulnerable adults. How do you see that Charter Mark working? It could not be solely for sport; it would have to be for sport and the arts. Who would administer that, bearing in mind the problems experienced with Access Northern Ireland carrying out central checks?
472. **Ms Adair:** That would have to be explored. When we worked with the Department of Health, Social Services and Public Safety on a clause in the protection of children and vulnerable adults legislation, we piloted a Charter Mark whereby we would work with a number of organisations. The organisations would, first, self-assess against the standards, which would identify the gaps that they needed to address to improve their practice. They would do that with the support of the available organisations. They would then be assessed against what they had done to make sure that they were meeting the standard. The idea was that, if an organisation met the standard, it would get a visible sign — a Charter Mark, Kitemark, call it what you will — that identified it as an organisation that met minimum standards. That programme was shelved because the legislation changed. At the time, the Department of Health was driving that, and it thought that an awarding body would be responsible for the assessment.
473. There are a number of models that could be used. I go back to the cross-departmental nature of safeguarding. Sport has shown how it could do it. It is about identifying assessors. In our Keeping Safe model, we have Keeping Safe trainers, who are steeped in knowledge and information and so can go out to organisations and train. The same applies to getting people who can assess organisations and give them a stamp that parents can look for.
474. **Mr McGimpsey:** What about bodies that do not apply? You can find the gaps in organisations that come forward and look for that information, but what about those that do not bother? That is where the big gaps would be.
475. **Ms Adair:** That is the important point. We need to map and find out who those groups are. Who is out there? Who is falling through the net? We then need to audit and try to bring them on board and engage with them as best we can. There are many very small groups who are struggling and probably know nothing about the Protection of Freedoms Act — it means nothing to them — so it is a big challenge.
476. **Mr McMullan:** I congratulate you on your presentation, which you put across passionately. Why do we refer to vulnerable adults but not children with special needs? There is a vast difference, as you know, and there are complexities. Volunteers who work in that sector are not mentioned. I agree with what you said in your presentation about the need to put more emphasis on disability, but how do we do that? The DHSSPS pilot was stopped because the legislation changed. That Charter Mark-type programme looked as though it could have been a good programme. Do you think that enough serious thought is given to disability and special needs to have that running alongside child protection?
477. **Ms Adair:** I think that there is now. We are working very closely with the Health and Social Care Board (HSCB), which, in turn, is working with the Northern Ireland Adult Safeguarding Partnership and local panels to try to raise the whole issue of people who are vulnerable but who are not children and young people. We incorporated as much on working with children with disabilities as we could into our training on children and young people. We have set modules whereby people can focus solely on that. However, we have taken the approach

- that it needs to be an inclusive part of all our training. When we train people in any area, we try to get them to think about the whole picture.
478. **Mr McMullan:** Do you think that disability and special needs rank as highly, or is there still a battle to get them the same recognition?
479. **Ms Adair:** From Volunteer Now's point of view, in the past two or three years, the situation has moved on, and disability and special needs now rank much more highly because of that recognition. The standards, guidance and training strategy are in place so that trainers can go out and train others. The development of the Northern Ireland Adult Safeguarding Partnership and local panels is all part of a recognition of the importance of special needs and disability. It has taken a wee while, but I think that we are getting there. It has come at last.
480. **Ms Gray:** I completely agree. When trainers are out engaging with organisations, part of their vital role is to keep that focus and awareness on safeguarding all children, being particularly mindful of where there are nuances and specific risk factors or additional vulnerability issues, such as disability, particular needs, English as a second language or allergies. Organisations need to be mindful of a wide spectrum of factors, so we are raising awareness of that. We are mindful that disabled children are, in some cases, three to four times more likely to be abused than a non-disabled child, and we regularly use that message to increase public awareness of the issues.
481. We are mindful of the launch of the disability strategy at the end of this month, which will look at the child with a disability to see how best to provide support. The strategy will also look at disabled parents and how they can fulfil their parenting potential. It will look at the holistic family support available, and that is to be welcomed.
482. **Mr McMullan:** Do you agree that the language that we use is important?
483. **Ms Adair:** Very much so.
484. **Mr McMullan:** So why do we keep saying, "children and vulnerable adults"? Why do we not say, "vulnerable children, disabled children, special needs children, special needs adults", which covers the gamut. That would help to get the message across and make your job a lot easier. It is awfully hard to get volunteers, but I think that it is important to use inclusive language.
485. **Ms Adair:** We have moved away from "child protection" and "safeguarding vulnerable children". We talk about safeguarding, but, as Veronica said, we have to recognise that there are nuances and differences in working with different types of children.
486. **Mr McMullan:** Congratulations on your presentation.
487. **Ms McCorley:** Thank you for your presentation. Clearly, you have a lot of experience and have done a lot of work. It was a very comprehensive presentation, so well done. From your experience, can you see any remaining gap or weakness in the system?
488. **Ms Adair:** That is a big question. For us, it is about making sure that everybody has access to the right information, standards and training, and that there is consistency and accessibility across the Province. I am not convinced that that applies to every area in Northern Ireland. I think that more work needs to be done to ensure that people can get the information that they need.
489. **Ms McCorley:** How can that be done best?
490. **Ms Adair:** Unfortunately, it will come down to more resources, because you need the resources to put the structures in place, and we are working on some of that. Some of it also comes down to what we said earlier about the promotional campaign. Work needs to be done to raise the awareness of the children and young people themselves of what they have the right to expect. It is also about raising awareness in the social media, the internet, and so on.

- Work also needs to be done on raising the awareness of the children's parents and of those working with the children in a paid or unpaid capacity. That is a huge task, but it really needs to happen so that everybody is "safeguarding aware" and knows exactly what should be happening and how.
491. **Mr Hilditch:** I want to go back to some of the exchanges that Mr McGimpsey had with Paul Donnelly from Sport NI. I looked at Sport NI's website, and 250 of the 300 clubs are registered there under Clubmark. Mr Donnelly said that other clubs were registered with their governing bodies. However, I have been on the IFA website and, for the life of me, cannot see anybody registered, although it may be difficult to find. When Mr McGimpsey was talking about the hard-to-reach sector, the comment was made that there are 2,500 non-accredited clubs. Is that the extent of the gap, or are we reading that falsely today?
492. **Ms Adair:** I am honestly not sure. I cannot speak about the sports sector because we leave that to the child protection in sport unit. However, sector research refers to upwards of 5,000 groups across the sector. A lot of those groups are working with children and young people, so some must be struggling to access the information. Therefore, I would say that there are gaps. We need to find out what groups are out there, map them and audit them to find out exactly what it is that they need. Rather than us second-guessing, we need to find out exactly what they are struggling with.
493. **Mr Hilditch:** It is an interesting aspect of the inquiry at this stage. Thank you.
494. **The Chairperson:** Thank you for your presentation. It really was very comprehensive, and we found it useful.
495. You referred to my volunteering interview for the World Police and Fire Games. I found yesterday an incredibly positive experience and really look forward to the games.
496. **Ms Adair:** We are also looking forward to the games.
497. **The Chairperson:** Thank you very much.

14 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mr Oliver McMullan

Witnesses:

Mr Paul Stephenson *NSPCC*
 Mr Paul Donnelly *Sport Northern Ireland*
 Mr Nick Harkness

498. **The Chairperson:** I welcome Nick Harkness, Paul Donnelly and Paul Stephenson to discuss, from the perspective of Sport NI, the issues of child protection and safeguarding across the remit of the Department of Culture, Arts and Leisure (DCAL). You are very welcome. It is good to see you this morning. I apologise that so many members are absent. We do not normally have this problem. Do not take it personally. If you make an opening statement, we will follow up with some questions and a general conversation on the terms of reference of our investigation.

499. **Mr Nick Harkness (Sport Northern Ireland):** Thank you very much. I thank the Committee for the invitation to demonstrate how Sport NI, in partnership with an independent specialist organisation, namely the NSPCC, is proactively engaged with sporting organisations in promoting safeguarding in sport across Northern Ireland. I have with me Paul Donnelly, Sport Northern Ireland's policy, planning and research manager, and Paul Stephenson from the NSPCC, both of whom are responsible for the management, co-ordination and implementation of the safeguarding in sport services in Sport Northern Ireland, as provided by Sport Northern

Ireland. Over the next 10 minutes or so, I will cover four areas: background to the area of safeguarding in sport; key improvements that we have seen over the period of our relationship with the NSPCC; key areas for future development; and shorter-term priorities for action.

500. The first area is background. Sport Northern Ireland has been working in partnership with the NSPCC's child protection in sport unit for over 10 years to encourage governing bodies of clubs and sports to implement the practice outlined in the 'Code of Ethics and Good Practice for Children's Sport'. Sport Northern Ireland believes that encouraging all sporting organisations to implement the code will benefit everyone involved in children's sport in Northern Ireland, including parents, guardians, leaders and, of course, the children. Sport Northern Ireland, in partnership and consultation with a number of governing bodies of sport, has agreed that sports organisations receiving funding will be assessed against the following safeguarding standards: safe recruitment and selection; effective management of staff and volunteers; reporting of concerns; codes of behaviours; sharing of information; and general safety and management arrangements.

501. Sport has the opportunity to be a positive influence on the promotion of children and vulnerable adults by providing supporting structures and a sporting environment that places welfare first. In 2001, Sport Northern Ireland entered into a formal agreement with the NSPCC to appoint a full-time children's safeguarding advisory officer, namely Paul Stephenson who is with us today. Over the past 10 or more years, a number of extraordinary achievements have been made in relation to safeguarding children and young people in sport. There have been over 1,000

- children's safeguarding awareness and designated officer training courses. Over 10,000 coaches, volunteers and administrators have attended safeguarding training. All funded governing bodies of sport have received support from Sport Northern Ireland and the NSPCC on the implementation of the code of ethics, and a child safeguarding advisory service has been provided to governing bodies that are both funded and not funded, sports clubs that are both affiliated and non-affiliated and community organisations. Responses are made to approximately 300 queries per annum relating to the protection of young people.
502. In the period 2008-2011, child protection in sport services have been assessed through an independent post-project evaluation (PPE). In 2012, that PPE concluded that the NSPCC is well-established and recognised as a competent service provider in sport in Northern Ireland. Secondly, it concluded that, due to the effective services that have been provided, the NSPCC has built up significant trust and effective relationships with sporting infrastructure in Northern Ireland.
503. It is important to highlight to the Committee that, despite that progress, there is no room for complacency and further work is required to address the ever-changing environment. Recent technological advances — for example, the use of the internet and social media — require specialist advice to be given to sporting bodies. In that regard, Sport Northern Ireland believes that it would be useful to highlight to the Committee some of the areas that have been addressed to make sport a safe and enjoyable environment for all those involved. In so doing, I will highlight some key improvements that have been made over the past 10 years.
504. In relation to safeguarding improvements in the sports sector through the introduction of governing body audits, it has been possible to measure improvements in funded governing bodies' practices. The audits undertaken by the NSPCC provide each
- funded sport with a report on its current position in the area of child protection and provide clear recommendations for action. Around 70% of funded governing bodies of sport have attained a satisfactory level of assurance following their safeguarding audits. There are six standards for each sport, and each standard has three levels. The assessment is non-static. In other words, sports can move up and down based on their performance at their last audit. The simplest way to understand this assessment is as follows. The first level shows that organisations have the correct policies and procedures in place. The second level assesses whether the organisation has the processes to regularly communicate those practices to its coaches, young people and parents. Thirdly, it assesses whether the organisations have processes for checking whether their clubs are implementing the policies, procedures and advice properly.
505. All Sport Northern Ireland-funded governing bodies of sport working with children are required to have in place four things: effective systems and structures to report and respond to concerns about children's welfare; systems to prevent unsuitable adults from working with children; appropriate safeguarding training for those who work with children; and designated safeguarding children's officers at governing body level. Sport Northern Ireland has a network of 14 trained tutors who are responsible for delivering safeguarding training that is tailored to sports coaches and volunteers.
506. By way of demonstrating the impact in this area, members may wish to note that, since 1 April 2010, Sport Northern Ireland has delivered 266 safeguarding awareness workshops, which have engaged with 2,338 sports coaches, officials and volunteers from a wide range of stakeholder organisations across Northern Ireland. In addition, Sport Northern Ireland and the NSPCC have worked together to train sport-specific tutors in a number of different sports who, in turn, do their

- own training. Those sports include swimming, soccer, GAA, cycling and mountaineering. The GAA, for example, has delivered safeguarding training courses to a further 2,000 coaches in its own sport.
507. Sport Northern Ireland has developed a new club development and accreditation scheme called Clubmark. That scheme includes safeguarding children and young people as a key element and has resulted in better standards of practice in sports clubs throughout Northern Ireland. Sport Northern Ireland and the NSPCC have also supported a number of non-funded governing bodies of sport to ensure that they have appropriate safeguarding policies and procedures in place. Through the NSPCC, Sport Northern Ireland is able to ensure that the difficult subject of safeguarding is a means to encourage adults to get involved in sport rather than an obstacle. That is done by providing systems that protect them and the young people in their care.
508. However, as I said earlier, there are areas for further work and development. Sport Northern Ireland has identified five key areas for further work and development in relation to children's safeguarding in sport. The first is to continue to expand the current work on achieving and retaining the satisfactory level of assurance for funded governing bodies. Secondly, it is about encouraging governing bodies of sport to focus on a children's-rights approach to sports participation, where attention is paid to creating a positive sporting ethos and where children and young people are respected and their voices are heard and used to shape sporting experiences, welfare, policies and performances. Thirdly, we will promote the delivery of coaching the whole child, a workshop that builds on the social and emotional needs of young people involved in sport and promotes the importance of a positive sporting and coaching ethos. Fourthly, we will extend our current service provision to the sports sector through safeguarding standards to non-funded governing bodies in a way that is proportionate to the requirements on those organisations to achieve the minimum standards, while recognising the limited resources available to sport in the voluntary sector. Finally, we will look at other ways in which Sport Northern Ireland can link various areas of funding to training and safeguarding standards where relevant.
509. In addition, we hope to initiate some lower-level specific actions in the shorter term. First, Sport Northern Ireland will work to ensure that all funded governing bodies introduce — as it is called in the trade — acceptable users policies in relation to the use of social media and guidelines for communication with and between young people involved in sport. Secondly, Sport NI will use opportunities that sport provides to use sport as a tool to raise awareness of two issues that face children, young people and young adults in our communities today: self-harm and suicide. Sport Northern Ireland will work to ensure that governing bodies of sport recognise, in their structures, the importance of safeguarding high-performance young people. Finally, Sport Northern Ireland will continue to support governing bodies of sport to embed and maintain safeguarding practice in all their work with young people and vulnerable young adults.
510. To conclude, Sport Northern Ireland has been working in partnership with an independent specialist organisation — the NSPCC — and its stakeholders to raise awareness of child protection issues in sport. There has been a particular focus on the need for organisations to have a culture of vigilance, codes of conduct, good recruitment practice with proper vetting procedures and systems to ensure that young people are listened to and their concerns acted on.
511. **The Chairperson:** Thank you very much. Do any of your colleagues wish to comment at this stage?
512. **Mr Paul Donnelly (Sport Northern Ireland):** Not at this stage.

513. **The Chairperson:** You are here this morning because the model that you have in place has been suggested to us as something that may and could be translated across the other aspects of the DCAL remit. What you have spoken of is particularly comprehensive. The fact that you have also identified that other things need to be done as you move forward is welcome. I am particularly interested in organisations that you work with that are not affiliated to governing bodies and may not receive direct funding from Sport NI. How do you reach such groups?
514. **Mr Harkness:** Sport NI prides itself on being a source of advice and guidance for a range of bodies, not just the affiliated ones. We take the approach that we are not just a cash machine for sport, and we provide advice and guidance, irrespective of the opportunity to attract funding. Through our work with NSPCC and Paul in particular, we have established a position of being seen to have an established code of practice and advice mechanisms and of being a one-stop shop in that regard for non-funded and funded alike. Paul advises us that he would deal with over 300 queries a year, including from non-funded or non-affiliated organisations. They may not necessarily be sporting bodies but youth organisations that use sport as a tool. Paul could answer that in more detail.
515. **Mr Paul Stephenson (NSPCC):** We work in partnership with a lot of organisations. I know that Volunteer Now is briefing you after us. Volunteer Now may direct a call to it from a sporting organisation to us. However, those are the organisations that are proactive in looking for advice. Your question was around how we reach those who may not be looking for advice. We do that through conferences and sport-specific events, at which we take exhibition stands and engage people in conversation. We take other opportunities, such as coach education programmes, to go along and talk openly about safeguarding. At a local level, for example, Armagh sports partnership ran a coach education programme last year, at which we spoke for half an hour. We got queries after that because we reached out to those local clubs. Some of those clubs have well-run structures, but others that are involved in community sport, without an umbrella organisation, may not. It is about having that proactive approach and branding. We use marketing at different events. If events are coming up, we make sure that our stand and branding is there and that it is sport-specific.
516. **The Chairperson:** Will you talk about your reporting mechanism for young people involved in sport who may have issues?
517. **Mr Stephenson:** We report back to Sport NI quarterly. In those reports, we state the number of enquiries that we had and look at the standards process. In relation to case advice, I give Sport NI a summary — the numbers that we dealt with and some examples — rather than going into the details of those cases. Northern Ireland is quite small. What if I were to say that something happened involving a performance athlete in a particular sport, when there may be only three performance athletes involved in the sport concerned? To avoid identifying the person, it would be inappropriate to give that detail. Therefore, Sport NI gets information about the number of case advice enquiries I deal with but not necessarily the detail and the actual sports concerned. It is appropriate for that to stay within that sport and the statutory organisation.
518. **Mr Donnelly:** Just to add to what Paul said: I meet NSPCC representatives on a quarterly basis. The basis of those meetings is to assess performance against six key objectives that are set out in the context of the contract with NSPCC. Paul and his line manager, Anne Tiivas, attend those meetings.
519. **The Chairperson:** OK. What is in place in the structure in Sport NI that could be easily transferred — Paul may be able to comment on this — to other sectors across DCAL's remit?

520. **Mr Stephenson:** As Nick said earlier, it is, effectively, a one-stop shop. It has taken quite a few years to build up confidence within governing bodies and to understand the structures of governing bodies. I dropped a few clangers when I first started in the role and, perhaps, caused a bit of offence in certain sports. You need to build up confidence in people to trust you. Through the development of a network of designated officers at governing body level, we have seen the trust that has built up between those officers, who are sharing information and good practice. That was not there 10 years ago. There was an ethos where, say, people who were involved in judo would say that they wanted children to join their club and not to participate in other sports.
521. There has been a wider change of direction in Sport NI around young people's sports education, and people can transfer skills between certain sports. Skills, knowledge and experience are more openly transferred because there is more trust within the governing body structures. The organised training that is available is linked to local sports councils' development officers, so they know where they can go for accredited training and that, with a quick phone call, they can arrange training from a Sport NI tutor within three or four weeks.
522. Those procedures are already in place. It is a one-stop shop for advice, whether that is case advice, good practice advice or advice on away trips. We have even looked at issues around allergies that affect young people in sport, and at discrimination. We have looked at a lot of different specific issues, but for this particular sector. The language that is used is consistent within this sector, so that the sector can understand it. We are at the stage now where people are coming to us for information as opposed to feeling that things are being imposed on them, certainly at governing body level.
523. **Mr D Bradley:** Good morning. My point is related to a point that the Chair raised. Is there any communication between the other arm's-length bodies under DCAL's aegis on the issue of child protection? Is there any exchange of good practice and valuable experience, and so on? Is there any forum or mechanism for that?
524. **Mr Stephenson:** Not on a formal basis. One of the recommendations that we made before Christmas was that we would like DCAL to introduce that sort of structure. On their most recent visit to the Committee, DCAL officials indicated that they may well consider that. We have had calls from the language bodies, who have come to the NSPCC for advice. We get enquiries about the vetting and barring scheme, which is quite a complicated system, and we have assisted other arm's-length bodies when they have come to the NSPCC for that advice. However, there is no formal structure or sharing of information. That is one of the things that we would like to see, and we would welcome the opportunity for other organisations to learn from the experiences of Sport NI.
525. **Mr D Bradley:** Obviously, museums, libraries, sports bodies and language bodies all have their specific approaches that have to be tailored to the types of situations in which young people and, indeed, adults are involved. However, there are common themes. For example, social media and the internet cross a lot of these situations. Do you think that it would be useful to have an annual or biennial conference on the issue between all the related arm's-length bodies of DCAL in order to exchange information, share good practice and keep up to date with situations, especially from the social media point of view, which is changing very rapidly month-by-month if not year-on-year?
526. **Mr Harkness:** Any opportunity to communicate issues that relate to the promotion of young people's safety would be welcome. Paul has already indicated that each sector will have its own sector-specific conferences and opportunities to learn and to disseminate information. Certainly, through the NSPCC, we use that in sporting terms. There are many different ways. However, no matter where you go, sport is generally structured through a hierarchy of bodies. You

- have a governing body, and, at a lower level, affiliated clubs that are required to comply with the policies of the governing body. That almost makes it slightly easier in this sector because the communication channel is there. There is a subservient relationship between the club and the governing body so that it can impose policies. It is not so hierarchical in all culture sector organisations; other culture sector organisations sit relatively independently and may not have a governing body. The fact that governing structures exist in sports helps us to communicate best practice.
527. **Mr D Bradley:** However, our terms of reference are gaps in child protection across the culture, arts and arts remit. Therefore, one would think that it is important that there is a sharing of those elements that I mentioned across the culture, arts and leisure family, let us call it, to ensure that what is learned in one sector is shared with another and that that is done as quickly as possible. Have you looked at systems outside Northern Ireland — in other parts of Ireland, the UK or internationally — from which we can learn good practice?
528. **Mr Stephenson:** Certainly. I am part of a national organisation, the NSPCC, so we have colleagues in England and Wales; we also work with Children 1st in Scotland, and we work very closely with the Irish Sports Council. It has a person who is responsible for the code of ethics. The blunt reality is that the UK is taking the lead on safeguarding in sport. My colleagues have been asked to speak at conferences, and I have spoken at international conferences. The child protection in sport unit is working with UNICEF, particularly in building up to the soccer world cup tournament in Brazil, and we have been asked to provide education there. Last week, my director was in America to speak at the Amateur Swimming Association conference. The lead is coming from the UK. The learning opportunities are coming from the work that is happening with sports governing bodies in the UK and also in the rest of Ireland.
529. The issue with the rest of Ireland is, I suppose, that we have robust safeguarding standards in Northern Ireland, England, Wales and Scotland. However, there are issues with a lack of cross-border consistency, which I think is purely down to resources. It is not to do with willpower, but with different resources in the Irish Sports Council. It does not have the capacity to review governing bodies to the same level that Sport NI has asked me to review standards of practice, and so on. We hear comments from Ulster branches of organisations in Northern Ireland that their Southern umbrella bodies are not being asked to adhere to the same standards of practice that we ask and expect from them. Therefore, in a positive way, through Sport NI's work, the Ulster branches are, quite often, taking the lead with their all-Ireland organisations and helping them along in their development.
530. **Mr D Bradley:** On that point about the cross-border issue, is there any mechanism for sharing information about people who are involved in sports coaching? For example, if someone moves from Munster to Ulster, is there a mechanism for ensuring that that person has not been identified for a breach of codes for safeguarding or protection?
531. **Mr Stephenson:** If they stay in the sport, there is. There have been cases of people involved in sport in the South of Ireland coming to sport in Ulster. When their vetting check had been done, they were put out of the sport in its entirety because of their criminal history and the robustness of the Ulster branch's procedures. If someone stays in a sport, there are procedures for sharing information, and so on. However, people can move between organisations. There is a formal, and quite robust, memorandum of understanding between the guards and the PSNI on sharing of information on high-risk offenders.
532. **Mr D Bradley:** There is quite a degree of, let us say, healthy rivalry between sports clubs, school teams, and so on in the social media. That is a good thing in many ways, because it increases

- the effort that players put into training and performance. Often, it comes to fever pitch approaching finals or derby matches. There have been examples of such rivalry spilling over into social media. Some of the comments are, let us say, not in the spirit of the sport or the code relevant to the occasion. That is an example of one aspect of social media, although it is something that we would prefer not to have. Are there strategies for dealing with such a situation?
533. **Mr Harkness:** That is one of the areas of work that we have highlighted in the short term; Paul has been working on it and can give you some information. Governing bodies and clubs alike need information. You will never control the individual who communicates via social networking with another individual. However, for formal communications and the style that club officials and adults in a club use and share with young members, we need to establish, share and sign up to codes of practice.
534. **Mr Stephenson:** It is work that we have been doing, as governing bodies have raised it as a need, as have parents because they have had concerns with some of the comments of coaches, as I said last week. There is a need for governing bodies to get assistance and advice. A major theme of a conference that we ran last September was social media and the need for acceptable-use policies in sports organisations. Some organisations have been proactive and have developed policies and have started communicating them to their stakeholders. Those are the organisations that have had incidents, and have tied themselves up in knots with disciplinary procedures and how to deal with comments made on social media that could have been made in private time. We are helping organisations to move to an understanding of the implications. However, most people at governing body level are my age or older, and we did not grow up with social media; we use it for a purpose and we set it down. We do not live with it in the same way that many young people do, as a third arm, effectively. It is about taking on that understanding as adults. Simply saying, “Do not say that; do not do that”, is not enough when communicating with young people. We need to look at how we get the message out to the young people whom we can reach through sport.
535. **Mr D Bradley:** If there is good practice among clubs and sporting bodies, and young people see comments made in the proper spirit, there is a chance that they will be influenced by that.
536. **The Chairperson:** Technology can be used in a very positive way as well. It is my understanding that the Irish Football Association (IFA) is developing an application.
537. **Mr Stephenson:** It is looking at developing a safeguarding app. One issue raised last week was how you update people on safeguarding and good practice information because it is ever-changing. The IFA is looking at developing a safeguarding app through Jim Gamble’s new company, Inequ; it is looking to promote that, eventually, through FIFA. To go back to your comment, it will promote best practice through a world organisation. That process has just started. I think that the IFA has just agreed to draw up a contract for it. It has not actually been developed yet, but a safeguarding coach will go on a safeguarding course and then be given access to the app; they will save the app and get updated, relevant information and source information for the site. The app will use head shots, for example, of people talking about what good practice is. It will be interactive.
538. **The Chairperson:** Once developed, it could be rolled out across a variety of sectors.
539. **Mr Stephenson:** It is certainly something that the IFA has already planned to promote through a European football journal. It would then also include FIFA to share demonstrations of good practice.
540. **Mr Hilditch:** Dominic touched on the issue that I wanted to raise: where we sit in the European league and even

- among United Kingdom jurisdictions. Were we benchmarking? Were we providing good practice or were we looking for good practice in other places? I think that you covered that fairly well, Paul. Are there concerns about the thousands of young people who regularly leave our shores to take part in sports in other jurisdictions?
541. **Mr Stephenson:** Yes. That is why we are trying to work with committees in the International Olympic Committee and in certain sports governing bodies. There are concerns about poor practice that would not be accepted in the UK or in Ireland, and when they go abroad, they have to adhere to that. For example, at weigh-ins for international boxing competitions in some Eastern bloc countries, a young person is expected to weigh in naked. However, that is against the rules in the UK and Ireland, so there is an issue about weight category there. It is the same in the States. The international standards are not there, but, through the work with our governing bodies here, we are looking to pilot international standards through some targeted organisations and through UNICEF and to roll those out.
542. One of my colleagues was speaking to Olympic coaches in China. It is not appropriate for us to go out and say that they are not allowed to walk on children's backs, because that is how they get their elite athletes, but we are saying that it is not appropriate to be violent towards children, so the language is slightly different, because we need to tailor it for our audience. We are looking to influence international bodies, because it has an impact when our young people go out to training camps or competitions.
543. **Mr Hilditch:** Are organisations or clubs encouraged to seek advice before arranging travel to certain countries?
544. **Mr Stephenson:** They do seek advice. I get calls from governing bodies and individual clubs that have been directed to me from their governing body if it cannot respond. That is one of the things that we have noticed over the past number of years. That is where you see the proactive message of safeguarding coming across. People are starting to think about those things, as opposed to waiting until a disaster happens while they are away. They are planning much better for their away trips; they are considering the implications of travelling with young people, not just permission slips but accommodation and supervision at social events, for example.
545. **Ms McCorley:** Go raibh maith agat, a Chathaoirligh. Thank you for the presentation. I am thinking about Sport NI's role as a governing body, its procedures, codes of conduct and ethics and how you continually test their robustness. What happens when there are breaches, and how many incidents have there been? What does Sport NI do? Are they all reported to you? How do you respond?
546. **Mr Harkness:** We give ourselves assurance from the fact that Sport NI has contracted with an independent expert body. A body that is seen as a leader — not just in the UK but further afield — gives us confidence that our systems, procedures and advice are being updated by an expert body that is independent of us.
547. **Mr Stephenson:** We have been working for a number of years to skill up designated officers at governing body levels to deal with many of the disciplinary issues that can be dealt with within organisations. I am fairly certain that if there is a child protection issue, most governing bodies would now seek advice from external organisations. I may hear from those organisations at a later stage or they may contact me for that nudge or bit of advice before they move on to statutory organisations. However, I do not necessarily capture that. Last year, we did a pilot with sports, using a recording system similar to the one that I use myself, and asked them to start capturing information on a six-monthly basis to see what that would look like and how difficult it was for them to start to capture the case advice; the number of vetting checks;

- the number of people who have been trained; the number of inquiries about away trips; and the number of bullying issues.
548. As we move to the next stage of getting sports to implement their procedures, that is one of the key things that we will ask them to have internally. I have met some governing bodies that are starting to look at their own internal recording systems so that they can capture information. It is right and proper that I do not get all the issues, because I have competent people in safeguarding in certain sports. We have principal social workers, former inspectors from the police public protection units and people who are experienced in child protection who can deal with issues and with external organisations. However, some will still come to me. I will record them, but I will not capture them all, because it is right that they are dealt with by the governing body and the statutory organisation.
549. **Ms McCorley:** If an incident of abuse happened, would the organisation or body look to the procedures and code of conduct to see whether there is a gap? Do you look to see whether we have a robust enough set of —
550. **Mr Harkness:** Lessons learned, really?
551. **Ms McCorley:** Why did that happen? Where did we go wrong?
552. **Mr Stephenson:** Yes. They sometimes need more encouragement than others. I will meet one sport in a few weeks' time to look at its disciplinary procedures because they are not set up to capture information from young people and parents effectively. They are about rule breaking as opposed to breaches of the code of conduct and are perhaps not as robust as they could be. It has learnt from having to deal with a very minor issue that has become very complex because both parties went to a solicitor. It has cost a great of money as well. It is starting to look at its procedures to see how it could deal with that more appropriately. That is appropriate learning, and we are using it as an example for our next lead officer meeting in Dundalk. We are using those examples to look at how we can get what governing bodies say is good practice down to clubs and to educate people at club level on dealing with lower-level disciplinary issues that they should be dealing with in that organisation. That is an example of people putting their hands up and saying, "We need to review this and amend it". They regularly come to us with that. We get cases where parents say, "I do not feel that this organisation has followed its procedures; I feel that there has been a breach." In that case, we liaise with the governing body to see how the issue can be resolved. Those issues come to me directly.
553. **Ms McCorley:** How can we feel assured that, where there are gaps or breaches, information will be shared and policies and procedures amended?
554. **Mr Stephenson:** All sports governing bodies that I have raised an issue with have flexibility in their policies and procedures if they need to be amended. I could not say that that was the case six or seven years ago. If an issue comes to my attention now from a parent or a coach working with an organisation, when I go back to the governing body, it is willing to listen.
555. **Ms McCorley:** I am not being critical; I am trying to encourage people to be practical. We live in a changing world, and the nature of bullying has changed through social media. We have to keep learning and updating procedures and policies to take account of that, because it is different from how incidents happened before.
556. You mentioned the coaching the whole child course. Can you tell us more about that?
557. **Mr Stephenson:** Yes, because I was on the course last night as a guinea pig. It is a new course that Sport NI is rolling out on the back of research by UK Sport. It builds on the coaching courses from Sport NI but looks particularly at the personal social element of

- coaching and the relationships that can evolve in sport. It looks at, for example, how young people connect with one another through sport and how they can be creative in sport through changing certain basic rules in warm-up exercises and allowing young people to think for themselves. When coaches look at planning a coaching session, they should consider what elements of creativity and connection they are introducing. It is called the five Cs; I cannot remember all five of them exactly.
558. **Mr Donnelly:** If it helps, we are happy to share information on the course with the Committee to inform your investigation.
559. **Mr Stephenson:** It is a relatively new course, but it is about reaching out and using sport as an opportunity to engage young people through the coaches. It looks at citizenship as well.
560. **Mr McMullan:** It is nice to see you again. I have a few questions. First, what is a “vulnerable young adult”?
561. **Mr Stephenson:** The Volunteer Now representatives are probably better able to respond to that than we are, because their organisation is commissioned by the Department of Health, Social Services and Public Safety to work on training for vulnerable adults. Very few vulnerable adults will be involved in sport because of the definition of a “vulnerable adult”. It is really only through the Special Olympics that people termed “vulnerable adults” will be involved in sporting activities. For example, just because you have a disability does not mean that you are automatically a vulnerable adult, and just because you are of a certain age does not mean that you are a vulnerable adult as per the legal definition. Disability Sport NI is being proactive and is working with people who have disabilities, but those people are not legally termed “vulnerable adults”.
562. **Mr McMullan:** Why can we not use the term “special needs” along with “disability”; that is what we are talking about in reality. You were quite right in what you said about a vulnerable young adult. The term that needs to be used is “special needs”. I say that because “special needs” and “disability” are two different facets of a particular life. We can work with disability, and we know what it is, but the same cannot be said of special needs. Special needs is a complex area and has many facets. It worries me that people who are trained to work with vulnerable young adults are not being trained to look for signs of the complex issues involved with special needs, such as behavioural problems etc. It is not always easy, but I would always like to see “special needs” written in there along with “disability”, but it is always left out. It is left out because it is complex and “vulnerable adults” is easier to get round. We are not addressing the problem correctly.
563. **Mr Donnelly:** I was at last week’s meeting, and I picked up on some of the points that you made. In our briefing, we probably did not use the words that you require. However, as an organisation, we have both the Special Olympics and Disability Sports Northern Ireland heavily involved in the auditing process. In particular, Special Olympics Ulster has received a satisfactory level of assurance through that process. Therefore, it has significant and robust procedures in place for safeguarding.
564. We have taken a step further and have been proactive with the NSPCC and produced a resource to support those working with children who are disabled or deaf and who are involved in sport. That is being rolled out over the next number of years through the NSPCC. We are doing various things in the area of disability and are targeting people who have special needs. The problem is that we did not have enough room to put that in the briefing note.
565. **Mr McMullan:** That is the problem: there never is enough room for it. If you listened to the meeting last week, which you referred to, you will know my concern and the answers that I got. It is timely that the video came today and was not here last week; that is what I take issue with. It is not something that

- I would like to see in the report per se; many people would like to see it. You have robust structures, and I know of them first hand. However, when they filter down to club level, they sometimes get lost. I congratulate you on some of the things that you are doing.
566. **Mr Donnelly:** I am happy to leave the resource issue with you as well.
567. **Mr Stephenson:** In the standards process, a governing body will not move from limited to satisfactory level unless it has looked at disability and special needs and has an inclusion plan. That is one of the safeguarding requirements that we ask for: an organisation will not move up to that level without doing so. That is one of the areas in which we are working with governing bodies. We are not specialists in the area, but we know about safeguarding, so we direct organisations to Disability Sport NI and ask it to look at an inclusion plan for people with disabilities.
568. We are seeing fantastic practice from some grassroots organisations on inclusion, and some of the governing bodies are learning from that, taking good practice and putting it into advice to other clubs. It is right and proper that they do that.
569. **Mr McMullan:** One of the other things that you hit on is that a lot of those children and adults are statemented through the health issue. The category that they are statemented in will carry on with them into sport. That is why I use the words “special needs and disability”. They are two different categories.
570. You have a great chance, with the review of public administration (RPA) coming up, to introduce your robust structures into the new councils. Have you thought about RPA? I notice that, when we spoke about the facilities, we did not mention the urban/rural dichotomy. There is a big difference as to what is available in urban and rural contexts. We did not speak about the complexities of having to travel to avail oneself of facilities.
571. **Mr Harkness:** Sorry, is your question specifically about child protection issues under RPA?
572. **Mr McMullan:** Yes. The number of councils will be reduced to 11.
573. **Mr Harkness:** We are already working with the 11-council model through the active communities programme, and we are funding around 110 full-time equivalent coaches, who are deployed in local communities, many of them through local government or governing bodies contracted to local government. Therefore, child protection policies will be embedded in their work, and that is a priority for us and will remain so. That is work that we are already doing.
574. **Mr McMullan:** Where does the urban/rural thing sit with your forward work plan?
575. **Mr Harkness:** One of the aspirations in the strategy for sport is that, if I remember correctly, 80% of our population should live within 20 minutes travelling time of a quality-accredited facility. That aspiration will apply to people living in a rural environment as well as an urban one. In the coming years, we will prioritise capital investment so that that target is built into capital programmes to promote that aspiration.
576. **Mr McMullan:** You will have the urban/rural thing built in?
577. **Mr Harkness:** Absolutely.
578. **Mr McMullan:** That is good. When the Murphy report came out, we set up the child protection in sport unit. Is there anything in the report's recommendations that now needs to be changed? Should we revisit it or look at getting that work revamped?
579. **Mr Stephenson:** I think that most of the recommendations were responded to. The Irish Sports Council and Sport NI developed a code of ethics and good practice for children's sport. It is an all-Ireland document that put in place good practice examples and advice. A lot of it was about raising awareness and changing the culture of organisations

- when it came to reporting procedures. We think that we have answered most of the recommendations. I will have to go back and look at them, but part of the code of ethics unit in the Irish Sports Council and the development of child protection issue in Northern Ireland were in response to the Murphy report to make sure that we had services for the sports sector. Behind the report, there was the need to change cultures in organisations, and that work is ongoing. We now have procedures in place, but the need is for individuals to use those procedures appropriately. We need to do continuous training and education for that.
580. **Mr McMullan:** The reason why I asked you that question was that, earlier, you said that there is a gap among the organisations. You said that procedures here are more robust than those of the Irish Sports Council. If the Murphy report was produced as a joint report at that time, it tells me that there is a widening gap and that we need to be looking at this on an all-Ireland basis again very soon. Have you plans to do that? The report has been sitting there, and you have admitted to yawning gaps between the two. That is something that we need to look at.
581. **Mr Stephenson:** I have a meeting next Tuesday morning with my colleagues in the Irish Sports Council. However, this is purely down to resources. The Irish Sports Council will listen with a very sympathetic ear. The standards that we have used are based on the Department of Health, Social Services and Public Safety-sponsored 'Getting It Right', led by Volunteer Now.
582. We consulted on the process of using those standards, their order and their language. We consulted with all-Ireland organisations and with the Irish Sports Council to ensure that, if they were used, they could be used by any organisation on the island of Ireland. The difference is that, in Northern Ireland, Sport NI requires sporting organisations to attain them, whereas for governing or umbrella bodies in Dublin or Cork, they are merely good practice. That is the challenge for some of our Ulster branches, which say
- that they step up to the mark but that there is a different requirement when they go to competitions or an all-Ireland open or whatever in the South. You are quite right: there are issues that should be tightened on an all-Ireland basis.
583. **Mr McMullan:** Will it be one of your programmes to take forward the Murphy report, get it upgraded and made more uniform, on an all-Ireland basis?
584. **Mr Stephenson:** It is not specifically about the Murphy report. Times have changed. We have moved beyond a lot of the recommendations. What we are doing now on standards was not in the Murphy report. We have moved beyond a lot of its recommendations to even fuller best practice. The issue is that the Ulster region has moved slightly beyond many all-Ireland bodies. That is not the same for every sport. For many sports on an all-Ireland basis, however, we have moved beyond what sports are asked to do in the South of Ireland.
585. There is a very robust system in Northern Ireland. The safeguarding requirement in the South of Ireland is purely about whether you are registered with the gardaí central vetting unit. That is the only question that a funded governing body is asked about affiliation.
586. **Mr McMullan:** I wish you luck for next Tuesday. I look forward to hearing the outcome of that one.
587. **Mr McGimpsey:** Apologies for being late. This may have been covered, but your paper states:
- "To gain accreditation through the programme clubs are required to evidence a club safeguarding policy being in place, trained designated officers, all coaches and volunteers in contact with children and young people attending the awareness workshop and subject to safe recruitment procedures including Access NI checks."*
588. Do you have a register of the clubs that have done that? As you know, if youngsters want to join their local table tennis club, badminton club or whatever, it can create anxiety. Parents should be able to look at a register through Sport Northern Ireland to see that the club is

- properly accredited. Do you do that on a club basis? Do you do it in an individual basis? Sometimes, it may not be a club but a tennis coach or an individual. Is there a register for that as well? Is it available to the general public?
589. **Mr Donnelly:** Yes. The Clubmark NI resource is available on our website. The scheme has been in operation for only the past 16 months or so. Around 100 clubs have been accredited. The information on those clubs is available on the website. We also have around 300 clubs that have almost received their accreditation. Alongside that, 27 different schemes operate at a local council and sport-specific level. A number of sports governing bodies operate their own club accreditation scheme. In their sport, they offer information about the clubs in their local areas. That is available to anyone who wants to become involved in a club.
590. A consortia of councils operate their own schemes to accredit local sports clubs in their respective area. Information on those clubs is available locally and electronically on their website.
591. **Mr McGimpsey:** That sounds quite confusing. You are going by sports, clubs and Sport Northern Ireland. The thing has developed through the protection of children and vulnerable adults (PoCVA), safeguarding, Access Northern Ireland and all the rest of it. Is it not sensible to have something like a central register for all sports clubs, whatever the code? Moreover, would it not be sensible to have a register of individual coaches so that parents can check that the club that their children want to join is on your club register? You said that you have 100 on your register and 300 —
592. **Mr Donnelly:** On their way.
593. **Mr McGimpsey:** How many clubs are we talking about in Northern Ireland in total?
594. **Mr Donnelly:** We anticipate that around 3,500 or 4,000 clubs exist in Northern Ireland. As I said, the scheme is new. It is up and running.
595. **Mr McGimpsey:** I understand that. Part of the issue is that, by the time that you get up to speed with all your clubs, there will be a new PoCVA or Access Northern Ireland, and away we go again. At 16 months, you are at 100, with 300 pending. If that is the rate of consumption, we are many years away from getting everybody, if you ever manage that. Would it not be a sensible approach to have a central register for all clubs and coaches?
596. **Mr Donnelly:** Sorry. Perhaps I was not clear with you at the beginning. We do have a central register. It is on our website. All the clubs that receive accreditation, whether it be through Sport NI's accreditation programme —
597. **Mr McGimpsey:** But you are saying that there are 100 on it. That is out of 3,500.
598. **Mr Donnelly:** Yes. As they are assessed, and as they attain accreditation, they will be included on the list.
599. **Mr McGimpsey:** Do we need a central registering body that can give us accreditation on a club-by-club basis? Regardless of the code, the principle and process is the same, and the outcome that we desire is the same. Parents should have comfort when their children join a club that the club is accredited, regardless of the code.
600. Is the registration of coaches also not a responsibility? I am not talking about just the coaches that you have, because then you would have to go somewhere else, and so on. You would be all over the show, if there are 3,500. It would be like looking for a needle in a haystack. Would that not be a sensible way to go forward?
601. **Mr Stephenson:** The Clubmark scheme was launched recently, but, even before that, a lot of sports were already working towards best practice. They already had vetting standards in place. Therefore, if parents want to clarify something, they should go directly to that sport's governing body. It will be able to tell them whether that coach has got insurance and affiliation. There are

- issues with private coaches who are not affiliated to an organisation and who do not have an umbrella body vetting them. However, it is almost down to public and parental education to ensure that the parent chooses somebody who is affiliated and insured.
602. Clubmark, as rolled out, has a lot of elements, some of which are safeguarding elements. The vast majority of governing bodies, and certainly all those funded governing bodies, have robust vetting systems in place. They are rolling those out to clubs. Last week, mention was made of almost scaring volunteers off. We are trying to do this in a way that brings volunteers on board with us. The Kitemark scheme uses a visual image. It is a branding image. Most clubs that have gone through it have used their local press to promote it to parents. Over time, we will try to see more and more clubs come forward voluntarily, rather than have us make the Clubmark compulsory.
603. I move now to your question around vetting. The vetting of coaches in the funded governing bodies is an affiliation requirement and predates the introduction of Clubmark. Clubmark captures a lot more issues around safeguarding and good practice. It captures consultation with parents and good practice as well. It would probably be best if a central list of all coaches who are vetted were done by the individual governing bodies, who know the individuals.
604. **Mr McGimpsey:** I am looking at this from a parent's point of view. That all sounds logical, from your point of view. You know the sector, and so on, but parents do not. They want somewhere that they can go and look, and I am suggesting a central register. If, as you say, all those clubs are already up to speed, there would not be a great effort required in any of this. As far as coaches are concerned, there is no great effort in any of this. They could be on a register so that parents could see whether a particular coach was registered. If a coach is registered, they are happy. If the coach is not registered, they are not happy. They would also be able to see whether a club was registered. Surely that is a sensible way to go forward. In fact, it would be a piece of work that Sport Northern Ireland could very usefully do for the entire sports sector, rather than leave it to individual governing bodies, with parents contacting them and getting all sorts of mixed messages. Some bodies are better than others. There is another issue around individual coaches.
605. Would that not be a sensible way to do this? It seems logical to me. If you want to be involved in working with children, it makes it easier if individuals and clubs are on the register, and to have a central register.
606. **Mr Stephenson:** A number of years ago, there was a commitment from the Department of Health to launch an accreditation scheme. Volunteer Now was involved in the pilot of that scheme. It would have been not only for sports but a Northern Ireland-wide accreditation scheme, so you would work to certain standards. However, the Department has rolled back on that commitment. It would have looked at safeguarding commitments across all voluntary organisations, not just sport. You would have put yourself forward voluntarily.
607. **Mr McGimpsey:** That is the history. We are talking about now, and we are talking about sport. Would that not be a sensible way to go forward?
608. **Mr Harkness:** It is a suggestion that needs some consideration. It is a valuable suggestion, and it is something that we would want to explore.
609. **Mr McGimpsey:** It is for the benefit of individual parents.
610. **Mr Harkness:** We need to make sure that we do not end up with two levels of information, and poor communication between the two. We do not want to have a situation in which a governing body has a register and we have a register, and, for whatever reason, something changes on that registration, whether it is to do with an individual

- or a club, and that change is not being reflected. The more channels of communication that you have on the same thing, the danger is that one becomes out of date.
611. **Mr McGimpsey:** That is the whole point of the register. There are all those different channels of information. Have one channel, and that should —
612. **Mr Harkness:** The governing bodies are affiliated bodies. It is worth looking at the strengths and weaknesses, and seeing whether there are opportunities.
613. **Mr McGimpsey:** It would also be a requirement for them to register with you, and that is the point.
614. **Mr Harkness:** It could be. That is a possibility, yes.
615. **Mr D Bradley:** When the Arts Council was here last week, I asked about private tutors who teach, say, instrumental music in their own home. They are not covered by the legislation. What about private tutors who take modern dance classes and hire out the local sports centre for those classes? Are they covered?
616. **Mr Harkness:** Modern dance is not an area that I am familiar with. Coaches who hold —
617. **Mr McGimpsey:** It is not a sport.
618. **Mr Harkness:** Scottish country dancing is recognised as a sport, though. However, let us stick to more recognised sporting disciplines. A sports coach who holds a qualification will, in all circumstances that I can think of, have that accreditation and that qualification through the governing body, and built into that qualification process will have been the requirement to be exposed to safeguarding practices as part of the qualification. The governing bodies that we are working with to achieve higher and higher standards will have those child protection training opportunities built into their coaching education programmes.
619. **Mr Stephenson:** To go back to your question about hiring facilities, and it is the same for hiring church facilities or community halls in rural areas, it is almost down to that facility provider. Through the new structures that will be in place, there should be a level of consistency around facility providers and those who hire them out, whether that is to a well-run football club with 15 coaches or to dance teachers.
620. **Mr D Bradley:** They should require some sort of —
621. **Mr Harkness:** I believe that there would be a legal duty on an organisation — a council or whatever — hiring a facility for a purpose to ensure that it was being used properly and in a controlled manner for the purpose for which it was hiring it. I imagine that they would require evidence of a coaching qualification. That coaching qualification would, in turn, give them confidence that, behind that qualification, there was an exposure to child protection training.
622. **Mr Hilditch:** I know that Paul mentioned the inconsistencies with local government last week. Perhaps, Nick, that would not be exactly right, to be fair.
623. **Mr Harkness:** I am just saying that I would imagine that organisations have an obligation. Whether they do it or not is something else. However, I perceive that there is an obligation on them.
624. **Mr Stephenson:** A level of consistency of at least a minimum standard around the requirement to ensure that there is a safeguarding and vetting policy is certainly something that we would like to see taken forward.
625. **Mr McMullan:** What you said at the end goes back to my urban and rural thing. Your paper states:
- “Under the governance investment stream Sport NI plans to make it a compulsory requirement for all sports governing bodies to develop an implementation plan to ensure their safeguarding message is imbedded at club level.”*
626. When you said that you took it that councils or such bodies should have all of that in place, do we not know?

627. **Mr Harkness:** Councils, as you know, are independent bodies with their own insurance and stuff. I have no control over the bookings that a particular council or a range of other organisations might have for a facility. However, if you are allowing a group to use your facility, there is an obligation to ask some questions about whether it will be put to a purpose that it is fit to be put to and that it is being put to that purpose by competent people — people with a coaching qualification. The safeguarding policies that we are talking about are to do with the funded governing bodies of sports — the organisations that run the activities, and, in turn, train and qualify the coaches and have subservient clubs within them. We are talking about within the governing bodies of sport and not within the organisation.
628. **Mr McMullan:** When you say “compulsory requirement”, what is the teeth behind that? If it is compulsory, and you do not —
629. **Mr Donnelly:** Investment.
630. **Mr McMullan:** You do not give funding if you do not —
631. **Mr Donnelly:** It could certainly be a stumbling block for a sport if it did not meet the safeguarding expectations.
632. **Mr Stephenson:** In some cases, that investment has not been released in the time frame that was initially agreed because organisations had not provided evidence of that, which was one of the motivations for them to produce particular evidence around a particular area.
633. **Mr McMullan:** I come back to the issue of councils. We will have 11 councils after RPA. We are hoping that councils will run checks and balances on bodies that hire their halls to run classes —
634. **Mr Harkness:** To check that they are competent to use the facility for that purpose.
635. **Mr McMullan:** Should there not be something that allows us, at the touch of a button, to know whether that is in there or not. If anything ever happens, we will be running about chasing our tails to see whom to point the finger at instead of having it all there so that there is none of that and we are able to move quickly to protect not only children but their families and all those concerned.
636. **Mr Donnelly:** That focus was on governing bodies. We have been investing in the consortia of councils in Northern Ireland. As part of that investment process, we audit the safeguarding policies and procedures that those council consortia have in place. They will not receive any moneys from us unless they have those policies and procedures in place. We have an indication of what is happening out there around policies. We could not get down to the level of understanding whether they have procedures in place for a sports club or private coach. However, in the context of the work that they are doing to meet our and their own objectives, we can say that a particular council has in place its policies and procedures.
637. **Mr McMullan:** I am just concerned about how you protect vulnerable adults when we do not have those checks and balances at that level? That is where a lot of the sporting training and development starts, and there is a gap there.
638. **Mr Stephenson:** We would welcome a level of consistency so that a duty manager taking a booking looks to that form and makes sure that it is completed robustly, and proportionately for someone who is coming in once a week. If such procedures or systems are not in place for individuals, the local council must support them or direct them to where they can get advice and training. What will be the umbrella body to vet those organisations? In a few weeks, I will meet the Northern Ireland Sports Forum’s executive to look at how to support some of the smaller voluntary sports organisations, which will no longer be allowed to use Access NI because of the numbers that they put through. The forum may look at acting as an umbrella for those organisations.

Therefore, hopefully systems are developing to support the smaller organisations.

639. **Mr D Bradley:** Oliver's point is a good one, because an ad hoc group of people can book a sports hall for, say, five-a-side football, which falls outside your remit. Are there checks and balances to ensure that the age group of the players is not such that they could be vulnerable, and so on? I expect that that is something that we could share with the Environment Committee when we finish this work, because it is a council issue, and that Committee may want to ensure that there is no policy gap.
640. **Mr Stephenson:** Yes.
641. **The Chairperson:** Thank you very much, Paul, Nick and Paul. That was a very good session. We covered a lot of ground. We will review the Hansard report, and if there are issues that we wish to follow up on, we may do so by phone or in correspondence. I would appreciate your responding to that.
642. **Mr Harkness:** Thank you for the opportunity.

21 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Ms Irene Knox *Libraries NI*
 Ms Helen Osborn
 Ms Trisha Ward

643. **The Chairperson:** Thank you very much for joining us. We are going to look at our investigation into gaps in child protection and safeguarding across the culture, arts and leisure remit. Irene, are you going to lead off on this one?

644. **Ms Irene Knox (Libraries NI):** I am, Chair, and I am going to look to my colleagues throughout.

645. Thank you for the opportunity to brief the Committee today and to contribute to your investigation into gaps in child protection arrangements across the culture, arts and leisure sector. Your work is very important. It is very timely and appropriate, and we are very pleased to be here today. We look forward to the outcome of your investigation because we want to make sure that our policies and procedures reflect best practice and any suggestions that you might make.

646. We have submitted a briefing paper for your consideration, and we are happy to try to clarify anything in that today.

647. I will make some introductory remarks. I know that you are specifically interested in the area of internet access, so I will say a few words about that as well.

648. Trisha is with me today. Trisha is an assistant director with Libraries NI, and she is responsible for libraries in the northern part of Northern Ireland. One of the reasons she is here is that she has been seconded to the e2 project team for the past year and has been working on the design and procurement process for that system. So, she is particularly au fait with the issues around the new system, which, I think, have an impact on your discussions on internet access. I am relying on her expertise for that today.

649. As I think that I said in our briefing paper, more than 117,000 children and young adults use libraries on a regular basis. They are active users of the service and make up about 40% of our total active membership of libraries. They visit libraries with their parents or carers, with friends, in school class groups and, sometimes, on their own to borrow books and other resources. They also come along to participate in a whole range of events and activities that take place in libraries. They come to do their homework, to study, to socialise with friends and to use the internet. We are committed to ensuring that libraries are welcoming, secure, caring and supportive environments, where children's safety and welfare is the paramount consideration. That overrides all other concerns.

650. Library staff are in positions of trust. It is important, therefore, that they recognise and accept their responsibilities in relation to safeguarding. Also, because of the very regular contact that they have with many children, library staff are in a position to notice, for example, if a child or young person is showing signs or symptoms of abuse or neglect. If staff members have a particular concern about any child or young person, they must know what to do about it. Staff members need to understand that it is not their role

- to investigate any possible instances of abuse, but it is very definitely their role — indeed, it is their statutory responsibility — to protect children from abuse, to take seriously any concerns of suspected or actual abuse and to report those concerns through the recognised channels immediately.
651. We have a number of policies and procedures relevant to child protection. The overarching one is our safeguarding children and vulnerable adults policy. The policy and the associated procedures have been quality assured by Volunteer Now, with which we have a signed partnership, and their implementation was subject to inspection by the Education and Training Inspectorate, which found them to be operating satisfactorily.
652. We have detailed guidelines for staff to help them, for example, to recognise the signs and symptoms of abuse or neglect and to know how, and to whom, concerns should be reported. The guidelines also cover such things as dealing with unsupervised children in libraries and obtaining written parental consent if a photograph is going to be taken of a child. We have checklists for library staff, when they are organising events that involve children, to make sure that they have checked that everything that needs to happen has happened.
653. Obviously, having detailed policies and procedures is only the start of the process: we have to make sure that they operate effectively. In our view, that is dependent on a number of factors. First, we need to make sure that our HR procedures are appropriate. Since our establishment, Libraries NI has had registered body status with Access NI, and all potential employees are vetted in accordance with Access NI procedures prior to appointment. We carry out enhanced checks on staff who work on the front line in branch libraries, on our mobile libraries, in our home-call service, and so on. That includes caretaking staff and cleaning staff as well as temporary staff. Any long-term
- volunteers who will work with the public also have enhanced checks carried out.
654. Secondly, we need to make sure that all staff know and understand the policy and procedures — that is a key aspect — and that they know and understand their responsibilities in relation to safeguarding as well as how to conduct themselves when dealing with children and vulnerable adults. Child protection is part of the induction programme for all new staff, and regular refresher training is provided on an ongoing basis. We also have a code of conduct for staff when dealing with children and vulnerable adults.
655. The third aspect is ensuring that there is a well understood and effective system for dealing with any concerns about suspected or actual child abuse, including any allegations that are made against staff. We have 19 staff at middle-management level in the organisation, who, as part of their responsibilities, are designated officers for child protection and safeguarding vulnerable adults. One of them is a lead designated officer. All our designated officers have received more detailed training on safeguarding issues. Their role is to act as a source of advice and support to front line staff, in particular, although that is available to anyone who needs assistance or advice on child protection issues. Where required, those designated officers will liaise or make referrals to relevant organisations if there are any particular concerns. The designated officers are located across Northern Ireland. At all times when libraries are open, including late nights and on Saturdays, there is always at least one designated officer on duty. All staff are aware of who the designated officer on duty is at any particular time. The lead designated officer has a co-ordinating role, and she also sits on the child protection co-ordinating group in one of the education and library boards to make sure that we have a broader awareness of child protection issues.
656. The fourth aspect of our process is making sure that we maintain appropriate records of all concerns

- and any follow-up action that has been taken, including ensuring that any lessons learned from incidents are communicated across the system and that, as an organisation, we learn, adapt, review and revise our processes and systems. The lead designated officer provides me, on a quarterly basis, with a report detailing any incidents that there have been in libraries, including the action that has been taken. I report that to the Department of Culture, Arts and Leisure (DCAL), and safeguarding is one of the issues on the agenda at my regular accountability meeting with the Department. So, we have a process of making sure that everyone who needs to know about things is informed.
657. The final part from our perspective is the need to monitor and audit the operation of our policy and procedures to make sure that they are operating effectively. In that context, our internal audit section, for example, when undertaking audits of our branch and mobile libraries, checks that staff have been trained and that they understand the policies and procedures in order to make sure that the system is operating. This year, our internal audit section will also be carrying out a more strategic audit of safeguarding arrangements generally in the organisation to make sure that things are operating as they should be.
658. I have spoken about our systems generally. However, I know that you have a particular interest, as far as your investigation is concerned, in children's internet access. As you know, we provide free internet access for all library members, including children. The internet offers tremendous benefits — educational, social and entertainment — but it also presents tremendous risks for children. We are very clear about our responsibilities in relation to that: as far as it is possible to do so, to make sure that children are not exposed to harmful or inappropriate material while using our library computers. Children under the age of eight are not permitted to use the internet in libraries unless they are accompanied by a parent or guardian, who must remain with them while they are using the computer. For that reason, permanent access to the internet is not available to children under the age of eight. Our staff have to activate it every time a child goes on, so that we know that the parent or guardian is with the child. Children between the ages of nine and 16 must have the express written permission of their parent or guardian before they are allowed to use the internet.
659. All access to the internet is filtered — for adults and children — but, obviously, the level of filtering that we provide for children is much tighter, and it excludes access to, for example, the well-known social media sites. Therefore, children under the age of 16 cannot access social media sites through library computers. However, no system of filtering is totally foolproof, and a plethora of new sites comes on stream daily. Staff know that they must be vigilant, and they monitor children's use of the computers. If staff become aware of anything that is not appropriate, they must immediately step in and stop the session. We also have a system in place to immediately block any sites that are deemed inappropriate by our designated officers for child protection — any sites that are not automatically blocked by the filtering system — as soon as we become aware of them.
660. We have a policy on conditions of use of computers for both adults and children, which sets out clearly what users are allowed and not allowed to do on computers. We have a procedure for suspending the use of computers if those conditions of use are breached in any way. If staff have a concern about any incident, or about the use of a computer by any individual — adult or child — and they think that it constitutes a child protection issue, they must follow the safeguarding procedures. That is part of the training that our staff are given.
661. In an increasingly digital world, however, it is our view that e-safety needs to strike the right balance between protecting children from totally inappropriate internet sites and

- empowering them to make responsible and informed decisions. We believe that e-safety is part of a much wider remit of teaching basic information literacy skills, so that children know when and why they need information, where and how to find it, how to differentiate between the good and the bad, and — most importantly — what to do if there are any problems with that.
662. One of the ways that we do that is through our class visits programme, which we offer to all year 4 and year 6 primary-school children. The programme has been quality assured by the Education and Training Inspectorate and complements the Northern Ireland curriculum. It consists of three visits to a library. The third visit deals specifically with computers and the internet and includes information on safe use of the internet. We have brought with us some of the kinds of information that children are given when they come to libraries, and we will leave those for you. We appreciate that, although many children are confident in using the technology — often more confident than their parents in doing so — they are still developing their critical evaluation skills, and they need to be helped to make wise decisions. Part of the role of our staff who are involved in the class visits programme is to help children to see how to use the internet safely and to know what is safe and not safe about the internet.
663. We are also very conscious that there is a generational digital divide, which means that some parents do not necessarily feel equipped to help their children in those kinds of areas. As part of our ICT learning programme for adults, we provide advice on safe and appropriate use of the internet. Again, we have some information on that with us, which you are welcome to take with you if you so wish. For example, we recently introduced classes for adults on how to use Facebook and Twitter. Part of that is about making them aware of some of the difficulties and issues that exist. We know that we can do an awful lot more on that. It is a resource-intensive area for us, but there are tremendous opportunities for the library service to help adults and children to understand internet safety issues.
664. Finally — we have already talked about this — we are introducing a new IT system that will include greatly improved internet access, including pervasive wireless technology, Wi-Fi, in all our libraries. That will present a different set of challenges for us in how people access the internet. As part of the process, we are looking at much improved filtering and monitoring arrangements. Trisha has been looking carefully at that, and, hopefully, she will be able to answer your questions on it.
665. I hope that what I have said gives you a flavour of our approach to safeguarding issues and to internet access. We are happy to try to answer any questions that you may have.
666. **The Chairperson:** Thank you very much. You mentioned that your designated officers maintain records of any incidents. Do you have many incidents?
667. **Ms Knox:** I had a look at that just before we came here, and I think that we have had about eight incidents since Libraries NI was established. We do not have very many. Since Libraries NI was established, no allegations of inappropriate behaviour have been made against any member of staff. Occasionally, we have such things as unsupervised children in the library at closing time; and what do you do with an unsupervised child at closing time? Our staff have guidance on how to deal with that. We have had a few incidents where there has perhaps been inappropriate use of a computer, which, again, was dealt with through the channels.
668. Libraries are public buildings, so we get people of all kinds coming into them. The important thing is that our staff are vigilant and make sure that safeguarding is the first consideration in all cases, but we have not had a major number of incidents.
669. **The Chairperson:** The end of your presentation focused on computer

- access and associated issues. You said that you have class visits programmes for year 4 and year 6 pupils. Is that taken up by most primary schools?
670. **Ms Knox:** No. It is taken up by a considerable number of primary schools, mainly in town areas. That brings us back to the issue of rural communities that we talked about earlier. The fact is that schools in rural communities have to hire a bus in order to visit their local library, which becomes expensive. Some schools try to combine a visit to the library with a visit to the swimming pool or something like that. However, it is much more difficult for them. Currently, about 80% of our libraries would have visits from at least some local schools, but some schools just find it very difficult to get to libraries because of financial issues.
671. **The Chairperson:** Does the schools library service do something similar to your work on that programme?
672. **Ms Knox:** Not to that degree, as far as I am aware. Trisha knows more about this than me, but the schools library service tends to provide more in the way of ongoing support.
673. **Ms Trisha Ward (Libraries NI):** It is more a support for teachers, so it tends not to interact as much with pupils. There will be occasional visits to do storytelling, maybe to raise awareness of literacy, or it has literacy festivals. However, much less of its interaction is with pupils themselves. It does, though, work with school librarians, especially in post-primary schools, to raise their awareness of what is happening and of best practice. It has introduced self-evaluation to support school librarians and to raise the image of school libraries within post-primary schools, which I am aware from previous experience is an issue in some areas. With diminishing budgets, schools have to look at where they make cuts.
674. **The Chairperson:** OK. Given that you have the programme in place, have you had any discussions with the Department of Education about taking it into schools?
675. **Ms Knox:** We have not had any discussions about going into schools. We have to be careful not to step on the schools library service's toes. We are trying to encourage children to come to their libraries. We work with schools and do storytelling, but we have never taken the programme into schools.
676. **The Chairperson:** Could that programme be shared with schools library service?
677. **Ms Knox:** Absolutely. There is no reason why it could not. It has been developed by our staff, and we are happy to share it with anyone who will find it useful.
678. **The Chairperson:** I am conscious that you have a programme sitting there that is tailored to year 4 and year 6. You are essentially waiting for schools to come to you to access it, when it is such an important programme that should be shared.
679. **Ms Knox:** Absolutely. We have no difficulty with that, and we have not copyrighted it. We are happy to take it out —
680. **The Chairperson:** I am also conscious that your focus is on year 4 and year 6, yet a large cohort of pupils in post-primary schools is now probably in need of information on that and on cyberbullying. Do you have any thoughts about developing it for post-primary schools?
681. **Ms Ward:** We are aware that the Department of Education has issued its own guidance to schools instructing them, effectively, that they should be looking at that area. We have previously organised pilots for parents and children because we thought that that was an appropriate way to work. To be honest, they were not very successful, and some of that is because teenagers — I speak as a mother of teenagers — believe that they know everything and do not need to be told anything. We have found that working with the parents on their own is more successful. The social media classes that Irene mentioned

- are much more successful because parents come and say, "I do not know about Facebook; explain it". We are able to work with them and give them some information. However, you are right: there are huge gaps. We honestly do not have the resources to be able to deal with everybody who needs that kind of support. More joined-up thinking would maybe support that.
682. **The Chairperson:** That is a theme that we have heard, and it is very much about educating parents and making them aware of the latest fad or the latest download that is available. What has been the uptake of your adult social media awareness programme?
683. **Ms Knox:** We only started to pilot it this year, so it is on a fairly small basis at the moment. We needed to test it out and see how it would go. There has been a lot of interest in it, and, for our business plan for next year, we are proposing to extend it quite considerably.
684. **Ms Ward:** We have had 27 classes in the past two months, all of which have been fully booked. We are already developing waiting lists in some of our libraries. People are very interested.
685. **The Chairperson:** That is useful. It is also a good tool for you to get people into and using the libraries.
686. **Mr D Bradley:** Paragraph 2.5 states:
"The Safeguarding policy is supplemented by detailed procedures and information and guidance for staff covering such matters as:"
687. It then gives a comprehensive list of various situations. The last one on that list is:
"Visiting vulnerable adults in their homes or in a care situation."
688. Is that when library staff go out and offer loans of books to people in their own homes or in care homes?
689. **Ms Knox:** That is the kind of provision that we talked about earlier with our home call service, where a member of staff in a van visits an adult with difficulties or whatever in their own home. There is the opportunity there, and we have to make sure that staff understand their responsibilities in those situations.
690. **Mr D Bradley:** Do you have a programme of continuous training and updating of procedures?
691. **Ms Knox:** Yes.
692. **Mr D Bradley:** Could you explain how frequent that is?
693. **Ms Ward:** Over the past two to three years, we have had an ongoing programme, and our designated officers have been delivering it to all their staff. In addition, we are running, for example, a new programme on equality, and, as part of that, we are talking to staff about ensuring that they are aware of those issues, because they affect people with disabilities in different ways than they affect other people. We are trying to draw it into other training opportunities.
694. **Mr D Bradley:** The internet and social media can change very rapidly, and there is maybe a need for more frequent updating in that area.
695. **Ms Ward:** In that context, we have been running classes for our staff as part of developing and delivering the Got IT? and Go ON courses. That has been part of all staff appraisals this year. We are conscious that it changes so much. I know that a number of members use social media, and you will be aware that things are changing on a daily basis. There are new parts of Facebook, which we are all quite familiar with, and Twitter. New social media sites are coming online day and daily. We find that children move so much faster than us. To keep our staff up to date, we need to keep up to date ourselves. So, we are working with other partners to make sure that we are aware of how Twitter and other social media can be used. We are encouraging staff to use that as a marketing tool for our own libraries.
696. **Mr D Bradley:** Do you have staff who are expert in those areas?

697. **Ms Ward:** I guarantee that none of us would call ourself an expert, because none of us is an IT nerd. However, a lot of us are very fond of IT and use it frequently. We are working very closely with the people who are now our preferred bidder to identify issues. That is one of the advantages of the procurement process that we had. We were able to talk to them about what we saw as the issues.
698. **Mr D Bradley:** So, you have external advisers who advise you on these things.
699. **Ms Ward:** Well, they will be our suppliers, hopefully.
700. **Ms Knox:** They will be the suppliers for our new contract, and we are talking to them at the moment.
701. **Ms Ward:** One of their roles will be to advise us on filtering, for example.
702. **Mr Ó hOisín:** Trisha, you are right to say that teenagers think that they know everything, but it is not just teenagers who take that position. Political representatives sometimes think that they know everything. I was shocked to realise, during a recent Assembly debate, that Moshi Monsters are not just as benevolent as they were initially made out to be. They have been coming into my house through my 11-year-old's iPad for quite some time, but I had not realised the dangers that were behind that. There is quite a lack of knowledge right across the board.
703. It is very welcome that you are taking on board things like cyberbullying and internet access, which is becoming increasingly difficult to filter. I refer you to a BBC News report from this morning, which states that it is reckoned that somewhere in the region of 8 billion hackers are going into the system each day. That is more than one for every person in the world. God knows what exactly that could lead to at some point down the line. Outside your own system, how do you tie in with the like of social services or the PSNI on this matter?
704. **Ms Ward:** On child protection?
705. **Mr Ó hOisín:** Yes.
706. **Ms Ward:** The lead designated officer sits on the North Eastern Education and Library Board's child protection committee. A representative from the PSNI or health and social services will generally attend those committee meetings and inform them. You will have heard evidence on the theme that we are not particularly good at making sure that we are always up to date with what is happening in child protection. However, we have had advice from Volunteer Now, and our partnership has ensured that we are at least up to date with what it knows about it. People from Volunteer Now tend to be experts in this field.
707. **Ms Knox:** I was very interested to read the briefing on child protection that DCAL gave you. DCAL talked about re-forming a strategic group within the Department to look at child protection issues. I think that that would be very important, even if it were only about sharing best practice and ideas and designated officers being able to learn from people in other organisations who may have different experiences. We would very much welcome it if, as DCAL has talked about, that group were set up again. Designated officers and people who are leading on child protection need to have the contacts. We have those contacts through the North Eastern Board. It will all change when the Education and Skills Authority comes, so it is even more important that DCAL has some sort of strategic group.
708. **Mr Ó hOisín:** Many parents have little or no interest in what their children are doing online. How do you envisage engaging with those hard-to-reach parents?
709. **Ms Ward:** We talk about internet safety as part of the Go ON programme that Irene referred to. If I am honest, I am not sure that I would sign up for a course like that. However, I would definitely sign up for a course that talked about online shopping or travel, because those are things that I am interested in. We are trying to encourage people to look at those things.

710. As you will be aware, some people do not want to come into a library. I find it hard to believe, but some people find libraries intimidating. So, through the e2 programme, we are looking at being able to take that service out to community centres. The use of 3G-enabled tablets will allow us to deliver these kinds of courses in other settings and open up that world for anybody. There is always the danger that people see you as preachy when you do something on internet safety, so we try to roll it into all the programmes that we do. It can even be on basic things like setting up an e-mail account. We talk about the importance of not revealing too much personal detail, or phishing, and we make people aware of the kind of scams that can happen. That is how we try to deal with it.
711. **Ms McCorley:** Thank you for the presentation. You talked about filtering. Given the ever-changing nature of websites and all the new stuff that comes online, how do you stay updated? How do you ensure that you are on top of things? I know that it is difficult to ever say that you are on top of something like that.
712. **Ms Ward:** It is almost impossible to say that we are on top of it. We can filter out known websites, but if you are a sex offender or a paedophile, there will be unknown websites. Jim Gamble referred to that as the greatest danger that he saw. In library use, the way we deal with it is our Websense product, which is updated on a very regular basis, every two or three hours.
713. Websense is an international organisation that ensures that we are aware of all the illegal sites. That is constantly updated. We are constantly adding to that, and our staff are very vigilant. In the past year, we have blocked eight sites, none of which were pornographic sites. All were social media sites, chatrooms or games — maybe inappropriately violent games. Those are the kinds of things that we are having difficulty with now. Our filter seems to be working much better in terms of porn.
714. In the longer term, we know that there is going to be an issue — and it is an issue, I suspect, for the whole community and not just for us — around wireless access. More and more children have access to wireless-enabled phones. We will be able to filter our wireless access, because we can filter what we provide, but we cannot stop a 12-year-old coming in with their smartphone who is accessing the internet via his own network. That is not filtered, and that is a bigger issue for government than it is for libraries.
715. **Ms McCorley:** How do you monitor? What way do you physically monitor? You said that your staff monitor when children and young people are using the internet. What actually happens there?
716. **Ms Ward:** There is Websense, which is a bit of software which filters it. We also have staff who are physically there; our children's computers tend to have the screens facing desks, and are very often quite close to desks. You very quickly become aware if a child or a teenager is up to something, because they turn the screen away or turn it off when you come. You know then to go back and check. We look out for those signs, such as two or three children gathered round a computer giggling. We are aware of that kind of thing. It is the adults in the corner with smartphones I would be much more worried about.
717. **Mr Hilditch:** I just want to move sideways from the internet situation. There are usually areas for hire within public libraries for the likes of art clubs, photographic exhibitions, classes — various things like that. Those are obviously being hired out to third parties. Is there a requirement for those parties to present policy documents for hiring out facilities?
718. **Ms Ward:** There is a requirement for them to have a child protection policy.
719. **Mr Hilditch:** So there is, then? So that is all checked as part of the hire?
720. **Ms Ward:** Yes.

721. **Mr McMullan:** The title of your written briefing is “Safeguarding Children and Vulnerable Adults”. There are vulnerable children. The use of the word “vulnerable” takes in disability and special needs. If we are to change that perception, we need to start using the right language. “Safeguarding children and vulnerable adults” says that we are not including the children. I know that you mean well with it, but disability and special needs are forms of vulnerability. If we are to get the public to accept this more and pay more attention, we have to change the language. That is something that has come out of this whole inquiry from groups other than yourselves. They have admitted that to us in sessions.
722. **Ms Knox:** Our view is that our term “children” is all children, whether they are able-bodied or have disabilities. We take our responsibilities to all children very seriously, regardless of their level of need. One of the things that it says in our safeguarding policy is that children are entitled to a service regardless of gender, disability or anything else. “Vulnerable adults” was added because there is now a specific requirement in law to look at how you deal with vulnerable adults. I take your point that it may be a use of language but I just want to confirm that all children, regardless of ability or disability, are included in our safeguarding arrangements.
723. **Mr McMullan:** I am saying that because sometimes staff are not trained to deal with specific conditions in children. A child could have autism, or something like that there, and you cannot mitigate that. That is why I would like to see that language being used more. Other groups are starting to use it more because it gets over that barrier and creates more help and brings in more help. It brings in more outside groups to help.
724. I understand what you say about the law but if you look at what “vulnerable adult” means, you will see where I am coming from on that. That is why more and more people are starting to use “disability” and “special needs”. Those are words that people shy away from, but in fact they have a big bearing. They are two separate issues with two sets of problems and difficulties and everything else. Staff have told me that when they can understand and accept that, it goes a long way in helping them and makes them more aware.
725. **Ms Knox:** Thank you for that.
726. **Mr McMullan:** Your policies are very good.
727. **Ms Knox:** Thank you.
728. **The Chairperson:** Obviously the Committee is going to be making recommendations around gaps in child protection and safeguarding. What recommendations do you think we should include?
729. **Ms Knox:** There would be great benefit in the culture, arts and leisure sector for the various arm’s-length bodies to have an opportunity to come together with the Department. That is something that we could all benefit from. From our perspective, there is one issue that we need to be thinking about. We do Access NI and enhanced checks, but in order to be able to have that facility, you have to have at least 20 applications going through annually.
730. Currently, we are fine because we are still recruiting some staff. However, that may not always be the case. There may be an opportunity for DCAL to look at how it brings its organisations together to be able to facilitate those Access NI checks across the culture, arts and leisure sector. With the facilities and the reach that we have, there are opportunities as well for us particularly to look at how we can help adult volunteers to gain the skills that they require in areas such as social media, because we are doing it for members of the public anyway. I would be happy for us to be involved in that kind of thing. Those are the kinds of things I personally think would be useful.
731. There is a big issue around making sure that children and their parents understand the dangers that exist. It is about getting the balance right between empowering them and protecting them.

732. **The Chairperson:** That is very useful.
Thank you very much. Thank you for your presentation.
733. **Ms Knox:** We will leave this stuff with the Committee Clerk.
734. **The Chairperson:** OK, thank you very much.

21 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr Ferdie Mac an Fhailigh *Foras na Gaeilge*
 Mr Éamonn Ó hArgáin

735. **The Chairperson:** This briefing with Foras na Gaeilge is in respect of child protection issues in the first instance, and will be recorded by Hansard. We welcome Ferdie Mac an Fhailigh, the chief executive, and Éamonn Ó hArgáin, director of development services. Gentlemen, you are very welcome. Apologies for the delay, but we had a number of issues that we needed to look at with Libraries NI.

736. In the first instance, we will look at the issues around our investigation into child protection. If you would like to make an opening statement, members will follow up with some questions.

737. **Mr Ferdie Mac an Fhailigh (Foras na Gaeilge):** Thank you, Chair. Our staff and officers have no direct regular contact with vulnerable groups. We are a grant-giving body; it is the grantees have that regular contact. That said, all our staff are vetted by the authorities in the appropriate jurisdiction, whether it is Access NI or an Garda Síochána. We ask that all our grantees that have contact with children have a policy, and that it is not one that sits in a drawer somewhere — that it is active and that everyone knows exactly what is in it and the steps that they should take. We also ask that people who are dealing with children — who take our summer camp scheme

and our youth event scheme — the people who are working on those have to be vetted by Access NI or an Garda Síochána, and we have to be provided with proof of that.

738. We have a policy for the organisation, and we also have a code of practice that we share with grantees. We provide advice to organisations, if they want it. The code of practice and the policy are available to download from our website. We provide training to groups, if they ask for it. It consists mainly of the dos and don'ts: what you should and should not do, what is appropriate and what is not, and what you should have in place. The one area that we are worried about at the minute is that in our policy, and in the code of practice, there is a section on internet use. It is to do mainly with grooming. However, in light of what happened in County Donegal and the very sad circumstances in the past wee while, we need to look at that whole area of our policy again and update it. We will be in contact with the National Society for the Prevention of Cruelty to Children (NSPCC), Volunteer Now and the National Youth Council of Ireland about what should be in our policy.

739. I should say that the policy is not only Foras na Gaeilge's policy; it is the language body policy. It was prepared by the NSPCC in conjunction with the Ulster-Scots Agency so that we have a joint policy and code of practice for the language board.

740. **The Chairperson:** How often are your policies updated?

741. **Mr Mac an Fhailigh:** Twice a year. Well, we look at it twice a year. We are also in regular contact with the NSPCC and the National Youth Council of Ireland. If there is a change in legislation or a change that they think is best practice, they contact us and say that we should look at it.

742. **The Chairperson:** When was the internet use policy last updated?
743. **Mr Mac an Fhailigh:** May last year.
744. **The Chairperson:** So, it is quite recent.
745. **Mr Mac an Fhailigh:** Yes.
746. **The Chairperson:** It is not something that has been lying around for any particular length of time.
747. How often do you monitor the activity and child protection policies of the groups that receive grants?
748. **Mr Mac an Fhailigh:** When they send in applications, they have to send their policy as part of the application process. We do not visit all the summer camps; we visit them on a rolling basis. If we have a new camp somewhere this year, it will be visited. One that was visited last year will not be visited. The Education and Training Inspectorate undertook an evaluation and visit of the summer camps last year. It did not produce a report because it did not visit enough camps. It is going to do that again this summer, and it will be producing a report on —
749. **The Chairperson:** How many camps does it have to visit for there to be a report?
750. **Mr Mac an Fhailigh:** It managed to visit only two camps last year. It wants to visit six or seven before it would even start to write a report.
751. **The Chairperson:** If there were any issues in those two camps, then you would not be made aware of that?
752. **Mr Mac an Fhailigh:** Sorry, we had a meeting with it. If there were issues, it would have told us about them. It did not raise any concerns.
753. **The Chairperson:** Is there a reporting mechanism in place for the groups that you grant aid, so that, if there are any issues, they can come back directly to Foras?
754. **Mr Mac an Fhailigh:** Yes. We have a designated officer and a deputy designated officer; one in Dublin and one in Belfast. They are in contact with the groups. If there were any issues, the groups should be reporting them to our officers.
755. **The Chairperson:** Have many incidents been reported over the past number of years?
756. **Mr Mac an Fhailigh:** None.
757. **The Chairperson:** There have never been any incidents at all, through any of the groups that you have funded?
758. **Mr Mac an Fhailigh:** To our knowledge, no. No one has ever reported that there was a problem.
759. **The Chairperson:** That is not to say that there was not a problem.
760. **Mr Mac an Fhailigh:** We do not know. We take it that there were no problems, since everyone has to have the policy and the code of practice.
761. **The Chairperson:** Has the fact that you operate in two jurisdictions created any challenges for you?
762. **Mr Mac an Fhailigh:** When we were drawing up the policy and the code of practice, we took whatever was the best practice from whichever jurisdiction. That is what is in the policy and the code of practice.
763. **The Chairperson:** Grand.
764. I will open it up to questions from members.
765. **Mr D Bradley:** Tá fáilte romhaibh, agus go raibh maith agaibh as an pháipéar a chuir sibh chugainn. I have just a couple of questions. Your reference to the advice on the use of the internet — you said that you give clear advice on the dos and don'ts of internet use with young people, and the procedures should a breach of those rules occur. I mentioned to the previous group who were here the nature of the internet and the digital world, and how quickly it changes. Surely, a list of dos and don'ts is quite a static thing. Is that continually updated to ensure that it keeps up with the changing nature of that area?

766. **Mr Mac an Fhailigh:** As I said, we review the policy on a biannual base with our sister organisation, the Ulster-Scots Agency. We are undertaking a review of the internet, given the very sad circumstances of what happened in Ballybofey. We try to keep it as up to date as is possible. However, as you said, multimedia is changing so fast. As the people from Libraries NI said, it is not the kids at the computer, it is the people with the smartphones, be they adults or children. It is very hard to police what they are accessing and doing online. We are, to a large extent, dependent on the grantees and the steps that they take to ensure safety.
767. **Mr D Bradley:** You did say that you require your grantees to have a policy on child protection and safeguarding. Does that policy require them to undergo training in child protection and safeguarding?
768. **Mr Mac an Fhailigh:** I would have to go and read all the policies that they have sent in, Dominic. Off the top of my head, I do not know. I can tell you that a lot of the people working at the summer camps are teachers. They would have that training on an ongoing basis, as part of their normal work.
769. **Mr D Bradley:** That is correct, but there are also people working at the summer camps who are not teachers and would not have had that training. I would like you to check out the extent to which grantees undergo training in child protection and safeguarding. There have been a number of incidents at Irish language summer colleges, and so on, down through the years. Obviously that is something that we do not want a recurrence of.
770. **Mr Mac an Fhailigh:** Absolutely not.
771. **Mr D Bradley:** In her closing remarks, Mrs Knox mentioned that she thought it might be useful for the organisations under the remit of DCAL to come together in a forum of some kind to share good practice and valuable experience in the area of child protection and safeguarding. Would Foras na Gaeilge and the Ulster-Scots Agency welcome that type of initiative?
772. **Mr Mac an Fhailigh:** That type of initiative would be very useful for everyone, because none of us is perfect, and any expertise that we can share and any extra knowledge that we can gain from such a forum would be more than welcome.
773. **Mr D Bradley:** You said that, occasionally, members of your staff visit your grantee organisations, summer camps and so on but that you were told by the National Society for the Prevention of Cruelty to Children (NSPCC) and Volunteer Now that vetting for those members of staff is not necessary because their roles do not involve regular contact with children. Do those staff have any type of inspection role to see that child protection and safeguarding procedures are being adhered to in those schemes?
774. **Mr Mac an Fhailigh:** The three specific members of staff who visit camps provide the training to the rest of our staff. When they visit, they look at what is happening in the home, and safeguarding is part of that.
775. **Mr D Bradley:** Is there a requirement that the people who are not teachers but who work in the summer camps and in the other schemes that you fund be vetted?
776. **Mr Ó hArgáin:** Yes.
777. **Mr Mac an Fhailigh:** Yes, and we have to see the proof that they have been vetted. That is all on the file.
778. **Mr D Bradley:** An-mhaith. Go raibh míle maith agaibh.
779. **Mr Mac an Fhailigh:** Go raibh maith agat féin.
780. **Ms McCorley:** Go raibh maith agat, a Chathaoirligh. Go raibh maith agaibh as an chur i láthair. What do perceive to have been the gaps in policy that led to the Donegal incident that you referred to, and what gaps needed to be filled?

781. **Mr Mac an Fhailigh:** As I said, the policy actually says that it is geared to keeping young people safe online. It is geared towards the type of stuff that they would be viewing, and it is geared to guard against people who would come in to groom. There is nothing in it about cyberbullying, which is becoming a major problem, so we will move to address that.
782. **Ms McCorley:** At the Coláistí Samhraidh, do you work with local communities to prevent the sorts of incidents that were happening in Loch an Lúir? I heard about that area, where local rivalries between young people ended up in an incident where some kids had to be taken home. Do you work with local communities to try to circumvent that sort of stuff?
783. **Mr Mac an Fhailigh:** We have nothing to do with the summer colleges apart from the fact that we provide funding, through grantee scholarship schemes, to some of the colleges. We are working with local communities through our Scéim Phobail Gaeilge, or Irish in the Community scheme, where we have development officers in 19 communities throughout the island. They work with their local communities to promote the language and are not specifically geared towards faction fighting, if you want to call it that. What happened in Loch an Lúir was sad in that there was a divide between some of the community and the college. That is more for the college to address than for ourselves.
784. **Ms McCorley:** Given that Foras na Gaeilge is probably the main body in Ireland with responsibility for promoting the Irish language and that Gaeltachtaí and summer colleges are concepts that we want to see flourish, you do have some responsibility. I do not think that you can wash your hands of anything.
785. **Mr Mac an Fhailigh:** I am not trying to wash my hands of it in any way. Subsequent to what happened in Loch an Lúir, the college and the local community were working to try to ensure that it never happened again. That having been said, it is something that has been happening for many, many years. I remember events happening when I was going to summer colleges all of those years ago. Sometimes, there is a resentment from the local people towards people who are coming in from the outside, if you like. I thought that that had disappeared. Unfortunately, what happened in the college shows that it can still raise its ugly head, but, as I said, I know that the college and the local community were working to try to ensure that it never happened again.
786. **Mr Ó hOisín:** Go raibh maith agat, a Chathaoirligh. Tá fáilte romhaibh chuig an Choiste arís. I want to follow on from Dominic's question. Thankfully, and rightfully, quite a number of naíscoileanna, bunscoileanna and Gaelscoileanna have been established right across the North, particularly in the past 20 years. In areas, you will find not only the Gaelscoil and the bunscoil, but a club eachtra or a club iarscoile and, perhaps, a branch of Glór or a club na n-óg. All those bodies are there at a certain level. Are you sure that the ceannairí in those bodies are vetted and passed to deal with children in those situations?
787. **Mr Mac an Fhailigh:** We fund a number of cumainn óige and cumainn iarscoile under our youth events scheme. Generally, those organisations are run by the leader from the naíscoil or one of the teachers from the Gaelscoil, and they have been vetted. Anyone over 16 who is working in any of the clubs that we fund has to be vetted, and we have to have the proof.
788. **Mr Ó hOisín:** So, there is no grey area. What about the relationship with the NSPCC and the National Youth Council? Are they there in an advisory capacity, more than anything else, in respect of legislation or changes in policies?
789. **Mr Mac an Fhailigh:** Yes. They are the recognised authorities, and they advise us on what should be in our policy. They also keep us abreast of any changes in legislation and so on.
790. **The Chairperson:** If there are any changes in your policy, and, obviously, there will be in relation to internet use,

will you take that as an opportunity to go out to all of those groups that you fund and carry out training in relation to that policy? I note that you said in your presentation that you give training to groups that ask for training, rather than go out proactively and train.

791. **Mr Mac an Fhailigh:** When the policy is changed, we will be contacting all of our groups to tell them that there is a new policy and that it is an area that we are addressing. We will tell those groups that we will come to talk to them about it, or, better still, we could bring a group of them together in various areas and do it that way.

792. **The Chairperson:** OK. It is just that I am conscious that this is something that is very current. This Committee is very concerned about the idea of internet safety, cyberbullying and so on, and the consequences of that. You fund a wide range of organisations, and the number of people related to or associated with those groups is also considerable. It is about spreading the message as widely as possible.

793. **Mr Mac an Fhailigh:** Yes.

794. **The Chairperson:** If groups that you do not directly fund approach you and ask for training, will you give them that training?

795. **Mr Mac an Fhailigh:** Yes.

796. **The Chairperson:** Finally, I know that you are very positive towards the recommendations that were made by Irene in the previous presentation. Have you considered anything that you think the Committee should include in its report going forward?

797. **Mr Mac an Fhailigh:** It would be useful if the Department of Education, as well as the DCAL groups, were to make improvements in sharing best practice and expertise for protection and safeguarding. We also need to raise awareness. How we will do that, I do not know. However, I do know that, as Dominic said, people who are not Irish teachers and who have not been vetted are teaching Irish classes. People

who have not been vetted are doing various things. I think that we need to raise awareness among those groups that they should be doing it and that it is for their own good. How we raise that awareness, I do not know, but it is something that we need to look at.

798. **The Chairperson:** That is a common theme that has come out in relation to piano teachers and all sorts of classes that are held in people's homes. It is about protecting the deliverer of the service as much as the child who goes there.

799. **Mr Mac an Fhailigh:** You mentioned piano classes. People who are not teachers or who are retired teachers are giving language grinds for oral exams. They need to be protected as well.

800. **The Chairperson:** Thank you for sharing that with us and contributing to this aspect of our investigation.

28 February 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mrs Karen McKevitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Ms Sharon Beattie *Safeguarding Board
 Mr Hugh Connor for Northern Ireland*

801. **The Chairperson:** I welcome the following officials to our meeting: Hugh Connor, chair of the Safeguarding Board Northern Ireland (SBNI); and Sharon Beattie, director of operations. First of all, I apologise profusely for the delay this morning. Unfortunately, these things tend to run over, so I am sorry.

802. **Mr Hugh Connor (Safeguarding Board for Northern Ireland):** That is OK.

803. **The Chairperson:** Thank you for coming. I ask you to make an opening statement, and then we will follow up with some questions.

804. **Mr Connor:** Thank you very much for meeting us. The way we will do our presentation is that Sharon will do the first bit, which sets out the context for SBNI and its roles and functions, and I will do the remainder, which is more about the particular issue that you are investigating.

805. **Ms Sharon Beattie (Safeguarding Board for Northern Ireland):** Thank you for the invite to the Committee this morning. I am Sharon Beattie, director of operations for the Safeguarding Board. You are probably all aware that the Safeguarding Board was established in statute by the Safeguarding Board Act (Northern Ireland) 2011. It was formally launched in September last

year by three Ministers: Mr Poots, Mr O'Dowd and Mr Ford. That really does show Government's commitment to child protection and safeguarding.

806. SBNI was set up in the face of financial constraints, and as such, we have a very small team. Apart from me, we have another professional officer and three admin staff. That is the extent of the Safeguarding Board.

807. Like the safeguarding boards in England, SBNI was created in the belief that more could and should be done to protect vulnerable children. The decision to proceed with the safeguarding boards in England and here follows recommendations from Lord Laming in the Victoria Climbié and the Baby Peter cases. Those cases highlighted that senior staff in the organisations were too distant and too removed from the experiences of front line staff and that, if improvements were to be made, there had to be support from senior staff to drive those changes forward.

808. The objective of the Safeguarding Board, if you do not know, is to co-ordinate and ensure the effectiveness of what is done by member agencies to protect the welfare of children in Northern Ireland. We have a number of functions, including taking into account children and young people's views on what makes effective arrangements; the development of policies and procedures within safeguarding; and undertaking case management reviews in cases that have gone terribly wrong or cases that have shown good practice and to learn from them. We will also undertake the review of child deaths in Northern Ireland, although the legislation for that is not yet in operation.

809. SBNI membership is cited in legislation, and only very senior personnel, either the number one or the number two in those organisations, sit on the SBNI board. That includes police, education,

- health and social services, probation, youth justice, the Health and Social Care Board, the Public Health Agency, and the National Society for the Prevention of Cruelty to Children (NSPCC), and up to five other voluntary organisations.
810. SBNI can facilitate, co-ordinate, challenge and provide leadership, but what we cannot do is get involved in the operational accountability of those organisations. We are developing our three-year strategic plan, which will go out to consultation. We will include four key objectives in that. We will protect children by responding to new and emerging concerns, including sexual exploitation and risks from digital technology. We will drive improvements in child protection systems, and those things will come out of the lessons learnt from case management reviews. We will provide leadership and set direction, and we will work in partnership with others to ensure that children and young people are living in safety and with stability.
811. I will pass over to Hugh, who will comment on the areas to be addressed by the investigation. Thank you.
812. **Mr Connor:** Thank you very much, Sharon. My presentation is slightly different from the paper you received. The first thing I want to do is commend the Committee for undertaking this investigation. I think that it is very important. You will know better than I that the number of children the Department of Culture, Arts and Leisure (DCAL) comes into contact with is second only to that for the Education Department.
813. Children and young people's engagement in sports, arts and leisure has the potential to make a significant positive impact on their well-being and development, providing them with opportunities to grow socially, emotionally, physically and spiritually. Engagement in activities in the culture, arts and leisure arena can play a significant role in building self-esteem and personal confidence to overcome new challenges and developing trust in others.
814. It is a paradox that when children are abused, it is those very same qualities that impact on them into their adult life. So, it is quite clear that the very thing that we believe sport or culture can offer is the very thing that can be jeopardised if children are abused. I think that puts the issue into some context.
815. Despite our role in looking at safeguarding children, we recognise that there is a balance to be struck between a robust system that protects children and one that becomes so bureaucratic and overly regulated that volunteers become disenchanted and children lose the opportunity to benefit from sport.
816. Having recognised that, however, I think that it is all the more important that the organisations themselves seek to embed the philosophy, values and soul of protecting children. I want to talk about some historical things to try to put your work into a slightly different context. History has shown that any child protection system, to be effective, must be everybody's responsibility, and I think that is important. The protection of children is obviously not solely the responsibility of DCAL. However, DCAL must play a definite role in the protection of children; it should be a departmental priority. Unfortunately, history also shows that there is no silver bullet answer to protecting children. There are not one, two or three things that the Committee can do that will mean children will be safe in every situation. However, there is a clear need to put some things in place. Every society wrestles with the same problem and has done so for generations.
817. Given the number of people involved in sport, arts and leisure, it is almost certain that some of those working in this area today have malicious intent. That is one of the realities of our work. I believe that Departments must do what you are doing, which is provide leadership by looking at how things are regulated and governed and seeking to

- improve on them. That task is one of continuous improvement.
818. Experience shows us that there are building blocks that need to be put in place. Our impression of the sorts of things that you have in place for recruitment and selection, effective management, the reporting of concerns, the code of behaviour and the sharing of information are the building blocks. We believe that a lot of significant progress is made in the sports sector through the child protection in sport unit. The arts sector is also seeking to put in place similar building blocks, and that is the right thing to do. The reality is that policies and procedures alone, no matter how good, will not protect children. As I said earlier, you need to regularly review such policies and procedures for large organisations. You must look at the facts — the data that you receive — and be able to say that you are doing that. Look critically at the training needs and at who is responsible for managing these processes when concerns are raised. Ask how concerns have been handled, what the feedback has been and continually seek to improve.
819. I believe there to be a couple of other principles that the Committee should hear about and understand. First, when you look at the child protection picture in the wider context with which it is usually associated — that is, health, social services, education and police — you find that one of the central themes of case management reviews is that staff tend to lose focus on children. People become preoccupied with adults and adult systems. I know that others have previously suggested to you that one of the key issues is ensuring children's rights, and I know that is easier said than done, and we may discuss that in a few moments. The reality is that, for this system to be sound, you need to build in the principle of allowing the voice of children to be heard rather than drowned out by adults or professional issues.
820. Secondly, I put to you a version of caveat emptor, buyer beware: let the parent beware. I believe that parents should always be encouraged to become involved, to question and to challenge. We should not create a culture that seeks to diminish or falsely reassure parents that the actions that professionals or Departments take automatically mean that we have cracked this and that children are safe in every circumstance. That is not true. Vigilance is always needed.
821. The third principle is, again, something with which you will be familiar, which is whistle-blowing. We need to ensure, however it is done, that there are people who clearly will look, be aware, and know what to do and where to get support if they have concerns. Their concerns are generally not specific; they may often be just gut feeling or intuition. Certainly, those three things are three of the core issues as you seek to wrestle with some of the policy and procedural issues.
822. Sharon said that we are basically a very small organisation, and we are. We have the potential, in this coming year, to receive some further money from our sponsoring Department, and, hopefully, we will be able to extend our professional role and responsibility. However, I think it is very important that I say from the outset that we are still a small organisation and outline what we can and cannot do. We have been set up to co-ordinate and ensure, and that is to seek to use all the member agencies, which are not all small — because virtually all the organisations that care for children are here. So what we have been tasked to do is work with them. We have already started to try to build some links with other groups. One of the most obvious groups is faith communities, given some of the issues that there have been. We have a process in place to work with faith communities to see how we can help, support and advise them. We might be able to help them with training, or they may just want to come for some sort of discussion. We would be very happy to do something similar with DCAL, with regard to offering advice or, so to speak, knowing a man who knows the answer to a problem.
823. One of the other things that Sharon said is that we are about to go out to

- consultation on a three-year strategic plan. There are three things in that. As it is about to go out for consultation, the plan may be changed, but there are three specific things in it which may well be of interest to the Committee. One of the first things that we are looking at is the whole question, as I said, of trying to raise the awareness of children, how they can protect themselves and how they may be helped and supported. What we are seeking to do is to develop a range of information for children, families and communities. This is not new. It is not a silver bullet. It is a concept of having a process in place that continues to reach out into communities and keep the message constantly repeated.
824. Secondly, through our education and training committee, we seek to produce a strategy for multidisciplinary child protection training in the Province. We want to set standards, not about the number of days that people will be in training but about the competencies and skills associated with that. Again, we will not be in a position to enforce that. We will be coming to our member agencies who have agreed to it and, indeed, to the Departments that sponsor our member agencies, to ask whether they will sign up to this particular process.
825. The third thing that Sharon touched on, and which we know is of interest to you, is the whole question of e-safety. We have had some early discussions with the junior Ministers in the Office of the First Minister and deputy First Minister (OFMDFM), and we are trying to look at how we can work together. What we are looking to do on their behalf — and, again, we will need to check that this is precisely what they wish us to do — is to co-ordinate an effective member agency to help children who are at risk of becoming criminalised for online activity, being bullied through cyber activity or being sexually abused through sexting or online exploitation.
826. The final thing is that we know that one of the issues that you have been discussing from time to time has been the question of the role of councils and education and others, which may have facilities available, and how they should play their role in ensuring that the system is a bit more protected. We have both education and councils. The chief executives of Ards Borough Council and Banbridge District Council are members of SBNI, and we have a duty, under section 12 of our legislation, to carry out an annual review with our members of their internal governance arrangements. Certainly, one of the questions that we would be very happy to ask of education and councils is how they deliver on this aspect of their role, if that would be of advantage to the Committee.
827. I close my remarks by saying that I really commend what you are doing. I think it is vital. This is not DCAL's responsibility, but nor can DCAL not have a responsibility here. DCAL must be around, looking at the policies, procedures and governance arrangements, and they are critically important. However, they will not keep children safe, and there needs to be an underlying culture or value system that makes things safer for more children.
828. **The Chairperson:** Thank you for that, and I thank you for your kind remarks in relation to the work of the Committee. I suppose that I can send them back to you, in relation to the work that you do. I do not think that we should underestimate the magnitude of the task ahead of you. I am surprised at the small size of your organisation, but clearly there is a reason for that, as there is for everything. I will be interested to see the work that you are planning to do in relation to your three-year strategic plan.
829. Since we started this piece of work, DCAL has made very positive responses and has now started to revisit a lot of the work that it had been doing and which had fallen by the wayside. Part of that is to make contact with your organisation. I appreciate that it is in its infancy —
830. **Mr Connor:** Yes, it is.

831. **The Chairperson:** — and that there is a lot of work to be done, but, obviously, we look forward to the outworkings of the discussions that DCAL has with you.
832. I found quite interesting some of the things in your paper, which followed on our own initial thoughts and on the conversations that we have had to date in relation to the lack of an overarching governance framework. The child protection in sport unit is a very positive development, and the work that it does with the NSPCC is vital. What we are looking at is whether that can be replicated throughout the rest of the culture and arts sector. I want your comments in relation to how that possibly could come to fruition. Then, could we move on to the comments that you made on the vetting and barring scheme, and the difficulties that there are around individual tutors? Also, you made a comment to the effect that you recognise that there is a gap, and that you hope that that will be addressed in the future. How do you see that happening?
833. **Mr Connor:** As regards the first issue, obviously sports, with its infrastructure and governing body, faces different issues to those faced by the arts and culture sectors. However, I think that the principles are exactly the same. The idea of having some group that could work on this, try to develop policies and procedures and, most importantly, take the responsibility for providing advice, guidance and support, is important. You need to think about how you would structure such a group. However, that seems to us to be an important further building block. Having looked at what the Arts Council has said, we think that it is on the right path and looking at the right issues, but the question now is how that is going to be delivered and built upon. I think you need to have someone who will have responsibility for taking that and pushing it on a day-to-day basis.
834. As to the governance arrangements, governance grows over time. There are a lot of problems with governance arrangements, even in organisations that have had a long-term responsibility for the protection of children. So, governance is something that needs to be continually reviewed and renewed. It is clearly important that there are systems in place to ensure that governing bodies and organisations have this regularly on their agenda. I made reference to our section 12 duties. One of the things that we are very conscious of is the sense that we need to look at what governance arrangements each organisation currently has, but then, more importantly, we need to see how they work in practice. When they have worked in practice, we need to see where the report goes, and, when we know where that goes to, we need to know what the action plan is and how it is delivered. So, again, it is not an event, it is a process. I am sure that I am teaching my granny how to suck eggs.
835. The other thing that you asked about was vetting and barring. There seemed to be some legal lacunas, which, basically, mean that those who tutor, perhaps, are not yet subject to vetting or barring or do not necessarily do that because they do not work in an organisation setting. My understanding, without being totally clear on that, Chair, is that the Department is going to bring in measures to fill that lacuna in 2014. That would put an obligation on people to actually ensure that they are vetted and checked.
836. **The Chairperson:** Obviously, it would be for the protection of tutors as well as for children or young people who use their services. It, obviously, works both ways.
837. **Mr Connor:** Absolutely. As things stand, we believe it to be the case that the duty then goes back to the parent. The parent can, basically, ask, “Are you vetted?” The person may say, “No, I did not have an Access NI check.” The parent may then ask, “Will you supply it to me when you get it?” The person may say, “No, I will not. I am not applying for it.” Then, the responsibility is on the parent to decide whether to remove his or her child from that activity and look elsewhere. That is the lacuna that the Department will seek to fill.

838. **The Chairperson:** You mentioned the need for parents to be vigilant. Parents also need to be educated on child protection issues for children who go to organisations and also on issues of cyberbullying and e-safety. That came across very strongly in some of our previous presentations.
839. **Ms Beattie:** I visited Ballyclare High School with OFMDFM on its internet safety day. It was interesting that one of the questions that the junior Minister asked the pupils was how many of them were aware of the safety implications of being online. The majority of them were. The second question was, "How many of your parents are aware?" Very few actually put up their hands. As the parent of a 10-year-old who wants to start doing things online, I would ask how aware are parents of the need to set parental controls? Actually, in any work that SBNI seeks to take forward, it will work on a parent-education system. We feel that there is a lack of a co-ordinated, consistent approach in Northern Ireland to education, particularly for parents.
840. **Mr Connor:** We have a concept for all the pieces of work that we are going to try to undertake, which is that you have almost got two continua. You have, obviously, the child, the parent and professionals. Then, you have information-giving, awareness-raising, education, training and protocols for handling situations when they go wrong, so that you ensure that you have sound arrangements between those who investigate matters. That will be a sort of mental pro forma that we will use for all our work.
841. **Mr McMullan:** Thank you for your presentation. As the Chair says, your organisation is in its infancy. We are all very interested in anything that relates to child protection.
842. I want to make two or three observations. When you talk about council representation, have you taken into consideration the reduction in the number of councils to 11 through the review of public administration (RPA)?
- Will councils be rotated? I did 20-odd years in council. In my time, you had people on the same committee of the same organisation for 15 or 20 years. If there is representation from councils, there should be rotation of those councils on your committee. It can only be a good thing to bring in fresh ideas.
843. I am a wee bit taken aback that there is no mention of disability or special needs in the programme. I looked through it carefully. Vulnerable children are mentioned. That could mean without disability. Are three independent members to be elected?
844. **Ms Beattie:** They have already been elected.
845. **Mr McMullan:** I would have liked somebody from Disability Sports to have been among them on that governing body, so that you get its views. We are the Committee for Culture, Arts and Leisure. There is an absence of sport. Disability is not in your report at all. Disability and special needs must be mentioned as a category of its own because, as you said, children must have their voice. Children in that particular part of society cannot speak for themselves.
846. **Mr Connor:** Absolutely. The first thing, Mr McMullan, is that the three lay members of the board were selected by public appointments. So, an advertisement was placed, and then we went through due process. I certainly accept the point that you are making about rotation and fresh ideas. We have two chief executives on the SBNI board and a committee system in each of the trust areas. We have representatives of the councils in each of those areas. We take disability seriously, albeit that we did not mention it here.
847. I talked a wee bit about principles. One of principles that we know is that of inclusion. Our society has changed dramatically in 30 or 40 years. In one stage of my life, I had the responsibility of managing a large psychiatric hospital. One thing that we did there was, basically, recognise the real impact that

- arts, dance and music could make upon the care of people who were disabled by their mental health. We believe passionately that DCAL will have to look at how it increasingly embraces the opportunities for disabled people. What that will bring with it is a range of different needs. Quite clearly, it is the level of adjustment that is needed to allow and support people to engage in that area. For some, that level is more limited than it is for others who, perhaps, have challenging behaviours. However, those people who have challenging behaviours will no less enjoy sporting or leisure activity. We believe that. The corollary of that is how you then train and support your volunteers and staff to do that. That is a different level and would certainly require a different input. We would endeavour to try to address those particular matters as we develop our education and training strategy.
848. **Mr McMullan:** I do not have a problem with that. The only thing — I would say this to most of them — is that those words need to be in your report because that gives parents confidence in the organisation. Training volunteers is at a different level; I agree with you on that. However, to have that stated in there gives massive confidence to the people who are in that category and their carers.
849. **Ms Beattie:** Earlier, we mentioned that we are in consultation on our strategic plan. Yesterday, as part of that strategic plan and our section 75 commitment, we launched our equality audit. That really focuses on the protection of children who are disabled. We recognise that disabled children are often in need of more protection. That is a real part of our strategic plan. It is integral to it. It may not have been mentioned in that paper, but it really is in the ethos of our work.
850. **Mr McMullan:** Disability and special needs are two different categories. I need not tell you that. Thank you very much.
851. **Ms McCorley:** Go raibh maith agat, a Chathaoirligh. Thank you very much. Page 4 of the submission states:
- “Lord Laming concluded that senior staff within those organisations ... were too distant from the experience of frontline staff and service users.”*
852. That was something that he wanted to put right. What steps were taken to remedy that? How confident are you that the gap has closed?
853. **Mr Connor:** I think that what Lord Laming recognised in the case of Victoria Climbié and Baby Peter Connelly, particularly that of Victoria, was that although the press actually vilified the front line staff, the bigger problem rested with how the organisation was run, how front line staff were trained, supported and monitored and their competency to do the job. What I believe Lord Laming said is that the way to make progress on child protection is to look less at individual faults and failing — although it is important that people are held to account; I am not trying to diminish that — and more at the systems that operate in organisations. I imagine that it is exactly the same for DCAL. It is a systems approach.
854. The Health Department ensured that it took a robust view that the top-of-office staff would be on the Safeguarding Board. It believed that that was the way to ensure that there would be a strategic view and that the individuals had the power to make decisions and changes. So, you cannot sit on the Safeguarding Board unless you are a number one or a number two. You cannot sit on it unless you are the chief executive, the Chief Constable, the Assistant Chief Constable, the chief executive of the library board or the director. Everyone who sits on the board is a number one or number two of their member agencies. That has enormous advantages. It creates other issues as regards getting to these people regularly and being able to focus, but it is our job to try to work our way around that. The Department has given us the opportunity to use that system better.
855. **Mr Irwin:** It will be difficult to make child protection foolproof.

856. **Mr Connor:** Yes, that is what I am trying to say.
857. **Mr Irwin:** What measures are in place in relation to protecting children online? That could be quite difficult, as these activities can happen under the radar. It may need to be looked at and dealt with by government. What is your feeling? What have you in place to deal with that?
858. **Mr Connor:** I will start, and I am sure that Sharon will want to add to what I say.
859. The very first thing to say is that you are absolutely right. This is about putting the issue into a strategic and governmental policy context. It is really important that Departments provide that sense of leadership. I certainly do not think that it is the role for a body like the Safeguarding Board to take on that responsibility. I believe that it is up to government to do it. On the other hand, I believe that, around our table, we have a lot of very skilled and experienced people who are working on a wide range of settings. For example, we have the Department of Education, which clearly has lots of knowledge of cyberbullying and online safety. We also have the police, and, through the police, we can work with the criminal exploitation online service. That is why I said that experience has sometimes shown that, when cases have not gone as well as they might, it is often because there is a confusion between the agencies as to what to do in these very extreme circumstances.
860. There is lots of information out there. There is no paucity of information, certainly for kids. What there has not been is any review of what works and what is likely to work. One of the first things that we want to do is a wee bit of scoping to see what does work. We believe that there is a shortage of information for parents. As Sharon will mention, we met Jim Gamble and a young lad who set up a website. They told us that the key audience of that website was parents. We also believe that you have to get to professionals. Children being sexually abused and bullied is not a new thing. This is just a new method of doing it. It is about trying to raise awareness as to how that is done.
861. **Ms Beattie:** We, as adults, must listen to what children want. We must communicate using the methods that they use.
862. Hugh mentioned that we brought in a young lad who had set up an online helpline after seeing his friends getting cyberbullied. The majority of hits on that site came from parents who wanted advice on how to protect their children. He said, "We do not want focus groups or adults coming to talk to us. We want you to think about things like an app for our phones to make us safer. Those are the sorts of mechanisms that we want to use. You, as adults, need to consider that." It is really important that we listen to the voice of the child or teenager about the sort of mechanisms that they want.
863. As Hugh said, we will look at the continuum from the education messages right up to online exploitation. We do a whole raft of things. The first thing that we need to do is scope who is doing what and who is leading on these areas and whether what they are doing is effective. That will be our starting point, and it will be in our strategic plan over the next three years.
864. **Mr Connor:** We will share the strategic plan with all Departments. We believe that this is everybody's business. We believe that everybody should have the opportunity to make comments about it. We are keen to get support and buy-in for what we are doing. However, we cannot do everything. We have tried to pick some of the issues that we believe are important. We need to look at new issues and emerging trends, but we also need to look back at where things have gone wrong in the past and how you might put those right.
865. Secondly, when we brought in the lad, Ryan, he told us that his website had 2,800 hits in three weeks. He believed that 2,000-plus of those hits came from parents. What were parents worried

- about? They were worried about bullying. There is an enormous appetite for it among parents. We do not know how representative a measure that is, but it shows that parents have a lot of concern about bullying.
866. **Mr Humphrey:** Thank you both very much for your presentation. I see from the list of organisations on the SBNI board that you have five representatives from the voluntary sector. How are those representatives chosen?
867. **Mr Connor:** Mr Humphrey, under our guidance, we were required to have between three and five, and we chose to have five. We went out and advertised to the community sector and the voluntary sector. We tried to do it through NICVA to make sure that people realise what we are about. We had some 14 responses from organisations that indicated that they wanted to have a role on the Safeguarding Board. As we could have only five, we had to go through some sort of procedure. We went through that procedure. We were unable to offer a place to some organisations, but we brought those organisations onto our committees. We have education and training committees and communication committees. We wanted to try to tap into those organisations' interest, so we brought them onto our committees. The voluntary groups will be on the board for a period of three to four years. The reason for that is that we want them to rotate so that we keep some stability. That is the process that we used.
868. **Mr Humphrey:** I am pleased to hear that you went out for application. Sometimes, people are just appointed because they happen to be in the in-crowd, as it were. I speak as someone who is —
869. **The Chairperson:** In the in-crowd?
870. **Mr Humphrey:** Not for some time. *[Laughter.]* I speak as someone who was involved in one of the state youth organisations, the Scout Association. Did the scouts, the guides, the Boys' Brigade, the Girls' Brigade or any of those organisations apply?
871. **Mr Connor:** They did not. Although we had the best of intent, it may be that we did not reach them. We tried to find a way of reaching as wide an audience as possible, but maybe we did not reach them.
872. **Mr Humphrey:** I can speak only for the Scout Association, which now has in excess of 10,000 members in Northern Ireland. I am not saying that you have overlooked them in this case. It went out to application, and, therefore, the onus is on the applicant. Quite often, the state youth organisations are left out or overlooked, yet, compared with many other organisations, they are working with multiples of people.
873. **Ms Beattie:** Hugh said in our presentation that we are about building relationships, and we are doing that with the faith organisations. We believe that we need to build relationships with other organisations that play a role in some of our committee structures, and we will certainly do that.
874. **Mrs McKeivitt:** Thanks for your presentation. I apologise that I had to take a call in the middle of it. I also apologise if this question has been asked, but I need to ask it. As part of your strategic plan, one of the objectives is to provide leadership in setting that direction. Obviously, communication is part of that direction, and I understand that you communicate with the junior Ministers. Do you have a timescale for the communication to come back from the junior Ministers?
875. **Mr Connor:** We are at the stage where we will bring our strategic plan to our next meeting at the end of March, and we imagine and hope that that meeting will allow us, maybe with some amendments, to sign the plan off and get it out to consultation. We will share the plan with the junior Ministers from OFMDFM to ask them whether what we are offering is what they want. We must feed into the overarching strategy and policy, and that must be an interdepartmental policy. We want to make sure that what we are delivering on is what OFMDFM thinks is valuable.

876. **Mrs McKevitt:** Is there a timescale in which to get that done?
877. **Mr Connor:** The consultation period will be three months. We hope to go out to consultation in early April, and the consultation period will be over somewhere around June. We are having ongoing discussions with that Department, and we want some early feedback on whether we are on the right course.
878. **Mr Ó hOisín:** I apologise; I had to do a radio interview on job losses in my constituency.
879. I listened with care to your presentation, and Hugh said that you recognise the centrality, particularly in sporting organisations, of the Clubmark. In GAA, the Club Maith schemes were excellent and were far more than just a box-ticking exercise. They have given real value to sporting clubs. The Committee has recognised that the other organisations perhaps do not have that same level of governance. How can you see that working in practice if organisations do not have a governing body per se? What about the individuals who are doing the one-on-one teaching? I am not sure how the practicalities of that will work out. Have you thought about that?
880. **Mr Connor:** I will say a couple of things to that, and what I will say is a bit speculative. To be honest, it is a couple of ideas. The problem that you face here is very significant. This is never an event; this is always a process. You guys and we will be considering the issue in five and 10 years, because child protection matters will change, evolve and develop, and we will need to look at new solutions. You definitely want a structure in place that allows you to use a group such as the child protection in sport unit to build and develop that. It is a slow process, because it is about building trust and confidence. That process needs to be there, and it will take time.
881. The other thing that I will say is a bit speculative. When I thought about your invitation, I tried to think about our roles and responsibilities and what your invitation meant to us. I have a background in health and social services and worked in it for 40 years, and I believe that, collectively, as a society, we are now trying to make a cultural change in protecting children. No longer are we prepared to say that we will not listen to children. No longer will those with power be able to, basically, do what they want with children, whether that is in residential children's homes, their own homes or in something like the Savile case.
882. You have changed some dramatic things here. You have changed the way that we look at people who are driving when drunk and you have changed smoking in bars. Those have been huge cultural changes. We need a similar cultural change in this area, and I think that you have more of the tools to make that culture change than the Health Department does. Why do I say that? Because, I believe that you have two of the best sporting outlets in this Province in Ulster Rugby and the GAA. You also have the arts and theatre where people go for entertainment. This might be nonsense, but I think that there is an opportunity to link in a more co-ordinated fashion for a limited short-term programme over three years, and try to promote some sort of messages about children and sport and children and child protection. A number of the messages that are put out by the Health Department or us will always come against an audience that will not be sensitive to them. However, when you put it into the context of what people enjoy, it may hold a different capacity. That may be nonsense, but it is just a thought.
883. **Mr Ó hOisín:** The other thing, which Oliver McMullan touched on, is the challenges that RPA and any shake up in the education and library boards will create. Are you satisfied that those will be covered in your three-year strategic plan?
884. **Mr Connor:** Where the work that we are trying to do falls within education, I have no doubt that it will be made

- more difficult by reorganisation. That is the reality. Equally, I have no doubt that we have the right person on the board, given her future role in the Education and Skills Authority. There is continuity. The person who is on the board is an acting chief executive — that is the current requirement. Hopefully, in the new world, she will fulfil the role of having a responsibility for safeguarding and child protection. We have continuity in the policy, but rolling out our work plan will become more difficult as things change.
885. **Mr Ó hOisín:** Thank you. I wish you all the best.
886. **Mr Connor:** Thank you very much indeed.
887. **The Chairperson:** During your presentation, you mentioned the councils and the fact that the board has representatives from Ards Borough Council and Banbridge District Council. I am a former member of Ards Borough Council, so I am very aware of the chief executive there. It would be very helpful if you could give us some feedback from the councils about their issues with child protection and about those who hire halls, and so on. Also, if you have any further information about faith groups, how they try to administer the use of their halls and all the checks they put in place, that would be invaluable.
888. **Mr Connor:** We will certainly do that. It might take a little bit of time, but we will do it. We would hope to have something back to you in, say, two to three months.
889. **The Committee Clerk:** Chair, we really want to try to make recommendations to the Assembly and the Department by the end of April. If there is any way —
890. **Mr Connor:** I will certainly try to accelerate that process. Will you do me one favour? Will you write formally to me? That will allow me to say that giving you that information is part of our section 12 duty.
891. **Mrs McKevitt:** I forgot to raise one thing. I raised the issue of communication, but have you communicated with the Children's Commissioner on any of this?
892. **Mr Connor:** Regularly.
893. **Mrs McKevitt:** OK.
894. **Ms Beattie:** We have a memorandum of understanding with the Children's Commissioner. As part of that, we have regular update meetings with her. We are also looking at taking forward joint pieces of work.
895. **The Chairperson:** On behalf of the Committee, I thank you for your time. I apologise again for the wait.
896. **Mr Connor:** Thank you very much. Thank you for inviting us.

14 March 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr Peter Davies *Child Exploitation and
 Online Protection Centre*

897. **The Chairperson:** The next presentation is on our investigation into child protection and safeguarding across the Department of Culture, Arts and Leisure remit (DCAL). I advise that this session will be covered by Hansard. I welcome the chief executive of the Child Exploitation and Online Protection Centre (CEOP), Peter Davies, to our meeting. You are very welcome. I appreciate the time that you have taken and the inconvenience that it has caused you to come here. I understand that you arrived yesterday and had a series of meetings. So, thank you for that; and I apologise that our previous session took a little bit longer. Members are very interested in libraries, as you can gather.

898. **Mr Peter Davies (Child Exploitation and Online Protection Centre):** Understandably so.

899. **The Chairperson:** Hopefully, we will have an engaging session with you this morning. I am also mindful that you have to be away by about 12.40 pm. You can make an opening statement, and we will follow up with some questions.

900. **Mr Davies:** First, I thank you again for the invitation to talk to you. Your terms of reference encompass quite a broad canvas. In the paper that we submitted,

I have tried to answer some of the questions in brief and to let you know the extent to which we support the cause of child protection in Northern Ireland and some of the good work that people in Northern Ireland do on a voluntary basis in support of education, in particular. I do not intend to spend 10 minutes repeating what is in the paper, but I will give you a few thoughts.

901. It might be useful to introduce myself. I have been the chief executive officer of CEOP since November 2010. CEOP is a law enforcement-led child protection centre covering the UK, and our focus is on protecting children from sexual exploitation and sexual abuse. The centre was set up in 2006 and started with its focus very much on online activity. Our focus goes beyond that now, not least because in the lives of the people whom we seek to protect — children and young people — there is a very limited distinction between the online world and the offline world. So, we tackle offline or real-life threats as well as virtual ones. I also lead for the Association of Chief Police Officers of England, Wales, Northern Ireland and Scotland on child protection and child abuse investigations, and I want to make sure that I can be of as much assistance to you as possible in both those capacities.

902. I will give a brief overview of the issues as I see them. Although the terms of reference are, in a sense, quite specific, I come at them from a slightly detached point of view, and I will not try to duplicate the level of local knowledge that exists. I want to try to add some value from my perspective. I am more than happy to deal with questions on any related subject as best I can. If I cannot answer a question properly, I will offer to go back to the office to do that because I want to make sure that you have the best possible information. First, in the lives of most children and

- young people, it is now pretty false to distinguish between online threats and offline threats because the proportion of kids who have access to the internet wherever they go through smartphones or other mobile internet-enabled devices, the amount of time that they spend on them, and the extent to which their lives and the way they define themselves is dictated as much by a social networking account as anything else means that we cannot separate the two things. We deal with kids who are vulnerable online and offline and deal with forms of criminality, some of which are very serious and take place across the internet but where the effects are physically and psychologically very harmful and keenly felt. We tend to deal with child sexual exploitation. I would like to drop in on that for a moment. What is child sexual exploitation? A definition is provided in the paper that I submitted to you. In essence, I think that it is two key things: it is about vulnerability meeting power — vulnerability on the part of victims and power on the part of offenders — and that power being abused for sexual purposes. Vulnerability can take many different forms. It might be emotional or physical vulnerability. It might well be vulnerability from susceptibility to people in authority. It might be vulnerability because of social conditions. Vulnerability takes many different forms. Power, in the same way, takes many different forms. Power can be in the form of money, authority or celebrity, as we have known particularly keenly in the past few months. Power can also be institutional. It can be power of coercion. It can actually be the simple physical power of being able to inflict violence.
903. I think that the particular relevance of that for you is that vulnerability meets power in a particular situation or context. Often, it is a situation that makes that conversion of power and vulnerability into sexual assault possible. That context might be the internet, where people are anonymous, you do not know who people are, and kids take more risks than they would in the real world. It might also be a context such as the BBC in the days of Jimmy Savile on 'Top of the Pops'. It could be a religious setting or school. Of course, that setting might be a sports club where children and young people gather or one of the other types of institution in which you have a particular proprietorial interest.
904. So, in a slightly defensive way, I can see your particular interest in understanding how the institutions or organisations over which you preside need to be target-hardened, so that they do not do what has happened occasionally in the past; they do not amplify the power of the offender or increase the vulnerability of the potential victim, but actually equalise it and eliminate the way in which the institution could be abused. So, in that sense, there is a defensive approach to the issue. I think that there is also a proactive approach. Sport, in particular, is a fantastic, positive thing for the vast majority of young people; it is about team building, building relationships, culture, physical health and all those things. Places where kids gather together are also great opportunities to help to make them safe in the rest of their lives. They are great opportunities to channel information. You can see that in some of the codes of practice that are being brought forward for some youth clubs.
905. There is a sense in which it is really important to ensure that any institution that gathers kids together is safe for them. However, there is also a sense that we have to respect that they lead complex interwoven lives. Just as we want them to be safe at their sports club, for example, or, indeed, in the library, we also want the fact of their being there to, somehow, help to make them safe and healthier in the rest of their lives as well.
906. I will happily talk about some of the more extreme threats that CEOP deals with. However, I am not sure that they are necessarily central to what you are getting at. I will move over them. I will happily talk about them if members are interested.

907. My next thought is about which strategies will help. At CEOP, we talk about “prevent, protect and pursue”. I think that that is a pretty good mantra. The most important thing is for children not to come to harm, which is why focusing on prevention is so important. If children are vulnerable or likely to come to harm, protecting them is as important and, arguably, more important than necessarily bringing people to justice, although, of course, we want to do that, too. With regard to “pursue”, it is important for people who pose a particular threat to kids to be brought to justice and to have their activity curtailed in one way or another.
908. Although I think that it is quite important — and, obviously, very important for organisations and committees, such as yours — to focus on areas for development, I also think that it is worth stepping back and realising the extent to which there are a number of positive things going on in Northern Ireland, as in the rest of the UK. I have had the privilege to look at legal systems in a number of other parts of the world. One aspect of good news is that we have to realise that, in the whole of the UK, the legislation and the process around identifying children who are at risk, protecting them and dealing with offences as they are committed is among the world’s best. In fact, you could probably say that it is the world standard. So, there is a good basis of legislation, practice and understanding on which it is always possible to go forward. Nevertheless, that is there.
909. With regard to prevention, there are some really good education products out there. I think that parents need to be educated as much as children and young people. That came up in one of your previous hearings. I am happy to talk in more detail about that in a moment. There is a sense that education is the best prevention because, beyond a certain point, although you and we can put as many safety measures around kids as we like, sure enough, some of them will find a way past them and some people who would prey on kids will find ways past them. We have to give kids the means to survive in those circumstances when the safeguards that we have put in place have not worked. That is as true on the internet as it is in schools, youth groups and other places where kids and adults come into contact.
910. With regard to protection, there are good safeguarding policies. I was really impressed, if I may say so. I was looking at the checklist that the National Society for the Prevention of Cruelty to Children (NSPCC) produces. I know that you have heard evidence from the NSPCC previously. What that shows me is that the policies, process, and so on, in Northern Ireland sport are as rigorous as anywhere else in the UK, which probably means that they are as rigorous as anywhere else in the world. Therefore, we are not struggling with regard to policy and process. There is actually no shortage of understanding of good practice. There is no shortage of knowing what the right thing to do is.
911. With regard to pursuit, I think that we are all keen to ensure that people who pose a threat to children are pursued. The one area where I do not think that we are as smart as we should be, and you have picked up on it, is in the area of sharing information. It is very rare for offenders to be convicted at court — certainly, much rarer than their committing offences. There are a number of occasions when things happen that make people ask questions. It is really important that information that justifiably raises suspicion about an individual, particularly an individual who seeks to work with children and to continue to do so, is shared in a way that enables people to understand that they may be at risk, assess it for themselves and to put steps in place to mitigate that risk. There is always a need to do that better. No one has completely solved that issue. Nevertheless, if there is one more thing with regard to pursuing offenders, it is spotting them, realising that there may be lots of valid information about the risk that they pose and sharing that

- with the people who need to know — if they move from one sports club, sport or job to another — not losing that and tying all that up. I speak as somebody who has had to take some responsibility for the police service's issues on sharing information about Jimmy Savile effectively. So, that is not something that anybody has got completely right.
912. I will make my final points and then I will happily submit myself to any questions that you wish to ask. The brief mentioned recommendations. So, I will make a couple of recommendations, if I may. The first relates to education. As I said, whatever safety nets or filters that we put in place, there will always be the fact — not just the conceivable risk, but the fact — that children will still be vulnerable and that people who pose a threat to them may still have access to them. Educating kids about what to do in those circumstances is hugely important whether it is about cyberbullying and their online lives or physical abuse. In particular, with regard to the online world, educating adults is just as important as educating kids because most kids know far more than their parents about what they are doing and the technology. It is a blind spot for many parents.
913. So, education is important. There is not enough of it. It is not in everybody's curriculum. It is not driven home as it should be. That is why I think that it is particularly interesting to address you, who preside over libraries, youth and sports clubs, and so on. These are such great opportunities to channel that education that, somehow, they might otherwise miss.
914. The second recommendation — support working and partnership — is an obvious one, but it is important to say it, particularly when we are talking about protecting children. There is an exemplary partnership with the NSPCC, for example, making sure that kids in Northern Ireland sport are well protected.
915. I am really interested and encouraged by the recent creation of the Safeguarding Board for Northern Ireland (SBNI), which, I believe, started work in December 2012. That will be a significant step forward. The great news is that SBNI can probably learn from the mistakes that have been made elsewhere and make improvements. That is just one example of the many partnerships that work.
916. The final recommendation is, in some senses, the one that I feel most passionately about. Looking at the information that I reviewed in order to prepare for today, I believe that you understand the issues really well. There is no obvious gap in the legislation or the process or in knowledge. What is needed, in my view, is ruthless implementation of what you already know works as far as you can push it. That is easy for me to say, but that is where, I would suggest, your efforts would best be focused.
917. I see how difficult that is, because there will be kids' sports clubs that are beyond the reach of some of the systems that you operate. I would not spend much time trying to reinvent stuff that is working perfectly well already. I would focus the effort on driving it forward in every possible way, because every child is at risk and the only way to reach as many of them as possible is to be really focused about getting the messages to them.
918. Thank you for your time.
919. **The Chairperson:** Thank you very much. That was very interesting; thank you for those recommendations.
920. In your paper, you state:
"CEOP will transition into the National Crime Agency (NCA) as one of four Commands along with Border Policing, Economic Crime and Organised Crime. It is intended that the NCA will be fully operational by the end of 2013. The Agency must have regard to the safeguarding of children and consider the welfare of children in all its work."
921. You will understand that there is reluctance on the part of a couple of parties in the Northern Ireland Executive to become involved in NCA. Will

- Northern Ireland and its children be left at a disadvantage?
922. **Mr Davies:** I appreciate that that is a very sensitive topic, and I will choose my words extremely carefully, if I may. The voluntary support and education links that CEOP already has with Northern Ireland, which are laid out in the rest of the paper, are in my view capable of being sustained on their terms in NCA regardless of the ongoing debate, which, I believe — you will correct me if I am wrong — centres around powers and accountability and, in particular, the unitary model of law enforcement in Northern Ireland.
923. There is nothing that we do currently that will stop, depending on that debate. If there is a loss, it will be that we are going from a place where CEOP feels a bit like a self-contained unit to a new organisation that will have a legal obligation to have regard to the safeguarding and promotion of the welfare of children in all its activities, not just in CEOP. That is the reference to a clause in the Crown Courts Bill that subjects NCA to section 11 of the Children Act 2004, which, I appreciate, legislates for England and Wales, but it is a legal obligation.
924. I have been involved in the design of NCA for the whole time I have been chief executive of CEOP. Clearly, you would expect that my ambition is for the agency to be wholly about protecting the public, including children, not just leaving it to CEOP to do it.
925. I can see some real benefits to that, and I can see some ways in which NCA will be able to do things that our current arrangements cannot. There might be some degradation to that, and there might be some limitations as to how well all those benefits can be realised if NCA officers cannot operate in Northern Ireland in quite the same way as they can in England, Wales and Scotland.
926. That is as far as I would go. We will do our very best to protect children anywhere, including in the United Kingdom, no matter what. The entirety of what we currently do as CEOP will be able to be sustained.
927. **The Chairperson:** I appreciate the difficulty that you have in commenting on that. It also goes back to the point that was made that we could be smarter in sharing information. That is at the heart of what NCA is about.
928. **Mr Davies:** It is. We in CEOP share information and disseminate packages of intelligence anywhere in the world, including Northern Ireland, about people whom we have identified from our intelligence gathering as being at risk. That will continue. The kind of information that I am talking about goes beyond the particular point about the National Crime Agency. Actually, you have picked up some of those more local information clearing issues for yourselves in previous hearings that I have read about.
929. So, really, there might be a loss of some of the new services that NCA intends to provide in its overall endeavour to protect the public. What we do is sustainable, regardless of that debate.
930. **The Chairperson:** Will you talk to me about the CEOP ambassadors? Who are they, what do they do and how can you become one?
931. **Mr Davies:** Certainly; I would be delighted to. As you may know, we have an education brand called Think U Know, which has existed for several years. With that, we try to take our understanding of why children are under threat, particularly but not exclusively online, and turn it into a lively education package that kids will respond to and which changes their behaviour. We have a team of about four people in CEOP who produce these packages on a regular basis.
932. The voluntary support that takes those packages and delivers them to children is just that: it is entirely voluntary. We have more than 80,000 volunteers across the UK, mainly working in classrooms but also in youth clubs. They take those packages and deliver them to kids in their setting. All we do is

- provide the high-quality information and materials. Last year, we reached over 2.5 million children in the UK through that voluntary network.
933. The role of ambassadors is to sit at the top of the voluntary network. They cascade training to other volunteers and attend a higher level of training at CEOP. We have something in the region of 5,000 or 6,000 ambassadors. They also tend to talk about CEOP and convey its messages to conferences and other events.
934. We are constantly recruiting ambassadors. It is a very happy coincidence that the next ambassador training that we are doing is in Belfast in October. However, we did not arrange that specially so that I could tell you about it.
935. Our ambassadors sit at the top of a very large voluntary body of people who, because they want to make the children for whom they are responsible safe, take our education materials and deliver them to them.
936. **The Chairperson:** OK. Thank you. Mr McGimpsey was the Health Minister during the previous mandate. He will be aware that I have a particular interest in missing children, particularly those who are involved in the care system. I note that CEOP is the national lead for that. I also note that it is about the targeting of children online, based on their heightened vulnerability. I see those children as some of the most vulnerable in our society. Will you talk about the difficulties they present and where they fit into the system?
937. **Mr Davies:** Sure. First, it is important to identify that if children go missing, it is generally a symptom of something else. That may seem self-evident, but it is really important to remind ourselves of it. It has been the experience time and again, not just in law enforcement but in other public services, that children who frequently go missing can be viewed as a nuisance and, in other ways, can be seen as the architects of their own problems.
938. We need to identify that children who go missing are likely to be at a heightened risk. We need to get to the issues that lead them to go missing and what is going on while they are missing. We need to make the links between missing children and the issues of other forms of vulnerability. Those include a variety of abuse, including child sexual exploitation. It is easy for me to say that, but operationalising it and making it work at ground level is more complicated. However, I would like to give you a couple of thoughts about it. One is that this actually goes back to proper data sharing. The situation in England and Wales, which I am slightly better sighted on, is that it has been possible for children to go missing from homes in which they have been placed by a local authority and either every single incident is reported to the police ad nauseam, to the point where it becomes white noise, or the incidents are not reported at all. There are different categories of homes into which children are placed, and some are better than others at having care plans for kids and at spotting missing children as an indicator of other vulnerability.
939. We also have issues in law enforcement in which we may gather some data on children going missing but may not treat it as an indicator of other vulnerability. We are also not good enough yet at sharing information between children's homes and schools, which, of course, log absences and truancy, and our own information, to put together a composite picture of what is going on with a child. Unfortunately, it is still possible for a child to be absent in a number of different ways at different times.
940. The authorities, who should be working together to safeguard children, are not really picking this up well enough. A lot of work has gone into sharing data, because sharing the personal data of individual kids is the first step. We are doing a lot of work, which includes the Police Service of Northern Ireland, around child sexual exploitation that will raise awareness of all front line workers, not just specialists, about how

- to understand missing children and the possibility that it is indicative of a child being subject of some other form of harm. Obviously, finding kids when they go missing is the first priority, but, too often, we stop there. We have to look well beyond that.
941. That is a brief picture. My recommendation is there to, hopefully, get the benefit of all the thinking that is going into this across the UK and ensure that lessons are being learned and that the changes that are in process and which are now taking place are copied or improved upon in Northern Ireland.
942. **The Chairperson:** Thank you. I could ask lots of questions on this, but I know that I would be taking us away from what we are talking about today. I will open up the meeting to other members at this stage.
943. **Mr Humphrey:** Thank you very much for your presentation. As someone who is involved in youth work, I listened very carefully to what you said. You quite rightly identified that during the recent debate in the media, issues of policy and accountability were given as the reasons why some parties could not support this. I personally see those not as reasons but excuses. You used the word “might”. Clearly, in the evidence given today, it is very obvious that the decisions not to have Northern Ireland involved in NCA at the same level as parts of the mainland will very clearly mean that there will be a loss of services, which, potentially, leaves children much more vulnerable. I think that that is appalling, regrettable and shameful.
944. You mentioned working with the police on cyberbullying. Given the tragic circumstances of the young lady in Birmingham, is there more that CEOP, NCA and the police can do to tackle this problem, or, because of the international nature of cyberbullying and social media, is it something that is beyond control?
945. **Mr Davies:** I do not think that it is beyond control, but we have to understand that it is a massive risk and that there is not one solution to mitigating the risk and protecting everyone. At CEOP, we try to be open to anyone who wants to click CEOP or who wants to send us information. There are some bits of information that people send us that are very much our business, and there are some that we have to move along. Bullying, whether it is with or without a sexual aspect, we move along to an NGO in the UK, but we also play it into the organisations that are the venue for the bullying, such as Facebook, Twitter and others.
946. What are the problems? First, there is so much of it. People’s lives are so digital now that it is extremely difficult to envisage a time when we can control the internet to the extent necessary. Secondly, we need to understand that this is human behaviour amplified, multiplied and distorted by the internet, but it is not the internet’s fault. Bullying existed long before the internet, and it will exist when the internet is replaced. This is human behaviour taking place in a particular venue. That does not make it right, but the solution does not lie in just pressing a button somewhere or reconfiguring the internet: the solution lies in addressing human behaviour.
947. Law enforcement on the internet is more challenging and complicated because most internet traffic goes across at least one national boundary. Legislation is difficult, and depending on where the other side of the offending takes place, it can be very challenging indeed. In my view, most of the legislation required for cyberbullying exists, but we cannot look to law enforcement to enforce our way out of this situation. It is about amending people’s behaviour.
948. The internet will get progressively safer as it goes on, as and when people can make purchasing decisions about which service provider they use based on how safe the network is alongside everything else. The internet organisations that will survive the test of time will gradually mature in their ability to tackle cyberbullying, but I do not think that we will be able to say that it is under control any time soon, which is why part of the

- answer always has to be education — educating victims about how not to put themselves at risk online, and CEOP provides information on that.
949. It is also about educating offenders in how harmful some of their activity is. I picked up a story in the paper yesterday — I do not know whether you saw it — about a professional boxer who got rather fed up with somebody who was trolling him online. He found out where the person lived and kind of turned the tables. The boxer let him know that he was on his way to his address, took a picture of the street sign at the end of the person's road and said that he was coming to get him. One of the reasons why people took such pleasure in that story was the sense that such people have an inordinate amount of power and anonymity, and that it was nice to see that power being pushed back in the other direction. This is a major issue, and CEOP does not have the resources or the capacity to focus on it. The solutions will be partly technical, partly society change — *[Inaudible due to mobile phone interference.]*
950. **Mr Humphrey:** Resources are the key. It is very clear that this is a huge problem. It is vital for organisations tackling the issue to come together to find solutions and bring people to justice. That is why I think that political ideologies coming into decisions that are about protecting children and young people and preventing that from being maximised in Northern Ireland are wrong.
951. **Mr McGimpsey:** Peter, thank you for your presentation. My question is about the internet and internet providers. We have an element of control, or responsibility, in other areas, whether it is through safeguarding, vetting, barring, the law, and so on. About five years ago, I dealt with internet providers on the issue of suicide chat rooms. Without going into the whole story, the response I got from Google and Yahoo! was that they were just providers and were not responsible for content. They said that what people put on their systems was not their responsibility. As you are aware, those companies are not local: they are multi-
- billion-dollar international companies based in the US, and they were not going to listen to a wee place such as this.
952. The next stage was the Byron review and process, with, hopefully, Downing Street being involved and being able to put some pressure on providers. I was wondering where you are with that now. We in Northern Ireland had no control over that area: we could not reach them or touch them. We can do family intervention, we can have child protection officers and we can do vetting and barring, but we could not touch that area. As you are aware, it went far beyond suicide chat rooms: it involved the whole paraphernalia. Where are you with that?
953. **Mr Davies:** My take on this is that we can, roughly speaking, track the philosophy behind the internet to the United States of America at the present time. It may well be that in five or 10 years time, a greater proportion of the internet is actually run according to the philosophy prevalent in China, Russia or somewhere else. That is just a fact: we are not in control of much of it, if we are honest.
954. The three factors that limit the extent to which internet service providers are going to intervene are as follows: first, there is the philosophical view. They just think that they have put something out there and that the use people make of it is up to them, for good or ill. Something backing up that philosophy to some extent, I have heard, is that parts of the world have had uprisings — the Arab spring, and so on — where, had there been more control over the internet, those uprisings might not have happened. They see it as a slightly uncontrollable force, generally for good, and if you start controlling one bit, it is very difficult to stop.
955. Secondly, there are issues of cost. These are businesses, and they are trying to make money. If they spend a lot of money trying to make it safer, that is less money that they are making. Thirdly, there are technical issues about speed.

- They are trying to serve a very young customer base, generally speaking, which will notice the half-second difference in service. I have that as well. When I go to my office and turn on my computer, I want it to work instantly. I do not want to wait 30 seconds for it to wake up and get started. Kids are also like that. The difference is that I cannot go and buy a computer from somebody else. I am stuck with what I have in the office, but they can change their minds just like that. They can hop from one social network, search engine or provider just like that, and they frequently do. Service providers are reluctant to put in filters because those can slow the service down and might drive away customers.
956. So, we are fighting an uphill battle. However, all is not lost, in my view. The Prime Minister, David Cameron, has appointed Claire Perry, who has actually made some significant inroads into the service providers across the UK and got them to consider doing things that they were not necessarily going to do previously. There are some signs that proper impetus can make a difference. I also see that service providers are starting to think about how to provide services that parents can use to make their children safer: for example, controlling access to some sites, including suicide sites, and controlling the times at which kids can access the internet through that service.
957. The problem is that the internet is an adolescent. It has massive potential, but it does not quite know where its strengths are and has not quite learned to control its negative tendencies. That will take time to filter through. The best sustaining internet companies get more mature. They start bringing in lawyers and establish relationships with law enforcement and Governments because they see that that is the way in which they are still going to be around in five or 10 years time. However, it is an agonisingly slow process and, in the meantime, you have children and other people falling prey to things on the internet that they might not have been falling prey to otherwise. That is my take on the picture, which I think is what you wanted.
958. **Mr McGimpsey:** I appreciate that. Following on from that, it needs a national response, and we were getting a national response through Gordon Brown and Downing Street, and so on. That is welcome. The US is the place where you would want to see a national response right now. Is there any prospect of something happening there, and that the US will take more of an interest in the providers? They are very hot on law and order in the States you know.
959. **Mr Davies:** To be fair, there is legislation there, particularly around child protection, that there is not in the UK. There is the PROTECT Our Children Act of 2008, which places an obligation on service providers to report incidents of child sexual exploitation that they see to the authorities. My centre receives probably at least 1,000 referrals a month for the UK part of that process. So they have legislated. There is not similar legislation in the UK, and I am not sure that it would have anything like the same effect. There are clearly some forms of material that I would not want my children accessing, such as material on suicide and things such as that, which are not covered by that legislation, but there is some legislation there. The issue is that the United States does not entirely run the internet. It is a completely international phenomenon; a pretty stateless phenomenon, when it comes to it. The idea that states can control what goes on on the internet is inherently difficult. We can mitigate some risks. We can do what we can. However, we cannot confuse that with solving the whole problem. It is very uncomfortable.
960. **Mr Hilditch:** For me, in the paper, the NCA issue sticks out. Under questioning from the Chair, you indicated that you could see advantages to that. Would you elaborate on those opportunities?
961. **Mr Davies:** I am sorry; could I ask you to repeat the question. I have had a head cold and am not always able to hear.

962. **Mr Hilditch:** Under questioning from the Chair, you indicated that you could see advantages to National Crime Agency involvement here. Are you in a position to elaborate on any of those advantages?
963. **Mr Davies:** I can, in general terms, but I would prefer my first answer to be the one that you use for the purpose of the whole question. Things that I expect NCA to be able to do in the area of child exploitation might include mobilising significant resources from the other commands and from its operational arm, which would be about 2,000 officers, to undertake investigations into child sexual exploitation. I think that that might be significant.
964. So as not to give rise to the risk that I am overstating, clearly the ability of officers to exercise powers to do that is important, but also, clearly, if it were not possible to do that, we would just have to find some other way of doing it. That is one example. Take, as another example, the borders command. Think about the amount of child trafficking and the number of child sex offenders who cross national borders. There are great opportunities to be realised there, by more closely linking the issue of child sexual exploitation with the way that we police the borders of the United Kingdom.
965. What I have identified there are new opportunities within NCA that I believe CEOP and protecting children would benefit from. I probably need to draw the line there, because I am not saying that those opportunities would be lost completely depending on the outcome of this particular debate about powers. We would still have the objective of protecting everybody in the UK, especially children, regardless of that. I am probably saying that, around the edges of some of this, if there was slightly less ability for NCA to operate in a particular place, that service and the ability to do that might equally be slightly less. However, let me be very clear that we are determined to protect every child in the UK. We are already heavily involved as the Child Exploitation and Online Protection Centre in Northern Ireland. We will continue to be so.
966. **Mr Hilditch:** Thank you. I will leave it at that; I know that time is pushing on.
967. **Ms McCorley:** Go raibh maith agat. Thank you for the presentation. Given the global nature of child exploitation, which is a huge concern to everybody, what are working relationships like with European agencies such as CEOP? It strikes me that the global connections are really important.
968. **Mr Davies:** You are absolutely right. We have very strong working relationships with the law enforcement bodies of a number of other countries with which we tend to do business. We are founder members of something called the virtual global task force, which does pretty much what its title suggests. It tries to defeat the national boundaries that law enforcement encounters in dealing with a phenomenon that is not controlled by national boundaries at all. We work in partnership, particularly with the United States, Australia, New Zealand and Canada. We also have bilateral relationships at CEOP with just about every European country. We venture off into parts of the world where we see a threat appearing or where we see the UK posing a threat. For example, last year, officers from CEOP went to Kuwait to tackle two offenders who were systematically using the internet to abuse children in the UK and elsewhere. We build the relationships where we can see the need, but we are always open to the fact that, this being the internet, the threat may bounce around other parts of the world. We are always conscious of the need to make more friends as we go along.
969. **Ms McCorley:** Do you feel that the new human trafficking provisions, which will be brought in shortly under the Criminal Justice Bill, will help?
970. **Mr Davies:** I am not an expert on those provisions. I am reasonably familiar with the issue of child trafficking for the purpose of sexual exploitation, but children are trafficked for other

reasons as well. Of course, the process of trafficking presents itself differently whether it is children or adults who are the victims. However, if you are a trafficker, you probably do not care very much; you just want to make money out of human misery.

971. Any legislation that closes gaps in the way in which we deal with trafficking is good news, from my point of view. However, I do not want to overstretch myself; I am not an expert on that legislation. Quite rightly, people are saying that there needs to be some additional focus on trafficking as a whole.
972. **Mr McMullan:** What is your relationship with the PSNI?
973. **Mr Davies:** Our relationship with the PSNI is strong. The PSNI, of course, is part of the Association of Chief Police Officers, and a PSNI representative always comes to the working group on child protection and child abuse investigation, which I chair. I had a meeting at PSNI headquarters this morning just to firm up that relationship. I had a meeting with the PSNI's head of public protection, Mr Skelton, as did my deputy, within the past couple of months. Operationally, we have a good relationship; we share intelligence and we work well together.
974. **The Chairperson:** We have run out of time, and there is a taxi waiting for you. Thank you for sharing your knowledge with us this morning. It has been invaluable to us in our investigation. If you are content, we will correspond with you on the other issues that will recur.
975. **Mr Davies:** I will be more than happy to provide any help to you that I can. I am very grateful for your time this morning.
976. **The Chairperson:** Thank you.

21 March 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Ms Rosaleen McCorley
 Mr Michael McGimpsey
 Mr Oliver McMullan

Witnesses:

Deputy Chief Inspector Iain Hall	<i>Police Service</i>
Detective Supt Alan Skelton	<i>of Northern</i>
	<i>Ireland</i>

977. **The Chairperson:** Good morning. Thank you very much for attending today. I apologise for the small number of members. We seem to have been hit by sickness and various other things today. You are very welcome and we look forward to hearing the contribution that you will make to our investigation. If you would like to make an opening statement then members will follow up with some questions.

978. **Detective Superintendent Alan Skelton (Police Service of Northern Ireland):** I am the detective superintendent in charge of public protection, Police Service Northern Ireland (PSNI), and this is Deputy Chief Inspector Iain Hall. I thank you for the opportunity to provide evidence to the Committee on the extensive measures that the PSNI now has in place to ensure that children and other vulnerable people are protected from those in society who wish to do them harm.

979. Protecting and safeguarding our children is everyone's responsibility. However it is also one of the most important priorities of the Police Service. We robustly investigate all reports of abuse, either in person or, as is more common now, in the online or virtual world where our children conduct so much of their lives. We carry out very detailed and complex enhanced checks for Access NI to

ensure that people who might do harm to children and other vulnerable people do not gain access to them. Through the public protection arrangements Northern Ireland, we work with our partners to strictly manage registered sex and violent offenders living in the community and to ensure that they are unable to continue their offending, either in person or online. Where they fail to comply with conditions imposed on them by the courts we enforce those conditions, and on many occasions they are returned to prison to serve the remainder of their sentences. Lastly, and perhaps most importantly, we work closely with our partners in other official agencies, private companies and the third sector to ensure that the threat posed to our children is reduced and our children and their carers know how they can protect themselves from those threats. Although I appreciate that your inquiry is specific to issues in relation to children in the sporting, arts and culture arenas, we do not distinguish between sectors. A general outline of the extensive child protection measures we provide may be of assistance. I will then attempt to deal with some of the more specific issues in the terms of reference.

980. First, we have established eight public protection units (PPUs), one in each of our eight policing districts. A PPU is made up of 4 elements, namely: the child abuse investigation unit, staffed by trained child abuse detectives; missing and vulnerable persons officers; domestic abuse officers; and, finally, management of offenders officers. The PPUs deal with the vast majority of child protection related offences and protection issues. They have a heavy workload, which is increasing, partly due to the heightened awareness of child abuse through the Jimmy Savile abuse inquiry and, more locally, through historical cases being revealed through the ongoing historical institutional abuse inquiry.

981. The nature of abuse is also changing. The increased use of technology by our children from very young ages opens up many positive opportunities for them to learn and communicate with their friends, but it also makes them more vulnerable to abuse, ranging from bullying through to very serious online sexual abuse.
982. Serious sexual crimes, such as sexual assault and rape, committed against children by strangers — of which, thankfully, there are few — are dealt with by our rape crime unit. Major human exploitation of children is dealt with by our organised crime branch, and major investigation of abusive images of children by our child protection internet team. We are also working with our partners to open a world leading sexual assault referral centre (SARC), which will ensure that investigations are to the highest standard, but also that the facilities are conducive to minimising the trauma that the medical examinations of those victims can induce.
983. We also have a crime prevention branch, which works closely with our partners to ensure that the best prevention advice is provided regarding all crimes, including child protection issues. I know that you have had a briefing from Peter Davies from the Child Exploitation and Online Protection (CEOP) Centre, which is a world leader in that field. The resources that it has developed are excellent and freely available, and we would certainly recommend them, especially the 'Think You Know' website, which is of a very high standard.
984. However, it is also important to emphasise that child protection is not solely the role of our specialist units but rather it is a fundamental part of all police officers' and police staff duties. Our local community and response police officers play an important role, from dealing with complaints of bullying to helping to manage offenders in the community, and by providing information regarding online threats to school children.
985. It is also important to mention some of the more strategic partnerships that we are engaged in to tackle those issues. One of the most significant strategic developments in promoting safeguarding is the establishment of the Safeguarding Board for Northern Ireland (SBNI). That has brought together the expertise from a variety of bodies, including the Police Service, to co-ordinate efforts and to adopt a common purpose to protect children. My Assistant Chief Constable, George Hamilton, represents the PSNI on that and has responsibility for child protection issues within the PSNI. We are also working with the SBNI at the moment to help address all aspects of child abuse, but particularly the growing online threats.
986. The public protection arrangements for Northern Ireland are critical to our work and, through that body, we work with our partners, both official agencies and third-sector bodies, to manage the risk around sexual and violent offenders. We have a dedicated full-time public protection team comprising PSNI officers, Probation Board officials and trust social workers. That team protects children and other vulnerable people by managing the highest-risk offenders living in the community.
987. A vital strand in the protection of children is to ensure that potential offenders do not have access to children in circumstances where they can befriend them and build relationships that can then be abused. As you will be aware, PSNI criminal records office works closely with Access NI to ensure effective vetting by providing enhanced checks. I know that you have had a paper from Access NI in relation to that, so I will not go into the detail of the checks. In the case of potential disclosure of information we have a complex and difficult process to follow, which balances the rights of the applicant against the rights of the vulnerable persons they might be working with. Because of the high impact of those disclosures on individuals, that is an area subject to regular judicial review, and we continually

- develop our procedures to ensure an effective but fair process is in place. Obviously, those additional requirements for our process extend the time period that it takes us to carry out those checks, but they are critical in order to get them right.
988. Online child abuse has developed in volume and nature over the past few years. We work closely with our colleagues in CEOP to ensure that we can deal with the international aspects of this crime and are aware of the trends in this type of abuse, which change regularly as a result of technology. We also work to ensure that we are effective in dealing with what has become a global threat to children, carried out by criminals who sometimes reside in countries many thousands of miles from their victims. We combat that threat through investigation and promoting prevention messages.
989. There remains a gap in the knowledge of the victims of online abuse and, as importantly, in the knowledge of the carers of the victims. We are actively addressing that issue with our partners. The child internet protection team had 102 cases reported to it in the 2012-13 financial year, predominately channelled through CEOP and other UK-wide services. That is an increase of 40% on the same period last year, so it is a growing area for us.
990. The child internet protection team undertakes all major internet sexual offending cases, including live cases of grooming. Colleagues in public protection units and districts continue to investigate the less complex cases, for example school-age children taking photographs of themselves and where indecent images are found during investigation of other offences, if they are of a less serious nature.
991. Our crime prevention unit is proactive in providing support to the vulnerable. We recently worked in partnership with the Get Safe Online campaign and brought that campaign and its promotional bus to Belfast, which was quite successful. We are also working closely with CEOP
- and other organisations to ensure that the growing online threat is addressed. However, I am sure that more can be done to help our children to protect themselves.
992. Bullying is also an important aspect of child protection and can, in extreme cases, lead to serious consequences for the victim. All reports of bullying against children and young people will, in the first instance, be viewed as potential criminal offences, and will be recorded and investigated accordingly. Bullying itself is not an offence, so it could be assault or various other things but they are investigated. Full consideration is given to a partnership response to the incident, involving other relevant and appropriate agencies that may be able to provide other support and intervention in respect of the victim and the situation, for example, education, social services, youth services or a voluntary or community based organisation. Police may become aware of bullying from a variety of sources, including clubs, schools and residential settings.
993. Bullying, including cyberbullying, may be defined as deliberately hurtful behaviour usually repeated over a period of time where it is difficult for those bullied to defend themselves. It can take many forms but the main types are physical, verbal and emotional. The damage inflicted by bullying can frequently be underestimated. It can cause distress to children to the extent that it affects their health and development or, at the extreme, causes them significant harm, including self-harm. Again, rapid developments in technology ensure that this is a fluid situation where opportunities for learning also provide opportunities for abuse. Education regarding those issues is of paramount importance.
994. A scheme called 'Leisurewatch' has been in place in Northern Ireland since 2005 and empowers responsible groups in the community, in particular the leisure industry, to contribute towards public protection and help to prevent anyone, particularly children

- and vulnerable adults, from becoming a victim of sexual offending. The Derwent Initiative has worked in partnership with the PSNI to roll the scheme out to 21 local councils and 102 leisure centres so far. Funding support was provided by the PSNI, the Department of Justice and, more recently, local councils.
995. It is an important scheme and is working well. It has three parts. First, an audit is carried out of sites and settings to assess the vulnerability to misuse by sex offenders, and comments and recommendations are reported back.
996. Secondly, there is training. At least 80% of all staff who have contact with the public, and particularly contact with children and vulnerable adults, receive a three-hour standard training course to increase their understanding of sexual offending and give them skills to assess and manage risk in that area. Managers receive an additional one-hour session as they are the main points of contact between the site and police and are key to the successful implementation of the scheme. Following the training, clear and distinct on-site signage and branding is provided to show that the site is a member of the scheme. That helps to deter potential offenders and reassure customers.
997. Thirdly, safe and effective information-sharing arrangements are put in place with local police public protection units for the reporting of relevant information and any concerning behaviour that is observed.
998. In conclusion, we continue to protect the vulnerable by investigating all complaints thoroughly and working with our partners where appropriate. We will support an effective vetting scheme to prevent those intent on causing harm from gaining access to children. We work with partners to manage registered offenders who reside in the community. Finally, we work with our partners to help fill the gap in knowledge and help to educate potential victims and their carers regarding the threat and what measures they can take to protect themselves from those wishing to do them harm,
- be that low-level bullying or the highest levels of sexual abuse.
999. **The Chairperson:** Thank you very much. I am not sure if you are aware of the comments this morning from Colin Reid from the NSPCC. He said that there is a delay in the reporting of abuse, sometimes by up to six months. Do you have any understanding as to why that may be?
1000. **Detective Superintendent Skelton:** There are probably two aspects to that: there are delays in reporting suspicions and there are delays in the victims themselves reporting abuse. With historical institutional abuse, there are people coming forward who have not reported abuse in the last 20 or 30 years. There are individual reasons for that, including personal circumstances. People may not have felt it was right for them at the time to report the abuse and something might have changed that they now feel they should be reporting it.
1001. People may have information, but sometimes there are issues around how sure they are of their information, whether they feel comfortable reporting it and whether they feel that they are reporting something that is not important. Our stance is that people should report as soon as they can, because we can then assess that with other information. It may be that it is not anything important, but if it is not reported we do not get the opportunity to build on other information. There are very personal reasons in each case, and it is difficult to tie down exact reasons.
1002. **The Chairperson:** Sometimes, that suspicion could identify a trend that could lead to something more. In the paper, you mention the gap in the knowledge of the victims of online abuse and of their carers. What is being done in relation to that, and whose responsibility is that?
1003. **Detective Superintendent Skelton:** As I said, it is everybody's responsibility to provide protection for children, whether it is the parents, officials or institutions. There are many organisations doing

- that. We have our own crime prevention officers, and we have information on our website. We have worked with Get Safe Online and we have schools officers and CEOP-trained ambassadors. So, we are doing a lot. There is third sector work on that, and I am quite sure that education bodies and various other bodies are doing a lot as well. We are working with the SBNI to try to pull that together and have a more co-ordinated response.
1004. There is a lot of work being done, but there is high lack of knowledge as well. The children themselves do not know the risks, particularly when you look at the age of the kids who are coming into contact with technology and how powerful that technology is. A lot of parents do not realise the risk that children are at when they receive a phone that has internet connectivity. Also, some children do not really understand the risk of sending photographs to their friends and the potential dangers of doing that. Primarily, the parents and the carers are not aware of the risks involved.
1005. **The Chairperson:** We received a briefing from Wayne Denner in the early part of our investigation, which was quite powerful on the whole issue of cyberbullying and the fact that children now have the bully in their pockets and are not even aware of the dangers. Part of that leads to the lack of education for parents, who may not be au fait with the latest trend and the associated dangers.
1006. **Detective Superintendent Skelton:** Also, they may not be au fait with the different trends in the actual offending. Online grooming used to be a precursor to a meeting that could potentially be physical. We are finding now that more is completed online, and somebody from another country could send out messages to 200 potential victims at a time and carry out strong acts to make the children do something. It is completed online, that is it finished, and there is no physical contact. So, the actual offences are changing as well.
1007. **The Chairperson:** I am interested in Leisurewatch and the number of councils that have taken it up. Not all councils have taken it up, obviously, but you said that 102 leisure sites have. Are those leisure centres and community areas that are owned by councils? Do you know what the definition of leisure sites is?
1008. **Detective Superintendent Skelton:** I think that most of those are leisure centres, but I am not sure of the exact definition. I can find that out for you.
1009. **The Chairperson:** OK. More recently, it has been funded by local councils. This may be something that we need to follow up. Is that specific to just councils' own properties, or do they give the training, or allow for the training to be rolled out, to church groups and so on as well?
1010. **Detective Superintendent Skelton:** I am not sure of the detail of that. I think that it is primarily for leisure centres and leisure centre staff. I am not sure whether there are circumstances in which they can roll it out to other groups, but I can certainly find that out.
1011. **The Chairperson:** The model that is there obviously has very distinct parts. You have the audit, the training and the information-sharing. That might be something that could be transported to what we are looking at in relation to culture and the arts and the facilities associated with those activities. Obviously, that is where our primary concern is, and that is where we see the gap. If you have more information on that, we would really appreciate it. It might be useful for our own recommendations. You have seen the terms of reference of our investigation. Can you advise us of any recommendations in which you think there may be gaps?
1012. **Detective Superintendent Skelton:** We are obviously not aware of the detail of all the organisations in the sector. We are well aware of Access NI, and that is our particular focus with regard to vetting, checks, etc, in that whole arena. There are more generic gaps in providing that information to the vulnerable and

- their carers. That seems to us to be the main area in which there is a need for more information. It would be very effective if that information were put across to children and carers. We are not really that aware of the specifics of how the groups etc in this area are managed.
1013. **Mr D Bradley:** Good morning, gentlemen. Thanks very much for the presentation. I will go back to the report from the NSPCC this morning, which the Chair mentioned. It has a dedicated telephone line that adults, who have suspicions that a young person or child may be the subject of abuse, can ring. Apparently, 717 people used that line last year. However, as the Chair said, one third of them delayed for up to six months. That is obviously very concerning, because that is a period in which further abuse and crime of this type can take place. You said earlier that part of your remit is crime prevention. This is a problem that could impinge on the inquiry that we are carrying out. Can you offer us, either now or when you have had a chance to reflect, any concrete proposals for us to take action or suggest actions to ensure that people who are suspicious of sexual crime or sexual abuse can be urged to act more quickly than they do at the moment?
1014. **Detective Superintendent Skelton:** The publication of the NSPCC report and the publicity surrounding it is, itself, a very useful way of encouraging support. We continually try to encourage people to report information to us if they have suspicions or to go through the NSPCC, Crimestoppers or anything like that. The only other way to do it is to have a specific promotional campaign. There is probably a very useful opportunity to use that report to promote this issue, because people get a lot of messages from different groups.
1015. **Mr D Bradley:** When such reports come out, there is usually a deep intake of breath and bit of hand-wringing for a while, but the subject can very quickly fade into oblivion again. You mentioned a promotional campaign. Maybe we could take that on board and suggest it to some of the agencies that DCAL has responsibility for. Perhaps the PSNI could provide further advice on that.
1016. **Detective Superintendent Skelton:** Yes.
1017. **Mr McMullan:** Thank you for your presentation. There are a few things here. Are there any ways in which we can speed up the process of Access NI looking at people's characters?
1018. **Deputy Chief Inspector Iain Hall (Police Service of Northern Ireland):** That is my job. The standard and basic checks are the responsibility of Access NI. There was a recent case heard by the Master of the Rolls, T v the Home Office and a number of chief constables, about the default disclosure of historical criminal convictions. This is not about the process of dealing with children; it is not an enhanced disclosure. However, a disclosure to allow you to work in the bank, for example, may be affected by a decision made by the Master of the Rolls, whereby a current criminal database is now to be considered private. The default disclosure process for Access NI, the Disclosure and Barring Service and Disclosure Scotland, as it currently stands, may fall into disrepair. That is almost the easy bit.
1019. You asked about timings. Mr Hilditch has just left us, but he would appreciate this point in relation to Carrickfergus. We say that the linesman's flag is better late and right than early and wrong. Access NI changed its process. It sends us an inquiry in relation to someone who is making an application for an enhanced disclosure certificate only when that person is on what is called the PLX database, although I do not want to be too technical. It alerts Access NI to the fact that the police in Northern Ireland have information. That might be relevant to a person who is a victim or a witness. They are on our database. It is only in those circumstances, or if it is an at-home or a childminder occupation, that Access NI sends us that inquiry. In theory, that change should have shortened the process.

1020. However, you may be aware that Sunita Mason did a review into the disclosure of criminality. One of her recommendations is that police should articulate why we feel that the applicant may be a risk in relation to the particular role. Sometimes a blind man on a galloping horse could see the risk. For example, it might be easy to identify the risk if a person involved in the supply of drugs wants to work with the Brownies, but articulating that in a defensible position is not just so easy.

1021. A number of recent judicial decisions in Northern Ireland and the UK have affected the disclosure process. What is called the representations process has had an effect. I, as the chief officer delegate, decide, on behalf of the Chief Constable, that I have information that may be relevant and ought to be disclosed. I then afford you the opportunity of saying, "No. That is not me. You are wrong. I do not agree." There is a process in which you might ask me to not mention a certain fact. For example, if we have articulated that you were involved in a fight, used a weapon and caused an injury, you may ask us to temper the words around that. All of this has to be taken against the balance of protecting the individual or group to whom the person may have access and balancing the rights of the applicant. Those are competing interests, and I am advised by Lord Neuberger in the case of *L v Commissioner of Police of the Metropolis* that I cannot put a greater balance on the protection of a child or the protection of a vulnerable adult in a care home than I can put to the applicant and the impact on theirs. There is, at some stage, a tipping point, so a default disclosure process that may have existed in the past to say that this is obviously relevant and that I feel as chief officer it should be disclosed — I have to consider the implications and the impact that that may have against that person's article 8 right to privacy.

1022. I am challenged day and daily on the applications that we used to make. Almost by default, it is a much higher

test. The legislation in Northern Ireland has not moved for me to say "reasonably believed". I am still in the "might be relevant". GB has moved to "reasonably believed", but I have already moved that test because it will come with the legislation. So, there is a raft of issues, and it is a dynamic environment. Historically, the disclosure certificate just used to go to the employer, who, on foot of that, decided that that was fine and employed or did not employ. The certificate now goes to the applicant and the employer or the registered body at the same time, but the legislation put in place for me in relation to a recent judicial guidance is that I should not disclose that information, if that person finds it offending, until they say so. That means that their disclosure certificate is parked, so, if I have a disclosure certificate on which I want to disclose information on drugs, violence, sexual activity or paramilitarism, I will hold that in abeyance. Even though I have a statutory guidance from the Secretary of State to disclose that information, Justice Treacy has said that I should not disclose it until the certificate sits.

1023. So, there is a raft of issues in terms of what is deemed relevant, and considerations are made around whether it is an aged accusation, the gravity of that information and the impact and relevance that it might have in the field. Does that take a while to do? It absolutely does. It takes time to research to ensure that the information that we have is right and relevant, is not an abuse of an applicant and that we are not just disclosing this because we think that it is important. Because I am challenged so regularly, I have, in many respects, put a lot of safeguards in place to make sure that the information that I have fulfils the required tests, so that, if someone asks whether I really thought that that was the case, I am in a position to say to a judicial review that I am absolutely confident in the information. Would I like to take it a bit quicker? Absolutely. Do I need a bit more resource to do that? Yes, I do.

1024. For the benefit of the Committee, the protection of freedoms, hopefully, if passed by this House, will bring in an independent monitor position where someone who challenges my potential disclosure text goes to an independent body outside the police and outside Access NI. The independent monitor can demand that the Chief Constable remove the information. It cannot ask him to amend, but it can remove certain sections of the text and provide a clear certificate. The independent monitor then manages that risk in that, if I say that I think that the person is a potential sex offender, the independent monitor can say it that does not agree, and the independent monitor then carries the risk if that person goes on to abuse children or abuse elderly people in care homes.
1025. **Mr McMullan:** It is more complicated as it goes on. It is harder.
1026. **Detective Superintendent Skelton:** The other thing is that the unit was set up before the majority of these things came up through judicial reviews and various things, so the process has become much more complicated than it was before. We are in discussions with Access NI. There are obviously only two solutions. You can either put more resources in or extend the time that it takes. We are in discussions with Access NI to see how we can do something about it, but our priority has to be to make sure these decisions are right. If we have information that says that a person may be a threat to whatever environment they work in, we want to make sure that that is put out. Judicially, we have to make sure that we comply with all those things.
1027. **Deputy Chief Inspector Hall:** From my point of view, it is about giving the employer as much information to allow them to say, "I can see that there is a risk. This person has two cautions for theft, and they are relatively recent, but I am content as an employer in a care home scenario to mitigate that risk because I will make sure that Mr or Mrs such-and-such does not have access to private property". That is primarily where I balance my proportionality in terms of that disclosure.
1028. **Mr McMullan:** OK. I could talk to you for longer about that —
1029. **Deputy Chief Inspector Hall:** Sorry.
1030. **Detective Superintendent Skelton:** Sorry.
1031. **Mr McMullan:** No. I appreciate that.
1032. You talked about the emotional side of things and about cyberbullying isolating an individual from their activities and the social acceptance of their peer group. What exactly does that mean, that emotional side of isolating them?
1033. **Detective Superintendent Skelton:** I suppose it is bullying in relation to their relationships with others. We have had instances where their Facebook account has been taken over and things have been put on their Facebook page that seem to be from them but are not — it may be abusive towards some of their friends. Things like that are happening, and that can obviously damage their reputation or whatever within their peer group. So there is new —
1034. **Mr McMullan:** That is the peer group that we are talking about?
1035. **Detective Superintendent Skelton:** Yes. It is instances like that where it is actually purported to have come from them.
1036. **Mr McMullan:** We talk about the considerable distress to children and we reach out to their groups, you know, or whatever. There is no mention in here of disabilities or special needs, just vulnerable adults. Special needs is a whole raft of itself, you know, because of the complexities of it. Have you factored that in to your forward plan as well?
1037. **Detective Superintendent Skelton:** When we talk about vulnerable people here, we mean all types of vulnerable people, not just vulnerable adults. I just did not want to be specific.
1038. **Mr McMullan:** No, I understand.

1039. **Detective Superintendent Skelton:**
We look at all aspects of vulnerability, and each of those will have their own individual circumstances.
1040. **Mr McMullan:** That leads on to my next question, and I will be very quick on this. You said that 21 councils have come back to you. RPA is coming in next year, which will bring you down to 11 councils. I think that that will make it easier for you to get round all the councils. Have you spoken to NILGA in this sense here?
1041. You talked about 80% of staff getting a “standard” three-hour training course, and managers only getting an hour. How often is that followed up? One of the things that we are looking at here is the fact that a lot the groups going in to train or whatever do not have a great background, so although a three-hour standard training programme at the start is fine, how often is that followed up, or how often can it be followed up?
1042. **Detective Superintendent Skelton:**
From my understanding, I do not think that it is followed up with follow-up instructions. I could be wrong on that, but I do not think so. This is, more or less, for people who are coming in to get this training. Obviously, if there were a large turnover, you would get more training. That training is given, but I do not think that there is follow-up for each individual. It certainly would be good to have that, but, again, there would be financial implications if you were to give people further training. Again, I suppose that it is about what added value that extra training would give. This is to raise awareness; to give people that extra awareness of what to look for, and, hopefully once that is trained they will know what to look for and be able to spot the signs. There may be changes in how people do these things, but, in that setting, it probably has not changed too much.
1043. **Mr McMullan:** Councils have disability champions within elected reps, and I would like to see providers of sports venues and that have the same. They may have them in a different name, but they should be the same. Some children have such complex disorders that nobody in there can understand them. We had a case one time where a lady came and said, can you do something with that disruptive child that we had in a disability group. Well, we tried to explain that the child had a complex disorder, but it got us nowhere. That is where I think NILGA should be instructing councils, now that we are going into RPA.
1044. **Detective Superintendent Skelton:**
We would certainly support that. The more broadly that this can be put out to groups, the better for us. For councils to be able to provide more support would be a good thing. Certainly, we would be supportive of that. If there can be an extra —
1045. **Mr McMullan:** Will you take that to NILGA?
1046. **Detective Superintendent Skelton:** We can, but coming from here as well it may have a slightly better impact.
1047. **The Chairperson:** Mr McMullan, just for your information, we have NILGA coming to us next week, so there are a number of issues that we can raise. So you will probably enjoy that session.
1048. **Mr McMullan:** There we are; told off again. Thank you very much.
1049. **Mr D Bradley:** Resident NILGA expert.
1050. **The Chairperson:** We will warn Derek before he arrives.
1051. **Ms McCorley:** I will try to be brief. Do you maintain records of the types of people that children make their first revelation to if they have been abused? You know, is it likely to be a parent, a friend, a teacher, a youth leader, so that you can maybe design your strategy?
1052. **Detective Superintendent Skelton:** We would not keep records like that. We are primarily, obviously, investigating an offence. If it is reported, we will investigate. Even from knowledge who they report to, it would vary so much. We really would not have records of who it is first reported to. What we want is that report. Whoever they report it to, it

- is does not matter; we then work with social services to investigate it.
1053. **Ms McCorley:** I was just thinking that if, say, a certain group of people were the most likely to be identified as confidants, it might be useful to focus on, say, teachers or parents, as to how to make themselves more open.
1054. **Detective Superintendent Skelton:** Part of the problem is it is such individual circumstances in each of these. It is going to depend on what has happened to them and who they trust and the circumstances that they are in. There is a raft of —
1055. **Ms McCorley:** Finally, with reference to the whole Savile revelations, do you feel that you have kind of got those gaps covered so that abuse like that would be unlikely? I know that nothing is foolproof and that that was a different era. Are current standards sufficient to ensure, as far as can be possible, that those kinds of abuses are not possible?
1056. **Detective Superintendent Skelton:** The starting point for all of our involvement is primarily somebody coming to us with information about something that has happened or the victim coming to us in person. We can encourage as much as we like, but victims will make their own choice on what they do with that information. I know that it is very difficult for them. We can try to encourage them to have the confidence that we will deal with that in a most professional manner with our partners, and we will continue to do that. Whether all victims still come forward is where the SARC is also very important, because it provides premises where they can come forward with confidence that they will be dealt with properly, and not suffer more trauma. We can do all of that and work with our partners to do all of that, but can we be sure that all these victims are going to come forward? I do not think that we can. Savile is a very specific case of someone with a very strong personality and power over people and an attraction to people. You could not say that that definitely would not happen again. However, things have certainly changed dramatically since then, and I suggest that it is much less likely that it would be hidden.
1057. **Deputy Chief Inspector Hall:** The preventative bit is where Access NI is key, ensuring that the groups who have responsibility for children or vulnerable adults — people who work with them in that regulated activity — are properly checked. Huntley and the case of Holly and Jess is the one with which everyone is familiar when it comes to the passing of information not just within a police force but between forces. We are now involved with the police national database, where I can harvest information, from various sites, on someone who has migrated throughout the United Kingdom.
1058. With Huntley, his incidents and reports against him were important, but not sufficient to warrant an investigation and real concern. However, when added together, it was one of those cases of, “Look at the clues, detective.” It lined itself up. A very clear manifestation of risk was there, presented by a series of concerns. Reporting was referred to earlier. It is difficult to ask people to report when they see kids going into someone’s house and they are not sure whether it is their uncle or not, and for us to then draw a conclusion that that man is abusing children, when he might actually be their uncle or familial carer in some scenarios. We are then recording suspicion against that person erroneously. Yes, we will proactively investigate that information. We are better to have it and be able to discard it, than not know it and then, at some stage, end up with a worst-case scenario. From my point of view, it is about adding information that maybe of itself — one incident — is not that serious, but when added together, provides me with a picture of whether that person is violent, a potential abuser or potential drug dealer, and how that would be relevant to an occupation. Is it possible to say whether someone who is a potential abuser of the Brownies will not be able to abuse the Brownies? I cannot say that, because their mindset

- might change once they get into the Brownies. The opportunity is there. However, if we have not got that picture from reporting, we cannot draw on it.
1059. **Ms McCorley:** Can I just check one thing that you said? You said that if children went into somebody's house, it might just be their uncle's house. You would not just assume that, because somebody is their uncle, it is OK.
1060. **Deputy Chief Inspector Hall:** No, absolutely not. That is why I said that we would investigate it proactively, but it is —
1061. **Detective Superintendent Skelton:** Somebody might not report it because of that.
1062. **Ms McCorley:** You mean that somebody else might perceive it to be OK? Right. I know that uncles are a bit of a high-risk category.
1063. **Deputy Chief Inspector Hall:** Unfortunately, I see quite a few of those cases.
1064. **Detective Superintendent Skelton:** It is very much about working on the information that we have. It is not just members of the public who can report things; other organisations share information as well. There are issues there. There is all of the information that each organisation has shared with us.
1065. **Ms McCorley:** I appreciate that it is a very difficult job. Go raibh maith agat.
1066. **The Chairperson:** You have mentioned that the police will proactively investigate a report. Say, for example, if your officers see that an organisation or group has been set up in their area or on their beat, do they have the power to go in and ask about Access NI checks or give advice on the spot to organisations?
1067. **Detective Superintendent Skelton:** What you find, with the number of neighbourhood officers that we have, you would be surprised if they did not make contact with a new group that has set up. They will, probably, do that anyway. As for asking specifically about Access NI checks, etc, probably not, because they are pretty clear on who needs to do that. We do not really make checks like that on behalf of Access NI or in addition to that. There are no powers. They could provide advice. I would certainly say that they would provide advice to those who work with children or vulnerable groups. They say, have you gone through the proper checks. As for us specifically inspecting, we do not, because it is not —
1068. **Mr McMullan:** Have you the power to go to, say, a local authority and ask to see its list of which groups are registered with it?
1069. **Deputy Chief Inspector Hall:** The only legislative requirement for people who deal with and look after children and vulnerable adults is that they are not on the barred list. There is a barred list, which is a derivative of the old list 99, the schoolteachers' list, protection of vulnerable adults and protection of children lists, which were amalgamated by what was the Independent Safeguarding Authority and has now become the Disclosure and Barring Service. The only legislation is that you will not have someone in a position of care for children or vulnerable adults who is on that barred list. Access NI checks are still just good practice. There is no law to say that if you have not got Brown Owl — I keep referring to the Brownies — vetted, she must not be Brown Owl. The Guide Association will have that in place. However, for any youth group, youth club or care home, whether it be adult dementia care, there is no other legislation in place. The only legislation is that the person is not on the barred list.
1070. **Mr McMullan:** The barred list. Right. That is interesting.
1071. **The Chairperson:** Thank you for the time that you have spent with us today and, in particular, the detail that you have gone into about Access NI. That, in itself, has been invaluable as an explanation. Thank you very much for coming to speak to us today.

11 April 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Basil McCrea
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr Liam Hannaway	<i>Society of Local Authority Chief Executives</i>
Mr Brendan Courtney	<i>Lisburn City Council</i>
Mr Derek McCallan	<i>Northern Ireland Local Government Association</i>

1072. **The Chairperson:** I welcome you to our Committee meeting this morning. As you know, we are undertaking an investigation into child protection across the remit of the Department of Culture, Arts and Leisure. If you are content, please give us an opening statement, and members will follow up with some questions.

1073. **Mr Derek McCallan (Northern Ireland Local Government Association):** Thanks very much, Chair, for your Committee's invitation to give evidence. As you know, the Northern Ireland Local Government Association (NILGA) responded to your request in early February, and we are still in the process of putting together a collation document containing recommendations related to the investigation, which councils certainly support.

1074. In order to materially advance matters today, my senior practitioner colleagues Liam Hannaway, chair of the Society of Local Authority Chief Executives (SOLACE), and Brendan Courtney, who represents chief leisure

officers, will concisely comment on two specific issues that are very relevant to the investigation. The first is the strategic, statutory integrated body: the Safeguarding Board. We then want to give some indication, again concisely, of the responses that we received about the operation of Leisurewatch in councils. If that is OK, I will hand over to Liam, who will deal with the Safeguarding Board.

1075. **Mr Liam Hannaway (Society of Local Authority Chief Executives):** I just want to highlight a couple of points. First, as you will be aware, SOLACE is represented on the Safeguarding Board for Northern Ireland, which represents the public sector's integrated approach to looking at the whole issue of safeguarding. Local government is represented on the board, which includes other representatives of the various public sector bodies, along with private practitioners such as GPs and children's organisations such as Children in Northern Ireland, Barnardo's, etc. We also have two senior managers who sit on the local panels at the regional level. So local government is very much plugged into the whole safeguarding policy and strategy in Northern Ireland.

1076. Secondly, local government takes its commitment to safeguarding extremely seriously. Right across the sector, whether it is leisure, community services or community safety, we have a lot of involvement with children. Our safeguarding policy is, therefore, extremely important in our organisations, and we look at various policies to ensure that safeguarding measures are in place.

1077. I can speak only on behalf of Banbridge District Council, of which I am the chief executive. We are a member of Leisurewatch. Indeed, I think that the vast majority of councils — Brendan

- will pick up on this and give you some detail later — are tied into Leisurewatch. Irrespective of whether councils are involved in Leisurewatch, they will have regard for safeguarding and have safeguarding policies in place.
1078. The third thing that I really want to highlight is the hiring of council facilities. A number of councils have followed Banbridge District Council's example, because it is very good practice. When a group hires a facility, we check its child protection policy, which it must provide. It must also ensure that coaches and the people using the facilities have been subject to Access NI checks. Indeed, when we enter into a lease for extended use of our facilities, we will follow up on things such as insurance and child protection policies to ensure that the people using our facilities have those in place.
1079. That is that all I want to say at this stage. I will pass over to Brendan, who will pick up on the specifics of Leisurewatch.
1080. **Mr Brendan Courtney (Lisburn City Council):** I will give some brief background on Leisurewatch and our role in it. Lisburn City Council has carried out some research across councils. At the minute, we have received 16 replies to our initial questionnaire and, of those 16, 13 councils have informed us that they are members of Leisurewatch.
1081. One of the key elements of Leisurewatch is that there is training for 80% of front line staff, year on year. There is also an external mystery visit, which is very important. During a mystery visit, someone will come to a centre and behave in what would be viewed as a slightly unusual manner. What that person wants to see is our staff challenging and asking them what they are there for and what they are doing, and if we have any concerns, we will refer them to Leisurewatch. That is very positive from our perspective because it keeps staff on their toes and makes sure that they are vigilant at all times. It also helps us to build public confidence in how we handle such situations. The fact that the PR and the posters for Leisurewatch are up around our buildings means that people know that the council takes the issue seriously.
1082. There is also on-site training for managers, through the Derwent Initiative, on how to deal with issues, and there is a straight referral mechanism to the PSNI. That can have a very positive effect. Northern Ireland is a very small country: there have been occasions in our centres when a member of the public has had concerns about a visitor who may be suspected of having a past record of inappropriate behaviour, and the rumour mill can start very quickly. We can then quickly make a phone call. Both the cases that arose in Lisburn were unfounded, but the referral system helps to deal with that and nips it in the bud, which is very important for us. It is a positive experience all round: it helps to build confidence among staff, and especially among our customers.
1083. **Mr McCallan:** From our perspective, we wanted to make sure that the role of local government and its buy-in to the strategic body was mentioned today. We also wanted to convey some of the constructive elements of the Leisurewatch programme. I had hoped to get the collation document by the end of last month, but it will now be the end of this month simply because of the detail provided by councils, which is an indication of how importantly they treat this issue. There have been 18 replies, and two were received this morning, so I would prefer to tell that to you rather than Brendan.
1084. **The Chairperson:** Thank you for that. We look forward to seeing that response, because I think that it will be really useful in our inquiry. We received a presentation on Leisurewatch from the PSNI, which provided detail on the scheme. That was very useful considering that we are now faced with some of its practitioners. It is interesting that not all the councils have signed up to it. That is not to say that those that have not signed up do not have very good child protection policies in

- place, but is there a reason why not all councils have signed up?
1085. **Mr Courtney:** Some reasons were given in answer to the questionnaire that was sent out by Jim Rose, the chairman of the Chief Leisure Officers Association. Some councils feel that they already have a very robust system in place, and that the cost of being a member of Leisurewatch, which is based on a multiplier that depends on the number of facilities, was not offset by the benefits gained over and above those of their own systems. That appears to be the only concern that has been raised by a council that is not currently a member of Leisurewatch.
1086. **The Chairperson:** As council representatives, have you had a number of complaints made in relation to child protection issues at any particular time?
1087. **Mr Hannaway:** We have really had only one child protection issue raised in our organisation, which was around the use of a photograph of a child in publicising archery. We were able to deal with that very quickly by removing it and updating the policy on the use of photographs. Child protection is an evolving thing. Five years ago, the use of a child's photograph may not have been a problem, but now it is, and parents are more and more concerned about permission for use of photographs. Our policies develop in accordance with that.
1088. **The Chairperson:** I was a councillor — I was with Derek on Ards Borough Council for a number of years — and I found that, generally, the public thought that the council had responsibility for many aspects outside its remit. I suppose they thought that it had oversight of a particular geographical area and would go to the council about leisure facilities not owned by the council. I am thinking particularly of church facilities, and so on. Would the council have a dedicated officer who may go out to give advice to the likes of church groups about who they subsequently hire their facilities to, just to give some advice around child protection?
1089. **Mr Hannaway:** There are two issues there from a culture and sports development point of view, and Brendan might want to pick up on those. As part of our sports development programme, we run child protection sessions and impart the training that is provided through Leisurewatch to other sporting organisations. The responsible body for child protection is the health sector, so if people want child protection training, we normally inform them of the trust, which would provide specialist trainers on child protection. We do not have the primary responsibility for child protection for other community organisations.
1090. **The Chairperson:** I understand that, but the council is sometimes the first place that people will go to for advice and signposting.
1091. **Mr McCallan:** I suppose your key point, Chair, is about whether there is a dedicated officer. There is an anticipatory role for specific officers, and a reactive one. You referred to church groups, and I am aware that a number of councils have good relations officers who work with them and flag those issues up, not from the point of view that an incident has occurred, but to signpost them to where, as Mr Hannaway said, the responsibility lies or where to get direction. Brendan wants to give a specific illustration in answer to your query.
1092. **Mr Courtney:** I will pick up on two points. The last question was on the number of referrals. Lagan Valley LeisurePlex in Lisburn gets roughly a million customers through its doors every year. We make around between two and four referrals a year to Leisurewatch on concerns that customers or our staff have picked up.
1093. I will move on to the issue of training. Through the Leisurewatch scheme and through a scheme with the local trust, a number of staff are trained up as child protection trainers. As part of that training, they have to give a commitment to train at least 50 individuals in child protection throughout the year. That is rolled out across the voluntary and

- statutory sector. Although it is a leisure initiative, it is not confined to sports clubs. Church groups and anybody else can get involved in that. That is based on the Leisurewatch training and is very well received among the community.
1094. **The Chairperson:** My last question is personal observation more than anything else. There seems to be a move towards communal changing facilities in new leisure complexes. Is that an economic decision or is there some other reason why that is seen as the way forward?
1095. **Mr McCallan:** I have to defer to the people who design those facilities, but it is an important point. I am a user of the Robinson Centre in Castlereagh. It is a contemporary approach, and we can maybe look at what the officers said in planning those facilities.
1096. **Mr Courtney:** In our facilities, it is about the best use of space when planning. Concerns have been raised by members of the public about communal changing, or village changing as we call it, and we have had to make certain adaptations, most of which have come about as a result of child protection concerns. However, we are hopefully now at the stage where the adaptations that have been made following the initial installation have minimised the opportunity for concerns about that design programme.
1097. **The Chairperson:** It is a bugbear of mine, and I raised the issue — Mr McCallan is smiling — while I was a councillor at Ards Borough Council. I had the director out to see the village changing at Ards Leisure Centre. In many ways, it is disappointing that it is about the best use of space as opposed to any other reason. I see it as a potential child protection problem, particularly given the cubicles and the use of mobile devices, and so on.
1098. **Mr Courtney:** To clarify, the best use of space is one of the reasons, not the only reason. It is part of the design profile, and it certainly seems to be more prevalent now than it was in the past.
1099. **The Chairperson:** When you go to a private gym, there are separate changing facilities.
1100. **Mr Hilditch:** Gentlemen, you are very welcome this morning. During the inquiry, an organisation that formulates policy in conjunction with local councils showed some concern about inconsistency in child protection across the 26 councils. I know that you are now proactively seeking responses and taking various actions on that front. On the back of that, is there anything else that NILGA could perhaps do? Are you worried about that statement?
1101. **Mr McCallan:** I would not be worried. There are inconsistencies, but one underpinning factor is that, corporately, the organisations are doing good things in different ways. With regard to what could happen, some would consider RPA to be the elephant in the room. The emergence of 11 councils and a performance framework, which may or may not be specified in the reorganisation Bill that many of you will be getting shortly, gives us an opportunity to encourage consistency and core performance. I respectfully suggest that homogeneity would not be a good way forward, except in certain matters such as child safety. Homogeneity starts to undermine individual circumstances, whether it is in 11 areas, or 22 in Wales, etc. You have raised a key point, and it certainly gives us an opportunity through the elephant in the room — RPA.
1102. **Mr Hilditch:** With regard to the Leisurewatch scheme, some councils are involved in it only at their leisure facilities, but we all know that a lot of the community development facilities out there are probably as well used nowadays as leisure centres. Would NILGA encourage an extension of Leisurewatch to other council facilities? It relates to only a few, but is that something that you could proactively pursue?
1103. **Mr McCallan:** There is certainly an option to do that. On its completion, the collation document will not just

- serve the good work of the Committee. There would also have to be some internal analysis to see whether the scheme could be expanded. Again, my practitioner colleagues may want to develop that point.
1104. **Mr Hannaway:** We recognise that all our centres, whether it is our leisure centres or community centres, involve some element of leisure. Indeed, they would be all tied into Leisurewatch.
1105. **Mr Hilditch:** Yes. I see that Banbridge has a leisure centre and a couple of community centres, although others on the list do not go as far as that.
1106. **Mr Hannaway:** They are all tied into Leisurewatch. When the organisation buys into Leisurewatch, there is complex in-depth training with the Derwent Initiative and that is applicable to the council. Therefore, it would be very remiss not to use that for all people involved in the centres, and we do that.
1107. **Mrs McKevitt:** I was going to ask a question about RPA and, of course, it had to come up before my name was called. I notice that some of the councils that are not on the list have a coastal area as a big part of their leisure facilities. Down District Council is an example, which includes the Newcastle promenade. Is there an opportunity to explore the use of the Leisurewatch scheme for the likes of our beaches or will it be confined to buildings? I am thinking of the Tollymore Outdoor Centre and such places where a lot of outdoor activity happens.
1108. **Mr Courtney:** I am not an expert on the scheme but, as far as I am aware, our child protection officers, through the council, liaise on a day-to-day basis with the Derwent Initiative. However, I am not aware that there are any constraints on where it can be rolled out. I think that it is a matter of where a number of measures can be put in place to help reduce risk, and if that can be managed in such a process, an area could be included. It depends on the way in which they are staffed. For instance, if the council has lifeguards on the beach,
- that is fine, but an open space is much harder to deal with.
1109. **Mrs McKevitt:** I noticed that mystery visits are part of your remit. Have there been any instances when you have been unhappy with that scheme or the training that was put in place?
1110. **Mr Courtney:** Obviously, if there were mystery visits and all was well every time, you would be somewhat concerned that things were not being picked up. We have had nothing too serious, but we have had to adapt our normal operating procedures on the back of something that has been raised by a mystery visitor. That is one of the benefits of it. We find that quite challenging, but it is a good thing.
1111. **Mrs McKevitt:** A lot of our local councils are investing in community centres through providing funding, but they do not actually run them. Is there an opportunity for that training to be expanded through NILGA for private community centres?
1112. **Mr Hannaway:** When we give a capital support grant to sports clubs or other centres, we actually seek their child protection policy, in the same way that we would with any of the other policies. That is a critical piece of information that we require from community or sporting organisations when we are investing money.
1113. **Mr Irwin:** Thank you for your presentation. Child protection is becoming a very big issue. It is very good that Leisurewatch seems to be working. I see that 72% of the staff think that the training is excellent, so that is very good. In recent times, we have become more aware of child abuse online. Is there anything that you are able to do in relation to that?
1114. **Mr McCallan:** I would ask for responses about that at practitioner level.
1115. **Mr Hannaway:** In respect of role and responsibility, the Health and Education Departments and the PSNI are the main lead organisations on that matter, and because we are represented on the

- Safeguarding Board, local government will pick up on issues. Indeed, part of the role of the Safeguarding Board is checking that each of the public sector bodies adheres to the child protection policies and the statutory requirements on child protection, but also in dissemination and looking at serious cases where there have been child deaths or major child abuse. The learning experience from that has transferred and cascaded out to all the public sector bodies so that they can learn from that. In every council, there is a designated officer with responsibility for child protection, but, in my experience, it is only part of a person's job because they have other responsibilities in a full-time job. If there is an issue with the internet, there is a point of reference within the council, as is the case with any other public sector or, indeed, community body.
1116. **Mr McMullan:** Thank you for your presentation. Is information sent out to the councils from the PSNI or anybody else to warn of potential dangers in your area? Does that information circulate?
1117. **Mr McCallan:** That is the case, yes.
1118. **Mr Courtney:** If there are concerns about individuals, we would be made aware of those, within the confines of data protection procedures. Sometimes that comes through the PSNI, sometimes through the general public, when they may have concerns, or, indeed, through a member of staff. At that stage, we refer it to Leisurewatch, which then follows its procedures. We then act on whatever information is forthcoming.
1119. **Mr McMullan:** The training is done by the Safeguarding Board. How much training is given on disability and special needs awareness and being able to spot problems with children who may not look out of place but have special needs?
1120. **Mr Hannaway:** The Safeguarding Board does not do training; it identifies issues and highlights them for the relevant bodies. Leisurewatch does carry out training for front line staff. I do not know whether it deals with disabilities.
1121. **Mr Courtney:** It is generic training. There are elements that deal with concerns relating to certain parts of the population, but it is generic. There is not a separate training session for people with disabilities.
1122. **Mr McMullan:** Do you not think that that is a gap if you are encouraging people with special needs into your centres? The centres that I have been to have excellent facilities, but is there a gap in training specific to that need?
1123. **Mr McCallan:** I return to a comment that Liam made earlier. There is evolution in all of this. Mr McMullan has raised a good point. I am aware that there are very good examples of training that is specific to certain areas because of usage by certain elements of the population. We should take the opportunity to provide that training as comprehensively as possible. I am aware of training that is taking place, coincidentally, in the Banbridge area, which is excellent in that regard. Mr McMullan's point is about making sure that, where there are any gaps, those are closed as quickly as possible.
1124. **Mr Hannaway:** I think that there are two issues here. There is the issue of child protection, and there are issues to look for in relation to the intense child protection training that is provided by Leisurewatch, which is fairly generic and covers all staff. That is not to say that specific work is not being done. Our council runs a number of summer schemes and other schemes during the year that are particularly targeted at children with disabilities. Our staff who work with those children are given specialist integrated training. That is done separately from child protection training.
1125. **Mr McMullan:** As a councillor of 22 years, I know that that does not happen in practice in most councils. It is the minority rather than the majority of councils.

1126. Councillors are appointed as disability champions but they are not being given a specific role. Their role is very vague, and the majority of them do not know their exact role. Councils are not giving them the role that they are supposed to have. In some councils, the matter is dealt with by the human resources department and it is a little disjointed because of that.
1127. The role of the disability champion needs to be firmed up and made more specific. Instead of just being given a title, the elected people who have those positions should be told what their role is and they should be advised of the responsibilities that go along with it. When I was a disability champion for my council, I had to fight for a long time to find out exactly the role entailed.
1128. There is still a huge gap in the local authorities around the whole issue of disability and special needs.
1129. **Mr McCallan:** For the record, if the Committee is minded, I can certainly raise the issue through the association, particularly with regard to the roles of elected members who are disability champions. We certainly want to eliminate gaps across the board and, as Mr McMullan has highlighted, emphasise those roles and responsibilities and the fact that the title of disability champion is more than just a label.
1130. **Mr McMullan:** The training is delivered once and does not seem to be done again after that. Quite a lot of councils do not have any yearly follow-up, or refresher courses, if you want to call them that. It seems to be done once so that the council can say that it has done it. That could be the situation for a number of years and, while everything else moves on, the training stops.
1131. **Mr McCallan:** I will follow through on that issue.
1132. **Ms McCorley:** Go raibh maith agat. Thank you for your presentation. The Chair raised concerns about communal village-type changing facilities, and I share those concerns. Have similar concerns been raised by members of the public? Have there been any complaints, and have any child protection incidents or issues arisen? Has anyone raised concerns about issues that might not necessarily be about child protection? Has a greater volume of concerns been raised about communal facilities as opposed to separate facilities?
1133. **Mr Hannaway:** The wet side at Banbridge Leisure Centre has communal changing facilities. I know that issues were raised four or five years ago, but I am not aware that any issues have been raised since. The customer satisfaction levels at Banbridge Leisure Centre are running at about 80% to 90%. We have Quest accreditation, which is a national accreditation for leisure centres, and all our centres have been accredited in that way.
1134. As a parent, I find the village changing on the wet side to be quite good, because if you are bringing kids — a few boys and girls — you can manage things in a much better way than you could if there were separate changing rooms, especially if you are managing six- and seven-year-olds. I appreciate that some people do not like it and that there are adults who have issues with it. I can only use the example of our own council. Two or three years ago, we made some adaptations to our changing room facilities, which made things better. However, it is still village or communal changing on our wet side as opposed to our dry side. For the gym and the sports halls, there are male and female changing rooms. That gives us two types of facilities, which is much better for the customer.
1135. **Mr McCallan:** To answer the question directly, I am not aware of any trends that show greater proportionate child protection issues from communal changing. However, one of the values of discussions like this is to make sure that analysis is carried out so that there is a definitive response. There have certainly been no trends to suggest such an issue.

1136. **Mr Courtney:** Our experience reflects that of Banbridge. However, it would be wrong to say that concerns have not been raised in Lisburn. When a concern is raised, we try to deal with it as best we can. There are certain adaptations that have been made to the changing areas, but the general consensus is that the positives far outweigh the negatives when it comes to families having the ability to come along and change together. The main concern that we have is an under-provision of family changing, which we are looking at as part of a potential capital refurbishment.

1137. **The Chairperson:** Thank you for your presentation. I look forward to receiving the response from each of councils because it will be very useful as we work to complete our report. If you could forward the responses to us as soon as possible, we would really appreciate it. Thank you for your time this morning.

11 April 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Basil McCrea
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr David McCallum	Ulster-Scots Agency
Ms Jane Wallace	Ulster-Scots Agency

1138. **The Chairperson:** We will now hear from the Ulster-Scots Agency's education officer, Jane Wallace, and its director of corporate services, David McCallum. Good morning. You are welcome to the Committee for Culture, Arts and Leisure for what I believe is your first time with us. I hope that it will not be too daunting for you. As you are aware, we are carrying out an investigation into child protection issues across the Department of Culture, Arts and Leisure's remit. We have your paper, but I invite you to make an opening statement, and members will follow up with some questions.

1139. **Mr David McCallum (Ulster-Scots Agency):** I am the newly appointed director of corporate services, and I thank the Committee for inviting us to talk about child protection. Jim Millar, our director of education and language and designated child protection officer, sends his apologies. He is on leave until the end of the month.

1140. The Ulster-Scots Agency is fully committed to child protection and takes the issue very seriously. We are committed to the delivery of a quality service that promotes good practice in protecting children and young people from harm. The agency also ensures

that the correct procedures are in place to safeguard staff and the organisation from any potential allegations of abuse. My colleague Jane Wallace is the deputy child protection officer, and she will update you on the current position of the North/South Language Body's child protection policy.

1141. **Ms Jane Wallace (Ulster-Scots Agency):** In 2009, the agency approached its sister organisation, Foras na Gaeilge, and invited it to come together with us to develop a revised child protection policy for the whole of the language body. Following procurement, the two organisations appointed the National Society for the Prevention of Cruelty to Children (NSPCC) to develop robust safeguarding policies and procedures, along with which there was a community code of practice. The initial policy was finalised in November 2009 and reviewed by the NSPCC in January 2011. Those documents are on our website for the community to download, and all staff have copies for their own reference. As part of that procurement, staff also received training from the NSPCC. That was delivered in 2010, and the intention is to renew it this year. In addition, last year, the agencies designated child protection officers and deputy child protection officers — Jim and I undertake those roles in the agency — and we completed specific NSPCC-delivered training for the posts.

1142. As well as agreeing the joint policy, the Ulster-Scots Agency and Foras na Gaeilge formed a subcommittee that meets at least twice a year. As part of those meetings, the policy is reviewed to ensure that we remain compliant with new legislation and best practice. The committee comprises the designated officers and their deputies for Foras and us.

1143. The agency's current policies and procedures include guidance on cyberbullying and social media. However, at our recent subcommittee meeting, we agreed to seek guidance to review the current policy and procedures to ensure that we continue to comply with and adopt best practice, given recent legislative changes and upcoming recommendations from the British and Irish Parliaments. Therefore, we will initiate the procurement process shortly and will invite the appropriate bodies from both jurisdictions to tender to update our policy and code of conduct.
1144. The agency's staff have limited direct regular contact with vulnerable groups. However, the Ulster-Scots Agency carries out appropriate vetting procedures — mostly, enhanced disclosure checks — for any staff and service providers who have regular contact with children, young people or vulnerable adults. As a precautionary measure, all members of the education in the community team are vetted, which we find to be what schools expect even though we do not have direct and regular contact.
1145. We signpost community groups to organisations such as the NSPCC and Volunteer Now, which are better equipped to provide advice. The Ulster-Scots Agency also signposts the community to the Ulster-Scots Community Network, which is one of our core-funded organisations that is registered as an Access NI umbrella body. We are not registered, which is largely due to the fact that some 200-plus applications come in for music and dance alone, as we do not have that responsibility and the time constraints of putting perhaps two tutors through from each organisation. With music and dance, there could be 500 applications alone, so we signpost them to the Ulster-Scots Community Network, which is the registered umbrella body.
1146. Community and voluntary groups that apply for funding must not only provide evidence that their organisation is fully committed to safeguarding children and vulnerable adults but submit a copy of their own safeguarding and child protection policy. This policy must include the names and contact numbers of two appointed designated and trained safeguarding officers. In the community music and dance tuition applications and the summer scheme applications, community groups must confirm that, at a minimum, they will provide us with a copy of their policy and that the policy is appropriate to their organisation's work and the project that they are asking us to fund. They also confirm that they review their own policy at least once a year and do a rigorous recruitment and selection process for staff and volunteers who are involved in regulated activity and who work with children and young people and vulnerable adults, including a criminal record check. They must take up references. They must also confirm that they will update that check every three years to confirm that they follow statutory or best practice guidance on appropriate ratios of staff to volunteers. They must also confirm that they provide training to all their staff and volunteers. Anyone who fails to do that, unfortunately, does not get funding. It is a mandatory requirement.
1147. Our current child protection procedures have been audited by the Education and Training Inspectorate (ETI) on behalf of the Department of Culture, Arts and Leisure. An overview and inspection was carried out of the peripatetic music programme that the agency offers and on the community summer scheme funding programmes. In the three aspects of the report, the Education and Training Inspectorate gave a positive report.
1148. I turn to the future. As I said, we are about to initiate the procurement process to review our current policy and to ensure that we are up to date with recent legislation changes in the British and Irish Parliaments. Quite a few recommendations are changing in the Irish Parliament, so, on it in particular, we want to ensure that we are working as a cross-border body, particularly on cyberbullying and social media.
1149. We want to maintain and develop our current operating practices on safeguarding and make use of expertise

such as is available in the NSPCC and in other relevant organisations.

1150. **The Chairperson:** Jane, thank you for your comments. You have reassured members, particularly on the groups that you are grant funding. From listening to what you said, it appears that you are quite robust in your approach and are proactive on updating the policies, and so on. I congratulate you for that. That said, do you find that the fact that you cover two jurisdictions causes you any issue?
1151. **Ms Wallace:** Access NI is definitely the higher bar to reach currently, so our groups in Cavan, Monaghan and Donegal have to reach the same bar as the Northern applications. When we have jointly with Foras na Gaeilge approached an Garda Síochána, it has said that it wants registrations from larger umbrella bodies and that we do not have enough groups working in the three counties for it to start to deal with applications with its equivalent vetting and barring. We will deal with that when we revise our policy. Between us and Foras na Gaeilge, an Garda Síochána will have to take us on board, hopefully.
1152. **The Chairperson:** Will you explain how you have delegated some authority to the Ulster-Scots Community Network in relation to Access NI?
1153. **Ms Wallace:** It is one of our core-funded groups. We had discussions and said that we physically cannot be a umbrella organisation, so it agreed to take it on. It runs roadshows, so perhaps it would have a meeting in Lisburn and invite community groups to bring in their applications, as well as their forms of ID, so that it can be properly and honestly verified that a person is who they say they are in their application.
1154. The verification documents were the problem for us. A community group meeting in Tyrone would have to come to us to verify who they are. It would not be a paper exercise; somebody would have to visit the group physically to confirm the ID. The Ulster-Scots Community Network took that on and held a series

of roadshows, which have been very successful.

1155. **The Chairperson:** Would that assistance also go to groups that consider themselves Ulster-Scots groups but do not receive any funding via the agency or the Ulster-Scots Community Network?
1156. **Ms Wallace:** The Ulster-Scots Community Network does not give out funding but is happy to be contacted by any of the Ulster-Scots groups, so it has a wider remit than us.
1157. **The Chairperson:** In relation to its contact?
1158. **Ms Wallace:** Yes.
1159. **Mr Ó hOisín:** Thank you for your presentation. I will tease that issue out further. Are the community and voluntary groups that apply for funding checked by the Ulster-Scots Agency solely and not through any other organisation, such as the NSPCC? Are there occasions on which organisations that are not being funded and may come under the wider umbrella proceed with events and occasions and do not have to submit to the normal requirements and provide names and contact numbers?
1160. **Ms Wallace:** Sorry, could you repeat the question? Are you asking whether such groups are checked by the NSPCC?
1161. **Mr Ó hOisín:** Do all the organisations that apply for funding through the Ulster-Scots Agency do so directly and commit to the child protection safeguarding policies through the Ulster-Scots Agency, or can they be OK'd, as in the case of Donegal groups as well as elsewhere, through a third party such as the NSPCC?
1162. **Ms Wallace:** The only reason that the agency used the NSPCC was because of the tender with Foras na Gaeilge. It does not have to be the NSPCC. When we go to tender again, it may not be the NSPCC but whoever wins the contract. However, the new tender may be a mixture. It may be the National Youth Council of Ireland and the NSPCC or perhaps somebody will decide to form a partnership.

1163. We have not yet developed the tender. We met only last week to agree that we will do it formally. However, it will be in the tender that it must be one body or a collection of bodies that are totally familiar with the Northern and Southern requirements. We are predicting that it may be a partnership.
1164. **Mr Ó hOisín:** Are there organisations that go through solely the Ulster-Scots Agency for vetting for events and funding?
1165. **Ms Wallace:** That go through solely the Ulster-Scots Agency? If they provide the evidence to us, and we are happy with it, that is OK, and we can give them some funding. However, if we are not happy, we will recommend that they go to the NSPCC or the National Youth Council of Ireland for guidance.
1166. **Mr Ó hOisín:** Are there organisations that are not being funded or that do not apply for funding for a certain occasion that do not have to go through the safeguarding measures?
1167. **Ms Wallace:** If children and vulnerable adults will be present, it is a mandatory requirement that such organisations meet our minimum standards.
1168. **Mr Ó hOisín:** You would be aware of such occasions.
1169. **Ms Wallace:** Yes.
1170. **Mr Irwin:** Have there been any issues with the Ulster-Scots Agency regarding child protection? Have there been any incidents?
1171. **Ms Wallace:** No, we have not had any incidents. When we monitor groups, we also ensure that there is compliance and that they are being active, for example, about the policy being displayed. With summer schemes in particular, the ETI recommended that when parents were registering their children, there be a tick box to indicate that they wanted to see a copy of the child protection policy. That is one change that we will make. However, when we monitor, we make sure that there is full adherence, and we have not had any incidents.
1172. **The Chairperson:** What was the policy before 2009 because it seems that you have been proactive since then?
1173. **Ms Wallace:** We had a previous policy, but it did not have the depth that it has now. It was developed through an organisation — possibly Volunteer Now. Before that, the designated officer was a director who is not with us now. Since then, a child protection officer and a deputy child protection officer have been included. Training has been much more robust.
1174. **The Chairperson:** So there was no particular reason that stimulated the change in direction?
1175. **Ms Wallace:** No, there was just the reappointment of the officers, who took the issue on board and decided that the policy should be more robust.
1176. **The Chairperson:** With regard to our recommendations and to assist you in your work, is there anything that you feel that we should include in our report?
1177. **Ms Wallace:** Perhaps the recommendations could include further communication and sharing of best practice.
1178. **The Chairperson:** From the Department?
1179. **Ms Wallace:** Yes, and even in arm's-length bodies.
1180. **Mrs McKevitt:** On the back of the Chair's question, I notice that the current policy and procedures include guidance on cyberbullying and social media and that after recent legislative changes, and so on, you agreed to seek guidance to review the policy?
1181. **Ms Wallace:** Yes.
1182. **Mrs McKevitt:** How could the Committee help you in that review of child protection? How could you move forward on that with your difficulties?
1183. **Ms Wallace:** As I said, perhaps that could be done through the sharing of best practice. We are working with Foras

na Gaeilge to try to ensure that we are being as robust as possible. Perhaps a best practice template or guidance could be given out, or we could be directed to bodies to ensure that we include them in our tender.

1184. **The Chairperson:** I thank both of you for coming to the Committee this morning and for your presentation and input to our investigation. Thank you.

18 April 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr David Hilditch
 Mr William Humphrey
 Mr Basil McCrea
 Mrs Karen McKeivitt
 Mr Oliver McMullan
 Mr Cathal Ó hOisín

Witnesses:

Mr Paddy Gilmore	<i>National Museums</i>
Mr Mark Wilkinson	<i>Northern Ireland</i>
Ms Ruth Turkington	
Mr Chris Bailey	<i>Northern Ireland Museums Council</i>

1185. **The Chairperson:** I welcome the following officials: Paddy Gilmore, the director of learning and partnership from National Museums Northern Ireland (NMNI); Mark Wilkinson, the head of HR from NMNI; Ruth Turkington, the visitor services manager at the Ulster Folk and Transport Museum; and Chris Bailey, the director of the Northern Ireland Museums Council (NIMC). Thank you for attending this morning. Please make an opening statement, and then we will follow up with some questions.
1186. **Mr Chris Bailey (Northern Ireland Museums Council):** I will start. As members know, the museum family has two components. One is National Museums Northern Ireland, which was established under statute, and the second is local museums, of which 37 are recognised and for which the NIMC is the umbrella body. The remit of the Museums Council is to assist local museums in improving their standards in collections care and their public services. I will make this quick presentation today on the latter element.
1187. The NIMC does not run any museums. We are there to assist and guide, and provide support and training as required. Nevertheless, in 2009, the board of the Northern Ireland Museums Council adopted a policy statement, which is reviewed every two years, with the next review scheduled for later this year. As such, the council, the board and the staff do not undertake any regulated or controlled activity as far as the safeguarding of children and vulnerable adults is concerned. We are not required, therefore, to register with the Independent Safeguarding Authority. Given the nature of our work, we provide support to all the local museums, which have direct responsibilities under the legislation. Each museum needs to have an associated policy and procedures in place, and in line with our remit, we support them by providing advice, guidance and training.
1188. This is not an area in which we have specialist expertise, so in composing our guidance, we drew very heavily on a partnership established with the National Society for the Prevention of Cruelty to Children (NSPCC) and Volunteer Now. Indeed, we commissioned the NSPCC to review the guidance that was subsequently composed to ensure that it was compliant with legislation and best practice. A copy of that guidance is now freely available through our website.
1189. We have an annual training programme, on which the staff and volunteers at the local museums and, indeed, the general public depend. From time to time, we ensure that that programme includes training on matters such as safeguarding. In that context, we asked Volunteer Now to deliver that training on the last occasion.
1190. For our grant programmes, we require all applicants to demonstrate that they have robust and effective policies and procedures in place with regard to safeguarding children and vulnerable

- adults, and that requirement is embedded in our grant application process. The funded museums are then required to provide us with a copy of their policy and procedures.
1191. My final point, before I hand over to my colleagues from National Museums, is that we administer the UK-wide standards and museum accreditation scheme for local museums in Northern Ireland. All museums seeking recognition under that scheme are required to ensure that they meet all relevant legal, ethical, safety, equality, environmental and planning requirements.
1192. **Mr Paddy Gilmore (National Museums Northern Ireland):** Good morning. Thank you very much for asking us along here this morning. I am the director of learning and partnership at National Museums Northern Ireland. I have the key safeguarding role within National Museums. Mark is our lead in the HR department and is responsible for matters such as Access NI checks, recruitment and selection. Ruth is the senior practitioner, if she does not mind my saying that, for National Museums in this area. She has daily involvement with the public. She is one of our two training managers who run out our child protection and safeguarding training programmes, and she has a long history of involvement with disability and access issues. She is also a board member of ADAPT NI.
1193. Our presentation is slightly different to Chris's, so we will give you a flavour of some of the issues that we are involved with.
1194. You are aware that National Museums Northern Ireland has four sites, which vary enormously in the facilities offered, their geography and layout. There is a major difference between the facilities and resources at the Ulster Museum and those at the Ulster American Folk Park, for instance. Each museum presents a different set of challenges for the safeguarding of children and vulnerable adults.
1195. Huge numbers go through the sites, which is also a challenge. Last year was the first year that we had one million visitors, and W5 was part of the group. This year, we closed the books on 904,000 visitors, so, again, they were very busy sites. You are aware that the Ulster Museum reopened in 2009, and it alone had 1.86 million people through its doors. This year, 127,000 people took part in organised learning programmes, which fall within my learning department. The Ulster Museum is a very busy site, and it had a great dinosaur exhibition this year. August was a particularly busy month, with almost 100,000 people coming through the museum's doors. On a busy day, there could be 4,000 or 5,000 visitors, as you probably know.
1196. There is also a change in the organisation regarding the audience that we attract, which is now broader and more diverse. Before the closure of the museum, the C2DE audience profile was 23%. On occasions, depending on the programming, it can now reach 44% or 46%.
1197. We also have a major partnership programme and work with a range of organisations, which also brings in different communities. We work with the Workers' Educational Association, Beacon Housing and the Polish community. Therefore, as an organisation, we are now working increasingly with interface areas, inner-city communities, people with mental health issues and so on. My key point is that the organisation is larger and busier. It has an increasingly diverse audience profile and, therefore, creates a series of ongoing requirements to review and constantly check our safeguarding systems.
1198. Our child protection policy dates back as far as 1996, and our latest version was published in 2011, after consultation and advice from organisations such as the NSPCC and the Education and Training Inspectorate (ETI). It follows a best practice format as set out by the Department of Culture, Arts and Leisure (DCAL). Over the years, we have gained

- considerable experience in dealing with safeguarding issues, and the staff are familiar with all those issues. Our visitors include children and families, vulnerable adults and disabled people. There is an ongoing process that allows us to examine any issue and refer it on in a timely and constructive fashion. Each of our sites has one designated officer. If internal issues arise, they are referred to the police and social services, and our sites maintain records of that. Importantly, when an incident occurs, we review it to see whether there are any learning points that will help to improve the policy and procedures and develop further best practice.
1199. As I mentioned, as the director of learning and partnership, I hold the lead responsibility for safeguarding. That is a fairly new responsibility in the organisation; in fact, my directorship is new and has been established over a four-year period. Importantly, it has elevated the issue of safeguarding to the executive team. Across the sites, the designated officers feel that that is an improvement.
1200. The designated officers at site level have safeguarding built into their job descriptions. That is a bit of a change because, traditionally, we simply allocated the role to staff in key positions. That made sense, but we now have a more structured approach, and job descriptions include that safeguarding role. Our designated officers meet at a safeguarding forum, which I will refer to later. The forum comprises nine people, including deputy designated officers. The role of the safeguarding forum is to assess some of the issues that we deal with and refer them to the board of trustees so that it can make an annual safeguarding statement.
1201. We are aware that we need a training programme and that the policy is only as good as the people who offer it on the ground. Our training programme, therefore, includes all staff. We have regular refresher training for our designated officers: that last happened this time last year. Two of our senior staff, one of whom is our visitor services manager, Ruth, are trained to City and Guilds level. They deliver a core programme and meet any other training needs.
1202. Apart from safeguarding, our training regime covers disability access and awareness issues, autism training and working with deaf and visually impaired people and those with mental health issues. That is not to say that all staff get that training, but it is available for those in public-facing roles.
1203. Group management is a particular issue in museums, and, as I mentioned, we have two residential areas. One area is operated entirely by us at the Ulster Folk and Transport Museum, and the other area is the Western Education and Library Board premises at the Ulster American Folk Park. We pay careful attention there because of groups coming in. So the groups are made very aware of the policies and procedures before they arrive. When they arrive, they are met on site by a member of staff who goes through the policy and procedures, the codes of conduct, the by-laws, health and safety issues and safeguarding matters. Responsibility for safeguarding in the residential context probably rests with the designated officer: it definitely rests with the designated officer that the group brings with them. Once they are outside that and are on site, people such as Ruth will deal with the groups.
1204. Apart from schools, the large solid groups are families. Our staff are trained to recognise the different dynamics between an organised group, a family group and any other group, and the potential safeguarding scenarios that could arise.
1205. We set up the safeguarding forum. There was a network of people involved in safeguarding, but the forum came out of a best practice recommendation by the ETI. When the ETI was looking at our learning programmes, it asked us to complete a safeguarding pro forma, and it suggested that we set up the forum. It has now been set up and works really

- well. It is cross-functional and cross-site in nature, and it also makes sure that the safeguarding issue is not left entirely to the people in learning and partnership, as it had been. We have representatives on the forum from human resources, visitor services, operations, the curatorial team and the learning team. That not only provides a coherent management structure, but, importantly, gives us an opportunity to review our policies and procedures to try to develop better practice.
1206. We also review changes in legislation, and we will review incidents and try to learn from them. Just the other day, for example, there were some changes to the vetting procedures by Access NI, and the safeguarding forum tried to report that and work out a response.
1207. There are some museum-specific issues. We mentioned the residential accommodation at the Ulster American Folk Park and the Ulster Folk and Transport Museum, and we hold Night at the Museum events at the Ulster Museum. The biggest challenge for us, as an organisation, is that of unaccompanied kids. We are not on our own in that, and it is a real issue. We deal with that under by-laws by reserving the right to refuse admission to anyone under 18 years of age. That is a bit of a catch-all, and it means that, on an ongoing basis, our staff are on the ground reviewing situations. Those situations change depending on the age of the kid, the nature of the site and how busy it is. That is a bit of an issue for us.
1208. Online safety and security is also an issue. That is a fast-developing area, and we are the first to admit that we do not really have expertise in it: we do our best to keep on top of it, but it needs more attention. The issue of photography in a museum context is fairly new and has obviously changed. Photographic policies for museums were written with the standard conventional camera in mind. Things have moved on so fast: everybody has a camera on their phone, and there is instantaneous contact with the web, social media and so on. That presents a bit of a challenge for us.
1209. There are some issues that the Committee may want to consider. I have some personal knowledge of the type of child protection support initiatives that are offered by the NSPCC, and I think that they are absolutely great. They allow sports clubs to access the latest training and get guidance on policy, legislation and best practice. We are quite a large organisation and are well resourced in this area. Smaller organisations will probably have a different perspective, but I think that an approach such as that would be really useful.
1210. We understand that the Office of the First Minister and deputy First Minister (OFMDFM) will be involved in the issue of the speed of progress of digital technologies and so on. We welcome that very much. We would like to be part of that sort of initiative to learn more.
1211. We face a practical issue in maintaining up-to-date details. Given the number of visitors who go through our sites, we do not have a huge amount of contact with police and social services, but when we do, sometimes contacts have changed and people have moved on. There is an ongoing issue in trying to keep that information up to date. If there were some way of creating a resource for that, it would be helpful.
1212. We welcome the development of additional interests in safeguarding. One thing that DCAL does really well is its learning forum. I wonder whether that model could be replicated and used for a safeguarding forum that is held in DCAL and resourced and properly managed.
1213. **The Chairperson:** Thank you. Will you give us more information on the learning forum and how it operates?
1214. **Mr Gilmore:** The forum includes all the arm's-length bodies and is funded through DCAL. I think that a part-time member of staff runs it, and Gerry co-ordinates meetings. The forum addresses issues of mutual concern

- in the learning context, and meetings are held at various venues. I suppose that, in one way, it is a networking forum that brings the DCAL family together. It creates a knowledge and awareness of what each arm's-length body is doing and helps to deal with best practice issues. It is the usual thing: speakers are brought in, people are asked to talk about their work and detail case histories and so on. That sort of knowledge sharing is very important.
1215. Safeguarding is fairly fast-moving territory, and what is good practice one day will possibly not be good practice another day. That sharing of information and knowledge would be very valuable.
1216. **The Chairperson:** That is certainly a common recommendation that has come from the majority of arm's-length bodies. It is interesting that a template is in place that could be replicated for safeguarding.
1217. Chris, you said that you do not have any direct contact on child protection and that your role is very much to do with guidance, training and support. Does that go right across all museums, particularly the private museums?
1218. **Mr Bailey:** We do most of our work with accredited local museums, but we do not discriminate. It is not the case that if a museum is not recognised, we will not work with it. The guidance that we provide and make available can be used by any museum.
1219. **The Chairperson:** You mentioned that your training is done annually. Is that compulsory, or is it open only to those who wish to avail themselves of it?
1220. **Mr Bailey:** It is not compulsory. The initiative to join our training came from people in the museums. About half the local museums are run by local councils, and the other half are independent and voluntary organisations. We sometimes find that the legislative requirements are focused in a more general way in the councils, so that if safeguarding training was going on in the councils, it may also involve museum staff. Independent museums tend to be more stand-alone and possibly more reliant on our guidance to ensure that they are cognisant of their special responsibilities.
1221. **The Chairperson:** Are you aware of any complaints having been received on child protection issues in those museums?
1222. **Mr Bailey:** No.
1223. **The Chairperson:** Paddy, thank you very much for your presentation and the details you gave. Have there been many complaints or are you aware of any particular type of complaints that need to be addressed?
1224. **Mr Gilmore:** With child protection issues? Statistically, the numbers are minuscule, but that is not to say that they are not important. Last year, to give you a general idea, we referred only three issues to police and social services, but, on the ground, these issues are constantly under assessment, and Ruth can comment on that. Of late, we have had specific examples in the Ulster Museum, and the attitude of the public ranges from people who do not see the harm or what the big issue is through to those who feel a sense of entitlement and think that we should really be looking after their kids. It is really strange. Our staff are well and truly briefed and know how to deal with particular instances. They deal with and assess child protection and safeguarding issues fairly regularly, but we feel it necessary to refer only a very limited number of cases. The figure for last year was three, and Ruth will, I think, concur that that tends to be about the number of cases that we deal with.
1225. **Ms Ruth Turkington (National Museums Northern Ireland/Ulster Folk and Transport Museum):** It is a very small number, and we refer only those incidents that give us real concern. We do so by making a hypothetical case to the person on the other end of the phone, and he or she will then ask us to report it officially. That may even knock the question out of the arena at that stage. There are very few incidents

- that we need to follow through with the agencies, but that is not to say that we do not have ongoing concerns.
1226. **Mr Gilmore:** We have a lot of school visits to our sites, but they tend to come inside for a couple of hours and then go, so no long-standing relationships or contacts are built up. The residential centres are slightly different, of course, and, last year, about 12,000 people went through those. They are not all children; there are organised groups. More children come to Cultra than to Omagh. One of the unique features is that kids go through fairly quickly, and it is not very often that we get disclosures from kids. On that limited basis, of maybe two or three hours of exposure, it has been our experience that that is not statistically liable to happen.
1227. **The Chairperson:** You talked about unaccompanied children. Is that more of an issue in the Ulster Museum than on any other site?
1228. **Ms Turkington:** No, we also get them at the Ulster Folk and Transport Museum. There, we have particular concerns because we have a site of 170 acres of very undulating and mixed terrain, and quite a bit of it is not safe for young children to wander about unaccompanied. We take quite a robust attitude to it. In the main, I am called to the kiosk to investigate when children are just dropped off and appear at the museum. I have, at times, called parents and asked them to come and pick their children up because they are, in my estimation, too young to be wandering around a site like ours unaccompanied.
1229. Some older teenagers come along and, having talked to them, I may understand that they are there to, for example, carry out a study. I advise them of our safeguarding policy and of the role of staff and tell them that they can contact us if they have any concerns. I will make a value judgement and may admit them, but I take each case as it comes.
1230. **Mr Gilmore:** National Museums Liverpool permits anybody on to its sites, with no restriction whatsoever.
- Some other museums say that children must be accompanied. We take the middle view and reserve the right to refuse admission, so there is an element of discretion. The numbers that go through the Ulster Museum mean that the issue has become more prevalent and come to our attention more. Last week or maybe the week before, quite a young child was left there unaccompanied. People take different views, and it is difficult to legislate for the views of the public. We are aware of our role in safeguarding that child in such a big building. A lot of people come through the museum, and not everybody will have the best interests of children at heart. Statistically, that is the way it is.
1231. **The Chairperson:** That is, unfortunately, why we need to have an investigation such as this. Thank you.
1232. **Mr McMullan:** Thank you for your very interesting presentation. You mentioned dependency and support. Can we not use the phrase “special needs” when we talk about disability and vulnerable adults? Disability and special needs are two different life conditions, with their associated dependencies and problems.
1233. **Ms Turkington:** We prefer the phrase “people with access needs” rather than “special needs” or “disabilities”. Our whole tenet is that we aim for universal access, so we do not want to discriminate in any way. We are trying to even out access for everybody at every level.
1234. **Mr McMullan:** Talk to the parents on that one.
1235. **Ms Turkington:** I have spoken to parents. I am very interested in parents’ attitudes to children who have disabilities and access needs. They can be very protective, and quite rightly so, but to the extent that they put barriers in the way of their children enjoying experiences that they may well be able to achieve. It is quite an interesting area to investigate. We welcome a number of — I will use the phrase “special needs”, which you prefer — schools, whose pupils use our sites regularly, and we

- have very good relationships with them. We at the Ulster Folk and Transport Museum have a particular relationship with Fleming Fulton School, which regularly uses our residential centre. We also do outreach with schools such as that one because part of our remit is to go to people who cannot come to us.
1236. **Mr McMullan:** I appreciate that, but it is not called an “access difficulties” school, you see —
1237. **Ms Turkington:** Yes.
1238. **Mr McMullan:** — and I do not think that there would be a problem with using the phrase “special needs”. I think that it would also help staff to understand the group that is coming in and what to expect.
1239. **Ms Turkington:** We have quite robust training in access needs. We do not work in a generalised way; we all work with specific communities. We have a very good ongoing relationship with Autism NI. We have worked with the visually impaired community and the hearing impaired community. You cannot have a blanket one-coat-fits-all approach, so we try to drill down to meet individual needs.
1240. **Mr McMullan:** How often do you train staff? I read that staff are put through rigorous training: how often is that training refreshed?
1241. **Ms Turkington:** Are you talking about safeguarding training?
1242. **Mr McMullan:** Yes.
1243. **Ms Turkington:** We do that every three years. However, based on my experience as a trainer, if I notice a trend occurring, such as an increase in unaccompanied children, I will probably have a workshop to look at that trend. Just before Christmas, we were concerned about whether we needed to put in place special measures for unaccompanied vulnerable adults coming to the museum. So, under the safeguarding banner, I held some workshops with staff. So we have regular training, but
- we also provide induction and ad hoc training.
1244. **Mr Mark Wilkinson (National Museums Northern Ireland):** The detail and frequency of the training are quite role-specific. As Ruth said, regular timetabled training is delivered by our designated officers for people in front-of-house, visitor-facing roles. However, office-based staff, who do not generally come into contact with the public as part of their role, do not have that frequency or detail of training. We are also developing an e-learning refresher training course for them.
1245. **Mr McMullan:** First, I congratulate you on the content and depth of your guidance on training, as you have presented it. On looking through it, I found it to be one of the best that I have seen. You should be congratulated on the excellence of its content, and that is the only thing that I can take out of that. *[Laughter.]* I still believe that “disability” and “special needs” should be there, as do a lot of people with a disability. When we use the word vulnerable as opposed to special needs, the meaning is lost.
1246. **Ms Turkington:** We were led in the terminology by the disabled community. We did not pick it.
1247. **Mr McMullan:** Maybe you should go back and talk to them again. I congratulate you on your excellent presentation.
1248. **Mr Ó hOisín:** Thanks for the presentation. I have to say that it is not common to receive praise from Mr McMullan, but he is right. The presentation had a lot of samples of best practice that other organisations and groups could adopt. I know the Ulster American Folk Park particularly well. Given its physical curtilage and layout, have there been any issues down through the years with group and events management or the residential centre?
1249. **Mr Gilmore:** Going back over the years, there probably have been safeguarding incidents. I think that the statistics would be similar for each of the sites, and the numbers would be quite small.

- If you are asking whether it presents any particular difficulties, I would say that it does not. The fact that we have a residential centre brings a particular safeguarding concern. However, we have put in place fairly robust policies so that people coming on site with groups realise that they have a specific responsibility. Bear in mind that managed groups, such as schools, will have their own designated officer with them, and they will be fairly well aware.
1250. The site itself does not present any specific problems. However, like the Ulster Folk and Transport Museum, it is quite a big site. We are concerned when children come in on their own, as has happened. Sometimes, they are left off at the gate to spend half the day there. We cannot control a big, wide geographical area like that because we have a limited number of staff. That occurs with the same frequency as it does on the other sites. Is that fair, Ruth?
1251. **Ms Turkington:** Yes.
1252. **Mr Gilmore:** I do not think that there are any more specific issues or problems on that site than on others.
1253. **Mr Ó hOisín:** Paddy, you touched on the ever-changing photographic requirements. Museums and photography nearly go hand in hand. What is the current policy?
1254. **Mr Gilmore:** You are absolutely right. For many people, especially those coming to open-air sites, taking photographs is an intrinsic and enjoyable part of their visit. Our photographic policy is built into our safeguarding policy and covers a range of things: why photographs are taken, what the uses will be, and so on. Ruth will deal with this in a bit more detail, but consent forms are signed, and very specific advice is given to people who take photographs on site. The changing nature of photography means that people can now take snaps on mobiles. Our staff will intervene if necessary.
1255. **Ms Turkington:** I deal with photography in quite a lot of detail in training because staff are concerned about it. It is part of the nature of a visit to a place such as a museum that people will want to record their family outing. We have to allow that to happen but within boundaries. The boundaries are that a handheld device must be used, and it must be pointed only at your own family. Staff look out for this, and, if they are concerned that a lone person is wandering around pointing a camera at other people's children, the other designated officers or I will be called. I have, with security's help, asked people to leave the museum because I was not happy with the reasons that they gave for being there with a camera. We are particularly alert if visitors complain. If, as happens occasionally, families complain about another visitor's behaviour, we intervene. I, as a designated officer, take the role extremely seriously. I will drop whatever I am doing immediately to deal with a safeguarding issue, including photography.
1256. **Mr Gilmore:** It is an issue for further development. I spoke recently to my opposite number in the National Museum of Ireland and was given the safeguarding handbook that it has as part of its best practice. If I were to be critical, I would say that it deals with the more traditional types of photography. The likes of the child protection in sport unit are much more on the case. Our photographic policy probably serves its purpose, and our staff are reasonably well trained, but, speaking generally, it is an area that we need to develop further. We need more specialist support because photography is so fast-moving, and there is instantaneous contact with media such as Twitter.
1257. We realise, too, that cyberbullying could become an issue, and social media is used extensively. We do not have a huge amount of contact with that and are doing the best that we can, but we could do with more help, support and guidance.
1258. **Mr Ó hOisín:** It must be a very difficult thing to control. Events such as the Iroquois Nation exhibit lend themselves almost automatically to the use of cameras.

1259. **Mr Irwin:** Recently, the Committee has realised that the protection of children online is difficult because things can happen under the radar and are not easily seen or caught. Is that an issue for you, and, if so, do you have measures in place?
1260. **Mr Gilmore:** It is an issue for us. Mark and Ruth may want to talk about that. We provide free Wi-Fi at the Ulster Museum, so our concern is to ensure that people do not download inappropriate material. Our ICT people have put very stringent measures in place, including firewalls, to block that sort of material.
1261. We are concerned about kids engaging in cyberbullying. One problem that we face currently is that there is less money around in the public sector and, obviously, less money for advertising. We are looking at how we can reach a mass audience, so our marketing people will e-mail their databases and use texts and so on.
1262. This is a new area for us, and we will have to develop it. The child protection in sport unit gives briefings on social networking services and social media. Those promote safe and responsible use, give advice on using text messages and provide guidance on using such media in the best interests of child protection.
1263. We are concerned about that area, and we need additional support to address it. We are doing our best and are managing the issue, but, quite frankly, it is not our area of expertise, and the cultural sector needs additional support.
1264. **Ms Turkington:** We would appreciate some help.
1265. **The Chairperson:** You discussed with us your safeguarding forum. How often does it meet, and are any external organisations involved?
1266. **Mr Gilmore:** The forum is quite new. We established it last year, and it meets formally twice a year. It is also empowered to meet on an ad hoc basis and has done so three times since it was established. We met just the other day to deal with a specific issue.
1267. There is nothing new in the world. We thought that we were unique, but when I spoke to National Museums Liverpool recently, I discovered that it also has a safeguarding forum. It operates in a slightly different context because its museums have a local authority reference point. We miss out on having that overall reference point here, but the forum helps us to deal with best practice issues and any policy issues that come up.
1268. **Ms Turkington:** Prior to the establishment of the safeguarding forum, we had a very strong network, but we lacked input into the senior executive, so we very much welcomed Paddy's involvement, which has been extremely beneficial to the organisation.
1269. **The Chairperson:** Chris, you mentioned that the training guidance that you offer could be open to the public. How do you make that available to the public?
1270. **Mr Bailey:** All our training appears on the website. We advertise it and do the training annually. It is predicated on the demands and needs that we ascertain from the museum sector, so it is quite specific, but we are not averse to anyone from outside the sector coming to our training.
1271. **The Chairperson:** Although it is open to anyone, has no one from outside the sector yet availed themselves of the training.
1272. **Mr Bailey:** The training tends to focus on museums. On occasion, depending on the subject matter, people come from the broader heritage sector, from visitor centres or local history societies. On occasion, we also get attendees from the border museums in Cavan, Monaghan and Donegal.
1273. **The Chairperson:** I thank all of you for attending today and for your informative presentations.

25 April 2013

Members present for all or part of the proceedings:

Miss Michelle McIlveen (Chairperson)
 Mr William Irwin (Deputy Chairperson)
 Mr Dominic Bradley
 Mr David Hilditch
 Mr William Humphrey
 Ms Rosaleen McCorley
 Mr Basil McCrea
 Mr Cathal Ó hOisín

Witnesses:

Dr Tom Mason *Armagh Planetarium*

1274. **The Chairperson:** I welcome Dr Tom Mason, child protection officer and director at the Armagh Planetarium. I invite you to make an opening statement, and we will follow up with some questions.
1275. **Dr Tom Mason (Armagh Planetarium):** Thank you very much. I will give the Committee a quick overview. What you saw in our little tour earlier was the apparatus, shall we say. One thing that I want to emphasise is that our job, as we see it, is education. That is our prime function. We educate all age groups. I have already mentioned nursery kids, but equally we deal with OAP groups; in fact, anyone who fancies a visit is very welcome. In these straitened times, we will not turn anyone away. We are aware that there are pressures on budgets all over. If we can facilitate a visit at no cost, we will do so. We think that that is the right sort of thing to do.
1276. Essentially, my remit as director is to get the imagination of children fired up. To do that, we revert to what we do best: we tell stories. We tell the same stories that people did in the Stone Age. There was no TV, so you would finish gnawing your zebra and sit outside and talk to the stars. Of course, all cultures joined the dots, before joining the dots had been invented. I did not show you any of that this morning, but I have three props

that I would like to show you now that we use with nursery kids.

1277. First, we have a show called Little Yellow Star. We wrote that in-house, because we were given one of these things, which prompted this thought: why not actually do something in the theatre so that the kids can get their hands on the merchandise? I am a very strong believer in touch. If you watch any baby, you will see that it touches things and then sticks them its mouth. When the baby gets older, it takes things apart.
1278. I am going to test your astronomical knowledge. That is your starter for 10. I normally do not have this teeny-weeny person; I have a much bigger one. Now, I have a big one and this one. Which constellation are we talking about here? That is your test.
1279. **The Chairperson:** I just see Tatty Teddies.
1280. **Dr Mason:** That is cool. That is the start that we would take with the kids. What do you want to call this? Well, here is Tatty Teddy in the sky. Of course, we are talking about the Great Bear and the Little Bear, which are both up there in the sky, along with a host of other animals: birds, whales, and so on. One thing that is hugely useful is to give the kids their head. If I show them a lot of dots, they can make anything out of them. We have done exercises in which we have had trains and cars and heaven knows what. That is fine. As long as they are looking up and learning.
1281. The other thing that I want to mention to you, with a further prop, is that NASA, the American space agency, has just sent a robotic geologist to Mars. I am a geologist, and that makes me weep inside. I know that any human geologist would be better. Unfortunately, we need to be fed and watered, whereas the robot will just keep going. NASA's other Rovers, which were meant to last

- for three years, have been running for nearly 12 years. Engineering is part of it as well. We get lots of kids in here who I am quite sure will go on to be engineers. In the context of Northern Ireland, there are lots of exciting new developments in the aerospace industry. We are keen to use that. Of course, I am very keen to get into their back pockets to make sure that we get some benefit from their use so that we can stimulate the engineers of the future.
1282. I have just had a request from John Hunter at the Department of Culture, Arts and Leisure (DCAL) about the First Minister and the deputy First Minister going to China in the near future. He wants to know whether there are any connections to be made. In December 2012, I stopped being the president of the International Planetarium Society. I have been to Beijing. I know the guy who runs the planetarium there — lovely place for a photo opportunity. Of course, the Chinese are a spacefaring nation. If they go to the planetarium and ask to speak to him, they can mention that Belfast makes all these fancy things, like little manoeuvre rockets for spacecraft. It is an industry that is growing as we speak. Those guys are not seeing any recession.
1283. Therefore, I think that this is hugely important. Our job, although it is very difficult to quantify it, is to make sure that all those little kids coming in are scientists and engineers when they are in primary school. It is a sort of Jesuitical thing. I firmly believe that if you catch them young, you have caught them for life. What we cannot do, however, is say that all those people were inspired by the planetarium. That is probably not true. However, they will have been inspired by a place and a person. I have in my notes the words “inspirational places” and “mentors”. Those are hugely important. We give mentors an opportunity to come along and do stuff that is very difficult to do in schools. You will be aware that in schools now it is very difficult to do even some of the basic experiments that were done when I was a kid because of health and safety. We try to do things like that. It is one of those gee whiz moments, where the kids are sitting with open mouths. We use that for our advertising material.
1284. The final two things that I want to show you are practical things. I mentioned that I am fully expecting that they will find life on Mars. If I hold this little piece of rock that way, I hope that you can see little bumpy, wiggly bits. That is an algal-bacterial community that was living on what is now the border between Swaziland and South Africa 3.2 billion years ago. We figure that Mars’s development froze at around that time. If there is life on Mars — there is abundant evidence of water — we might find something like that. As I said, I am worried that the Rover will trundle past the stuff that I or another geologist would spot and bump it into the ground. To bring it closer to home, this is the same thing from County Fermanagh, up the back of Derrygonnelly on the Knockmore mountain. These things are evidence that, 300-plus million years ago, Fermanagh was a subtropical paradise. It would have been 60 degrees centigrade on the surface and have had an air temperature like Dubai or Qatar now. Of course, that is the sort of stuff that produces oil. Have you heard about fracking? I rest my case. We do that as part of our public education.
1285. These are my samples of meteorites. We hand them out in schools. They are very magnetic because they are nickel-iron meteorites. There is a difficulty with getting people to come to Armagh. We are aware that we have a 45-minute gap here. That is very difficult to bridge, especially with bus fares being so expensive. This year, we plan to send out some camera cases. Each camera case will contain a meteorite, a magnet, an iPad, a projector and a little gadget that will allow it to connect to the satellite phone network so that one of my staff can talk to the school. The teacher will have plugged everything in, and we can have FaceTime. These things work very smoothly. I talk to my daughter in New Zealand just like this.

The equipment works straight out of the box. It is a huge game-changer. By doing that instead of sending someone out to a school, we have found that it is cheaper to send the boxes out and get them back. We have applied to our colleagues in the Republic. We were asked to make an application for some funding. We will make it an Ireland-wide operation if we can pick up that extra funding.

1286. I am trying to say that this is something that is in continuous flux. There is movement all the time. Basically, one's constraint is the limits of your imagination. Schools here and everywhere else on the planet are very good at taking in kids who are busting with enthusiasm and turning them into butter pats so that they are all the same and do not think outside the box. I rest my case there also.
1287. I am happy to take any questions. Do you want me to talk about child protection, or will you quiz me?
1288. **The Chairperson:** It might be useful if you give us some background about your policies, how you review those policies and the relationship that you have directly with the Department.
1289. **Dr Mason:** We have thousands of children coming through the planetarium, so child protection was an issue with us before it became an issue. Although we did not have written policies as such, which we do now, we had a very strict regime of who did what when and how. I have given you just two bits of paper because it is better to concentrate on the comments that the public provided. One of the comments that we have not put in there was from a mummy who complained two weeks ago, when it was very busy over Easter. She wanted to change her baby's nappy. We have nappy-changing facilities in the downstairs special needs toilet. The complaint was that one of my big, able-bodied demonstrators had gone into the special needs toilet, so she could not get in to change her baby's nappy. That is because our policy is that all our staff are told that they must not be in

any place where the little kids are, even if there are teachers around. We tell them to use the special needs toilet. That was from way back. It means that you are isolated and there is no chance of any difficulty. We have looked at the policy documents from other people. For example, I am following the Arts Council checklist at the moment. I have a copy of it here if you want to enter it into the record. We tick all the boxes apart from two that do not really apply to us, which deal with sleepovers and field trips. We go out to schools, but my staff always work with a crowd with teachers present, so it is not really applicable there.

1290. What we have done is we have looked at other's people's policies and then taken and modified them. My policy is slightly different from that of Armagh Observatory because it has fewer visitors, especially little children, although they are now getting an increasing number. Essentially, therefore, we have translated unwritten policies into written ones, and they have been looked at by DCAL. They are on file, and we are on an annual review. I have got one from March, because the change in legislation that occurred in the middle of last year meant that I was playing catch-up in January, February and March. As I said, our policy is reviewed annually.
1291. The difference that the changes in Access NI will make to us, because we are too small according to the new Access ruling, is that our Access things will go through the Church of Ireland educational committee. The rationale for that is based on our very close relationship with the Church of Ireland, given that our board is chaired by the Archbishop of Armagh, as is our management committee, and the dean and chaplain of the cathedral sit on our board of governors. That is a historical hangover, as it were. We advised DCAL of that at our quarterly assurance meeting, and we do not see any difficulty with it.
1292. I have brought some documentation for the record if you want it. If we are recruiting for a vacant post, which we

- will be doing in the near future, we send out documents stating that the applicants will not be interviewed if they do not sign the declaration form to say that they are putting themselves forward for an enhanced disclosure check. That is part of our recruitment process, and now it will work through the Church of Ireland rather than go directly to Access NI.
1293. We make a point of training all new staff who come in, and that is my job. I do the health and safety and the fire exit training, and so on. We walk around and then go and have a little chat in which I ask them what they understand by child protection and various health and safety issues. If they do not give me answers that I think are reasonable, we will employ the Engineer Employers' Federation trainers, who act as our legal HR people, to send a trainer down. We have run courses then in tandem with the observatory on child protection issues. I am quite confident that my staff are up to speed. Moreover, we have a pack that lives in the cupboard across the way in the administrator's office. There is a copy of the procedure at the front desk, which I have cut up and sliced into the book so that there is a guideline. If you are faced with something, it tells you what you do. It is written down and highlighted in red, because I am well aware that if some issue occurs, people will go into panic mode. I want them to be able to follow the instructions, which say "Do not panic. Follow the instructions."
1294. **The Chairperson:** How many staff do you have?
1295. **Dr Mason:** There are 10.
1296. **The Chairperson:** Do you have any volunteers?
1297. **Dr Mason:** No, we do not. We had volunteers in the past, but it proved to be very difficult. When the legislation was first mooted, I spoke to some folk who were considering volunteering. When they heard that there would be a charge for the Access NI check, it put them off. When I then said that I would cover the charge, they were quite aggrieved that one would question their integrity. I explained to them that I was sorry, but that is the way that it has to be. We do not have any volunteers as such, but anyone who comes in here to work on our payroll, and that will include temporary staff during the summer and various high-season times, will be taken through the agency. The agency sends them along, complete with their Access NI clearance; otherwise, we will not employ them.
1298. **The Chairperson:** It is unfortunate that you do not have the benefit of having volunteers.
1299. **Dr Mason:** It is sad, but I thought that it would make life simpler for me, because those in the temporary pool that we have perform that function for me. I must also say that they are paid so are much more reliable.
1300. **The Chairperson:** You say that your primary focus is on education, and the school groups that you host are obviously accompanied by teachers.
1301. **Dr Mason:** Yes.
1302. **The Chairperson:** Can you give us any idea of the number of children who come through the planetarium's doors annually?
1303. **Dr Mason:** We do not differentiate between the school numbers and others, but my latest figures show that over 40,000 came in through the door, and we talked to 20,000 or perhaps 25,000 off-site. At least half of those who come through the door are schoolchildren. They come in with the teachers, who get in for free. We have rules on what the ratio should be according to age group. Therefore, some schools will bring along parents, and we know that those parents will have been cleared through the school. It is hugely complex for us to check that, and I have to take it on good faith that the schools have put through the process the people whom they send along.
1304. **The Chairperson:** The problem around unaccompanied young people was one of the issues raised at our meeting last

- week with museums representatives. Do you face a similar issue?
1305. **Dr Mason:** It is an issue but one that hardly ever arises. The only time that we have unaccompanied young people would probably be in the afternoons, when pupils are being picked up by their parents from the schools that surround us. Sometimes, the kids will feel the sudden urge to pay a last-minute visit to the john, so they are in and out. Normally, not many people are around at that time. Our school visitors will normally all be gone around 1.30 pm because, if they have travelled any distance, it may take them an hour to get back home. We have a public show at 2.00 pm, which is not hugely well-subscribed to unless it is a public holiday. We normally have in three, four or half a dozen folk who have walked in off the street. Any children around at that time are just basically in and out to use the toilet.
1306. **The Chairperson:** Have you had any incidents related to child protection issues reported to you recently?
1307. **Dr Mason:** None, I am very pleased to say.
1308. **Mr D Bradley:** I would have preferred to have seen the written copy of your child protection policy.
1309. **Dr Mason:** I have brought it along, Dominic, and I can give you a copy.
1310. **Mr D Bradley:** It probably would have been better for us to have had copies of that so that we could have had a chance to read it and question you on it. Perhaps you will provide the Committee with that in the meantime —
1311. **Dr Mason:** I can.
1312. **Mr D Bradley:** — because you have a huge number of children through the facility in the course of a year. The other point that I will make is that your annual report for the observatory and the planetarium has a section on health and safety.
1313. **Dr Mason:** Yes.
1314. **Mr D Bradley:** Considering the importance of child protection, would you in future consider having a paragraph or two on child protection, or a report, in the annual report to include any training or updating of the policy that has taken place?
1315. **Dr Mason:** I can certainly do that, yes. I can add it in. I view health and safety and child protection as falling into the same statutory category, as it were. Therefore, yes, and thank you. That had not crossed my mind. I can put that in.
1316. **Mr Ó hOisín:** For clarity: you do not use Access NI for your recruitment, which goes through the Church of Ireland. What, then, is the role of the Engineering Employers' Federation in the delivery of policies, including that on child protection?
1317. **Dr Mason:** The federation is an industry organisation that was put together for employers. We use it as a human resources adviser because it has lawyers and barristers, and so on, on-site. I go through them for anything to do with recruitment or training. They also help us out with running health and safety training courses.
1318. **Mr Ó hOisín:** Have they advised you on child protection?
1319. **Dr Mason:** Yes, absolutely.
1320. **Mr Irwin:** Thank you, Tom, for the tour. As a local person, I have been here on a number of occasions, but I would not mind updating my limited knowledge of the planets and the stars. The planetarium is very challenging and interesting for the young people, and the public at large, in many cases, are not fully aware of the mind-boggling magnitude of what is out there.
1321. What are the main challenges for the planetarium in the future?
1322. **Dr Mason:** The main challenge is maintaining our visitor numbers because that is an important part of our operating budget. However, when we are being compared with other organisations such as the Ulster Museum, for

- example, which performs a similar function, we are comparing apples and pears because the Ulster Museum has free entry.
1323. In the recent past, we have promoted the planetarium using the Groupon coupons, which you may have heard of. To my surprise, that has been astonishingly successful. Many people have come to the planetarium with a Groupon coupon because they think that they are getting a bargain, which they are, as it is essentially a half-price visit.
1324. Our figures for the end of the year showed that we were 6% up on our prediction. Although I have not had a chance to look closely at the numbers, I am convinced that that was almost exclusively because of the Groupon coupons. Although we were getting less money from that, our shop sales were up 17%, which means that people are inclined to buy from the shop if they think that they are getting a bargain.
1325. At the moment, our strategy is to enhance the shop stock, which means that we will sell more, and to continue with the Groupon coupons, which, we hope, will bring more people through the door. An unintended consequence has been that my staff are telling me that the Groupon users who are coming in, we think, represent a different socio-economic group. That is fabulous, because those are groups that museums and art galleries find very hard to tap into. I am keen to enhance that.
1326. One of my aims for the planetarium, which we will have to think about, is to find a way to offer free entry. That would mean having an uplift in the budget allocated to us. I am convinced that we would double our numbers overnight. There is the hassle of travel, which costs whether you come by bus or car, and the cost of our family ticket is about £20. We will have to raise our prices now. I have not raised them in the past seven years. We had them at £5 for kids and £6 for adults, and when the recession hit and people were losing their jobs, we knocked £1 off the prices and absorbed that.
1327. Hence we are operating on a very tight budget. However, I sincerely feel that that will work out. It also means that we will compare more evenly with the museum. Again, it has been said often that if Armagh Planetarium was in the Belfast bit of Armagh — or in the Armagh bit of Belfast — we would have very many more people through the door. That is our prime function: we have to get as many kids in here as possible.
1328. I tell the adults that I am not hugely interested in them, but that I want their children to be happy. When I talk to folk, we walk around and interrogate them politely, and that is their feeling as well. If they think that their children are having a wonderful time, they are perfectly happy. In addition, we have many activities and events for which we do not charge. We have something different happening virtually every weekend in the summer, which is an add-on. The kids in this morning are doing rocket launching; at the weekend, they launch rockets and make things. It is sort of an extension of primary school.
1329. The point is that we are throwing them into the mix and seeing what happens. Unlike the primary school, I do not care whether they turn up with an alien or rocket. It is all brilliant, clap clap, well done. I hope that that answers your question.
1330. **Mr Humphrey:** Thank you very much for your presentation. Having been here on a number of occasions with a group of young people from the Scout Association, I concur with what you said about how interesting they find their visit, as Willie also mentioned. I was also surprised to see how busy the shop was when the tour finished. The kids were very interested and were taken by the whole experience here.
1331. With regard to child protection, do you have a deputy if you are on holiday or not here?
1332. **Dr Mason:** Yes, I normally do. We have a joint administrator, but he is not in post. I do not want to go into detail because this is a public forum. I am

- acting as deputy and head at present. I will be talking to my colleague Mark, who will act as my deputy in this instance, as I will for him, until we have a new person in. We have a temporary person in the post, but it is not fair to ask her, especially at this time of year when we are busy getting our end-of-year accounts together.
1333. Under normal circumstances, the answer is yes, and this child protection policy literature normally lives in the administrator's office. It is labelled not to leave that room, but I brought it over for you this morning.
1334. **Mr Humphrey:** When driving in, I noticed a unit to the side of the building signposted Radio Ulster. What goes on there and is there an income stream for the planetarium from that?
1335. **Dr Mason:** It is a BBC sound studio, and they rent the space from us. In the days before mobile phones and good internet connections, they wanted a good, clean landline. People who were being interviewed pitched up and one of my staff let them in; everything was switched on and they talked directly to the studio. Nowadays, they conduct phone interviews much more. I have been interviewed on mobile phones and landlines because the quality is so much better. I suspect that when the BBC conducts a review, it may find that the studio is no longer necessary. Gordon Adair, the local BBC person, is based in there, so he edits his reports and fires them up to Belfast over our network. We have a fast-fibre connection.
1336. **Mr Humphrey:** Is there an income stream?
1337. **Dr Mason:** Yes; we rent the studio out to the BBC. We rent many things out as best we can. We have a basement that is rented out to a computer company. The rent is that they provide us with an outreach vehicle, which means that I do not need to worry about replacing vehicles. We pay for just the running costs.
1338. I have a computer node in a tiny container adjacent to the basement for which I am paid a garden rental. What was formally lawn is now a computer node. It is part of the Kelvin network, which is a huge government-sponsored network from four or five years ago.
1339. **Ms McCorley:** Go raibh maith agat, and thank you for the presentation. Is there a profile of the schools that visit the planetarium? Would you have more affluent than socially deprived children? If there are gaps, what are you doing to encourage those who are not drawn in?
1340. **Dr Mason:** Thank you. That is a good question. We did not notice that more affluent schools were visiting. What we noticed was that schools tried their hardest to get here because they recognised that kids got a really good experience. In the more recent past, the Minister asked us, generically as part of the government-wide concentration on disadvantage, whether we could do something about that. In March, we ran a special event or production in which we had dragons in the space down below — I did not take you in there earlier, and the dragons are not there anymore — with a local company from Coalisland that we have worked with before. Essentially, we put on a little play. The Minister and the Department provided extra funds to pay for buses, we sent out invitations and had kids from all over the place — from the north coast and all parts of Belfast. We specifically targeted disadvantaged schools. We got the data from the Department of Education that showed the percentage of students who received free school meals and used that as our indicator of disadvantage. Some of the percentages were alarmingly high. I now have a target in my key performance indicators (KPIs) for total social need index/free school meals. In March, we had a 35% hit on it. It has proved to be very successful.
1341. Once more, if we could allow schools, and everyone else, to come in free, they would only have to find their bus fare.
1342. **Mr D Bradley:** Sorry, could I just interrupt for a moment?

1343. **Dr Mason:** Yes.
1344. **Mr D Bradley:** I see that the observatory has a targeting social need (TSN) action plan. Do you have something similar?
1345. **Dr Mason:** Yes; absolutely. In our KPIs, we project for about 1,000 TSN numbers per year. Last year, we were 110% to target. It is quite tricky to count mainstream schools. The way the policy is now, special needs children are built into the system much more than in the past, and we are missing some of that count. This morning, Brookfield School, which is a special school, has a class here. They are in action at the moment.
1346. **Mr B McCrea:** Tom, to follow up on that question, do you have a breakdown of how many or which schools come here?
1347. **Dr Mason:** Yes. I do not have it here, but I could get it to you.
1348. **Mr B McCrea:** If the Chair is agreeable, it might interesting to provide the Committee with a list of schools; that would allow us to see what comes across.
1349. I have two other quick questions. You said that your public performances do not get a great deal of support. I think you said that you only get three or four people.
1350. **Dr Mason:** Sorry; I have misled you. I was talking about special evening events in which people come to use telescopes. We used to charge people to come to those — we did a show and allowed them to use the telescopes — but we tended not to get many people —
1351. **Mr B McCrea:** I might have got it the wrong way around. You mentioned 2.00 pm.
1352. **Dr Mason:** Yes. We have a public show at 2.00 pm. We figured that we should be available for the public at some time of the day. It is quite quiet out there at the moment, but normally, at this time of the morning, it is bedlam outside, and we are knee-deep in children. Clearly, the public who want to preserve their hearing do not want to come at that time and would come in the afternoon. We also noticed that —
1353. **Mr B McCrea:** Your numbers are sort of, what?
1354. **Dr Mason:** They are very low. We might get four, five or six people. During holiday times, like the recent Easter holidays, we get 30, 40 or more. People will come when they are free to do so.
1355. **Mr B McCrea:** It has been said by a number of people that this is such a fantastic facility that it is a pity that we cannot get more people here to see it. I wonder about your concentration on young people — it is great — and whether you are missing a trick with their grandparents. Earlier, you said that mums and dads bring their kids, and you approached the issue of cost from your side and said that if it were free, people would only have to worry about their bus fare. I wonder whether Translink would be interested in doing something with grandparents, who, of course, get their travel for free and perhaps there could be a promotion to bring people down here.
1356. **The Chairperson:** Do you want to declare an interest, Mr McCrea? *[Laughter.]*
1357. **Mr B McCrea:** For those of you who do not know, I am a grandparent.
1358. **Ms McCorley:** Are you a pensioner? *[Laughter.]*
1359. **Mr B McCrea:** No. I had sort of forgotten. The Chair has got me on that one. It strikes me that there is something about having an experience for grandparents, who perhaps have a bit more time to bring the children down. It might be worth exploring how you get them involved. Is that something you might think about?
1360. **Dr Mason:** Thank you; that is a very good suggestion. We do get OAPs — as a generic term — coming in in the afternoon. We run special evening events, and there is a special promotional price. We have spoken to Translink in the past about promotions as well, but I had not thought of the particular combination of grandparents

- bringing grandchildren before. Thank you very much. We will do it.
1361. **Mr D Bradley:** On that point, there is an organisation called the University of the Third Age — U3A — there is one in Armagh. I think that there are at least three in this constituency alone, and I am sure there are more throughout Northern Ireland. That might be a market that you could tap into.
1362. **Dr Mason:** For further promotion? I should mention that there is a teeny problem with promotion — advertising is expensive. Our advertising budget last year was £25,000, but I had to find savings of half of that. For the approximately £11,500 that we spent, we got a very good hit because we have very good relationships with many newspapers, which know that we are in hard times, so we pick up a lot of free advertising. We also work closely with Armagh City and District Council. We are in its summer booklet at no charge because it recognises that we are part of the nexus of visitor attractions. Likewise with the Northern Ireland Tourist Board. Over the past few years, if you have come into Belfast City Airport, you will have seen promotion for the planetarium and observatory. That did not cost us anything. If I had to pay for it, I would probably be sitting here in rags; it is enormously expensive. We do radio promotion when we can as well. We can get quite good promotional deals, because they like to promote — Downtown Radio, for example. It is a bit like Groupon, but not as efficient. Groupon gets a much better hit rate at zero cost.
1363. **Mr D Bradley:** Can I ask one short question? You had shows for the Irish-medium schools. Do you still do that?
1364. **Dr Mason:** Yes. We have two shows at the moment that have been translated. One is a child's show; it is for little people. It is called 'The Cardboard Rocket'. We work very closely with Gael Linn, Foras na Gaeilge and the guys at the BBC who helped us out with it. The other is a Christmas show, which is to do with the nativity story. It is also in Irish. We are open to doing that, because, the way that the system works, the sound channel is a separate entity, so I can do it in Mandarin. In fact, it is in Mandarin. If we get a demand, I can whistle a Mandarin soundtrack up. We have done such things for the Chinese community in the past, and if there is a demand for it in Polish, Lithuanian or anything else, that is perfectly feasible.
1365. **Mr D Bradley:** Do you get a good response to the Irish-medium shows?
1366. **Dr Mason:** Not a lot. We were talking with our colleagues from Science Foundation Ireland a couple of weeks ago. We are planning to promote that, and we are thinking of doing it as a calendar week promotion among schools.
1367. **Mr D Bradley:** There is an Irish-language week. Perhaps you could tap into that.
1368. **Dr Mason:** I am aware of it. We operate as an Ireland-wide entity anyway, because, as I say, we have partners in Blackrock Castle Observatory, which we helped to set up. We also work in Limerick and Galway, etc, during Science Week Ireland, which, of course, being Ireland, runs for three weeks. *[Laughter.]*
1369. **Mr Hilditch:** Thanks, Tom, for your presentation and for the tour; it has been very interesting. The questioning has been a mix of child protection and other general issues concerning the planetarium, but I go back to the child protection side of things and Dominic's point about the lack of a written document with us today.
1370. I get the impression that you have the basic requirements and that you have enough to get you over the line and no more. Do you feel that you are more robust than that?
1371. **Dr Mason:** Absolutely.
1372. **Mr Hilditch:** That is what this inquiry is about; that is what we have to drill down into and find out. That is the impression that I have got and will go out the door with. There are initiatives and pilot schemes under the NSPCC,

- and so on. Have you taken part in any of those? Have you not had sufficient numbers of staff to engage like that? What additional recommendations would you make to the inquiry?
1373. **Dr Mason:** I am sorry that you got that impression, as I think that we are very robust.
1374. **Mr Hilditch:** That is what I want to hear.
1375. **Dr Mason:** I need my staff to act virtually on instinct. If such and such happens, I want them to do the right thing by instinct. I spend a great deal of time talking —
1376. **Mr D Bradley:** Sorry, Tom. That is not how it should go. They should not act on instinct; they should act according to your policy.
1377. **Dr Mason:** Sorry, I chose my words badly —
1378. **Mr B McCrea:** Hold on a wee tick, Tom. I understood —
1379. **The Chairperson:** Excuse me. Tom, will you go back to that point?
1380. **Dr Mason:** Sorry, I chose my words badly. I should have said that they should act on autopilot. They know that there is a procedure to follow. They do that straightaway and do not have to think about it. They know what they have to do. The policy is in the book here, and they open it up. As you know, when something like that is reported, people will be stressed. I want to make sure that they act instantly and follow the procedures. The procedures are very clear-cut.
1381. **The Chairperson:** Mr McCrea, do you want to come in before I go back to Mr Hilditch?
1382. **Mr B McCrea:** The implication was that you wanted it to be first and foremost in people's minds that they will follow the appropriate procedures.
1383. **Dr Mason:** I do not want them to have to think.
1384. **Mr B McCrea:** I am sure that that is what was intended. Tom, the point that colleagues are bringing up is that the appropriate choice of words is necessary to make sure that it is at the top. I understand the point that you are making.
1385. **Dr Mason:** My apologies.
1386. **Mr Hilditch:** I come back to the same points on robustness. Have there been opportunities to get involved in the child protection initiatives? Has there just been a sort of hand-me-down policy from the Church of Ireland or whoever is the management? Could you give us a wee bit more detail on all that?
1387. **Dr Mason:** Sorry; the Church of Ireland has had nothing to do with the policy. What I was talking about is how Access NI proposed that it move forward. In the middle of last year, we were informed that we were too small to deal with Access NI directly. I presume that we are microscopic in the great scheme of things. It wanted us to use a larger body that we would be part of. The suggestion was that the larger body would be the Church of Ireland, which had an existing education process headed by Ian Ellis. The administrator, my other half who is not here today, dealt with that. We discussed it at our board and management committee and with DCAL. Everything has been discussed and agreed and is in writing. Essentially, the Church of Ireland is our conduit to Access NI, whereas, formerly, we went directly to it.
1388. Again, I apologise. I did not think that I needed to give you that written policy today, but I will certainly make sure that you get a copy of it. I hope that you will see that it is very robust. I have also pointed out that I read through many of these statements. When the legislation was coming in, I attended meetings with DCAL at which these things were discussed. As I explained, we had policies and were well aware of all this. However, those policies were not written. They were not as robust as they are now, since it became statutory and is in legislation. In the theatre, we turn all the lights out. There are infrared cameras that monitor the theatre, one on each

- side. They are on 24/7, and they record to a disc.
1389. **Mr Hilditch:** As regards volunteering and the not wanting to get involved; that has obviously been to your disadvantage. For most organisations, volunteers are coming forward readily and are accepting child protection issues. Is there anything that can change to encourage volunteers to participate?
1390. **Dr Mason:** Yes, my experience at the start of this period was an unhappy one, because I had feedback from the volunteers that I had invited to come. Almost to a person, they were unhappy and took the attitude that I was not being trusting of them. I explained: “sorry, this is the legislative framework, and I have to do this. I am very sorry.” The easy way out was to have paid temporary staff instead of volunteers, which meant that it was much easier for me to draw up my rotas because I knew that those people would be there. Volunteers are less reliable in that sense. That has been my experience.
1391. **The Chairperson:** Have you had any experience with Volunteer Now?
1392. **Dr Mason:** Not in the recent past. The last time we had volunteers here was eight years ago.
1393. **The Chairperson:** It may be useful to you to have a conversation with Wendy Osborne and her team. It is certainly something that we have encouraged with libraries, and they are working up a volunteer strategy.
1394. **Dr Mason:** That would be very useful.
1395. **The Chairperson:** It may also be of assistance to you in relation to your overheads and staff costs. The MAC has MACTivists and has drafted a policy to drive that forward. That has been a very successful project.
1396. **Dr Mason:** Is that the MAC in Belfast?
1397. **The Chairperson:** Yes. That policy has been drafted through Volunteer Now, so I highly recommend that you make that contact in relation to your staffing and give others — students, and so on — the opportunity to work in this type of environment, because it would be invaluable to them and to you. It would be mutually beneficial.
1398. You mentioned that you work on the template of the Arts Council.
1399. **Dr Mason:** That was the checklist.
1400. **The Chairperson:** You did not mention Sport NI or the NSPCC.
1401. **Dr Mason:** No, I read through their strategies and put together our own one, which is very similar to the observatory's and covers all the same headers. Again, I apologise because I should have given you a copy of that. I will give you a copy to distribute by e-mail, or you can give me e-mail addresses and I will do that for you.
1402. **The Chairperson:** That would be very useful.
1403. **Dr Mason:** Please provide any feedback once you have seen it. Basically, the feedback I have had has come after presenting it to DCAL and to my board and management committee. So, it would be very worthwhile for you to see it and provide feedback.
1404. **The Chairperson:** As a Committee, we were very struck by Sport NI's policy, which has been held as an example of best practice. That is why we are looking at this piece of work and at how there may be gaps throughout the rest of the organisation. We are not here to criticise you in any way: we are here to learn about what you do and see whether you have any best practice that could be applied throughout.
1405. **Dr Mason:** Absolutely. It is about continuous improvement.
1406. **The Chairperson:** Mr Hilditch asked a question that you have not come back on, and it was about recommendations. Would one recommendation be on the amount of support that you should be getting from DCAL centrally?
1407. **Dr Mason:** I know that it is there if I ask for it. Essentially, I am relying on the Engineering Employers'

- Federation, because it deals with similar organisations on a UK-wide basis. Principally, it advises me on HR matters, but it does have specialists in child protection. The last course that we ran was in the little boardroom. The child protection deal was that we bring everyone in: anytime there is a training session, it is mandatory that you attend.
1408. **The Chairperson:** Your comment that you know that it is there if you ask for it concerns me, because DCAL should be coming to you and should be much more proactive. Given the changes in the nature of issues around child protection, it should be there to give you information that makes you aware of those changes. Things are changing with technology.
1409. I am very conscious of our time, and we have not touched on the use of mobile units in the complex. There are associated risks with photography.
1410. **Dr Mason:** We are aware of those things. When we do photography, we do not take photos of children in the planetarium. If we are trying to do PR shots, we ask the schools to provide them.
1411. **The Chairperson:** I appreciate that, but, obviously, children now have access to cameras in their pockets as well. There are so many things that we could probably talk around today. It would be useful if you were to forward your policy to the Committee. Do not take what we are saying as a criticism. We are just trying to be helpful.
1412. **Dr Mason:** One way in which you could be helpful is to mention something to DCAL. Mark and I provide DCAL with a quarterly assurance statement, which is on the minutiae of governance. In my view, child protection is equally important to health and safety. It would not be beyond the bounds to stick in that statement another bit about child protection, because there could be policy review dates and so on. We have to fill in all these other things, so why not add that? That is the best suggestion that I can provide for you.
1413. **The Chairperson:** That is exactly what we are looking for. Having spoken to most arm's-length bodies now, I can say that there seems to be a feeling that they would benefit from all of them coming together in a round table format, with DCAL there, to share best practice.
1414. **Dr Mason:** I could not agree more. I am sorry, the time is flowing on.
1415. **The Chairperson:** Mr Ó hOisín, did you want to come in?
1416. **Mr Ó hOisín:** In fairness, my question was almost covered there. Again, I go back to the Engineering Employers' Federation. Do you bring it in as and when you need it, or only at recruitment and interview level?
1417. **Dr Mason:** As and when I need it.
1418. **Mr Ó hOisín:** How often is that, Tom?
1419. **Dr Mason:** Often.
1420. **Mr Ó hOisín:** Would it be twice a year?
1421. **Dr Mason:** I deal with it weekly, almost.
1422. **Mr Ó hOisín:** How often do you bring it in?
1423. **Dr Mason:** We had a training course yesterday. We did not bring it in. The guy went up. It was a course on social media. I have not had a chance to speak to him about it yet. It is ongoing and very frequent.
1424. **The Chairperson:** Thank you for your presentation and for hosting us today. We will be in touch about further information.



Northern Ireland
Assembly

Appendix 3

Written Submissions

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Access Northern Ireland

Arts Council of Northern Ireland

Beat the Cyber Bully

Child Protection and Online Protection Centre (CEOP)

Department of Culture, Arts and Leisure

Foras na Gaeilge

Irish Football Association

Irish Rugby Football Union (Ulster Branch) (IRFU)

Libraries NI

Music Theatre 4 Youth (Ireland)

National Museums Northern Ireland

National Society for the Prevention of Cruelty to Children (NSPCC) –
Briefing on 22 November 2012

National Society for the Prevention of Cruelty to Children (NSPCC) –
Briefing on 7 February 2013

Northern Ireland Association of Social Workers (NIASW)

Northern Ireland Local Government Association (NILGA)

Northern Ireland Museums Council (NIMC)

Northern Ireland Office of the Commissioner for Children and Young People (NICCY)

Northern Ireland Theatre Association (NITA)

Police Service of Northern Ireland (PSNI)

Safeguarding Board for Northern Ireland (SBNI)

Sport Northern Ireland

Swim Ireland

Ulster GAA

Ulster-Scots Agency

Ulster-Scots Community Network

Volunteer Now

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Your Ref C42/13

Mr Peter Hall
Clerk
Committee for Culture, Arts and Leisure
Room 344
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5 February 2013

Dear Peter

Committee Investigation into gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit.

Thank you for your letter of 21 January informing me of the Committee's investigation and inviting comments on the areas identified in the terms of reference for that investigation. I should clarify that AccessNI is an integral part of the Department of Justice and is responsible to the Minister of Justice for its operations and work. The Minister has, therefore, approved this response.

AccessNI operates under Part V of the Police Act 1997. Its role is to provide criminal history and other information to employers to ensure that safe and appropriate recruitment decisions are taken.

AccessNI provides three levels of check;

- **Basic** - includes information on criminal convictions **except** those regarded as spent under the Rehabilitation of Offenders (NI) Order 1978;
- **Standard** - includes information on all criminal convictions **including** those regarded as spent under the Rehabilitation of Offenders (NI) Order 1978; and
- **Enhanced** - as for Standard plus any non-conviction information held by police that might be relevant and ought to be disclosed.

For Enhanced checks, where the applicant will be working in regulated activity as defined under the Safeguarding Vulnerable Groups (NI) Order 2007, as amended, the information will include a check of lists held by the Disclosure and Barring Service (DBS) of those individuals who are not permitted to work with children or vulnerable adults. The DBS is a non-Departmental public body, within the remit of the Home Office, that makes decisions whether individuals in England, Wales and Northern Ireland should be prevented or "barred" from working with children or adults. It also provides the disclosure function, i.e., similar to that of AccessNI, for England and Wales. Scotland has separate arrangements.

The majority of AccessNI's work is with statutory, voluntary and private sector organisations that work with children and those adults who would be regarded as vulnerable. Individuals working (or volunteering) in these areas apply for enhanced checks through registered bodies,

who in many cases are employers or who act for organisations other than their own. Once a check is processed a copy of the certificate is sent to the applicant and another copy goes to the registered body. AccessNI currently has almost 2,000 registered bodies, though this number will reduce to around 700 after April 2013 following a review of the registration criteria for existing and new registered bodies. AccessNI is unable to advise the Committee how many of these bodies would operate solely or mainly within the culture, arts and leisure remit, but would be aware for example, that many governing bodies in the sports sector are registered. Registered bodies are required to adhere to the AccessNI Code of Practice and are subject to monitoring by AccessNI including physical visits to organisations to check that appropriate procedures and processes are in place.

During the calendar year 2012, AccessNI received a total of 131,896 applications for disclosure of which 105,540 were for the more complex, enhanced checks. AccessNI is unable to advise the Committee how many of these checks fell within the culture, arts and leisure remit, but sporting bodies do seek significant number of checks. For example between April and November 2012 the Ulster Council GAA sought nearly 900 checks from AccessNI, while the Irish Football Association sought over 650.

AccessNI has no statutory powers to determine whether and when applicants **must or should** apply for enhanced checks. Such requirements are laid down by legislation sponsored by other Departments. However AccessNI has powers to determine whether an individual application is **eligible** for the level of disclosure applied for.

AccessNI charges a fee for processing of applications. For enhanced checks this is £30, but those falling within AccessNI's definition of a volunteer receive checks free of charge.

The Department of Justice, is bringing forward legislation that would make the checks portable, or transferrable, between jobs and positions. Currently the information provided on checks is technically only valid on the day on which it is issued. Therefore in many cases, applicants require to obtain a fresh check for each new post or volunteering position. The proposed legislation would enable employers to conduct an on-line check to ascertain whether the information on a check presented to them continued to be the most up to date information available. It is anticipated that the legislation will come in to force early in 2014.

As mentioned, AccessNI does not have responsibility for any aspect of child protection policy, though clearly the service it provides assists in the delivery of Northern Ireland's safeguarding framework. Given this, AccessNI has no specific comments in relation to the Committee's terms of reference for this investigation but would be very happy to provide any further information or clarification that would assist the Committee with its work.

I am copying this to the Clerk of the Justice Committee for information.

Yours sincerely

Tom Clarke

General Manager

Arts Council of Northern Ireland

Response of the Arts Council of Northern Ireland to the Committee for Culture, Arts and Leisure's Investigation into gaps in Child Protection and Safeguarding across the CAL remit.

Introductory remarks

1. The Arts Council is the development agency for the arts in Northern Ireland, providing support for artists and arts organisations throughout the region through a range of funding opportunities. We distribute Exchequer money and National Lottery Funds to organisations and artists who develop and deliver arts programmes across all of society.

Child Protection and Safeguarding

2. The protection of our children is of paramount importance. There is both a moral obligation and legal responsibility, under the common law Duty of Care, for anyone who is involved with children to provide them with the highest possible standard of care and to take reasonable steps to ensure their safety and wellbeing. The Arts Council aims to safeguard the welfare of children, young people and vulnerable adults participating in the arts. We do this by ensuring client and partner organisations commit to good practice which protects the vulnerable from harm. Much has been done and is currently taking place to reflect changes to the law and practice in child protection, to ensure all possible steps are taken to keep children safe when taking part in arts related activities.
3. The Arts Council is committed to providing a high level of service to its clients whether individual artists or arts organisations who work with children. We believe that:
 - The welfare of the child, young person and vulnerable adult is paramount.
 - All children, young people and vulnerable adults whatever their age, culture, disability, gender, language, racial origin, religious beliefs and / or sexual identity have the right to protection from abuse.
 - All suspicions and allegations of abuse should be taken seriously and responded to swiftly and in an informed manner.
 - Staff and volunteers should be clear how to respond appropriately.
4. We take every reasonable step to ensure that children are protected where:
 - Our own staff is directly involved in the delivery of an arts project
 - An artist or arts facilitator is employed by a third party
 - We fund an arts organisation for a programme of work

In addition, we seek to promote a positive ethos and promote awareness of child protection and safeguarding within the arts sector since everyone in the arts sector plays a part in keeping children and young people safe by creating a safe environment, identifying those who are suffering or at risk of harm and taking appropriate action.

5. If a complaint arises involving an artist, arts facilitator or a third party, where the Arts Council has a direct or indirect involvement, we will treat the situation with the utmost gravity and urgency. Concerns, disclosures and allegations are dealt with by the designated officer for child protection or the deputy designated child protection officer who are also responsible for acting as a source of advice on child protection matters, for coordinating action within the

Arts Council and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse.

7. With the support of Volunteer Now, the Arts Council has developed child protection guidelines for use by organisations within the arts sector. The guidelines outline legislative requirements and good practice for working with children. Organisations that we fund are required to apply the guidelines and adapt them to suit their specific activities and organisational structure.
8. It is a requirement of Arts Council funding conditions that an organisation intending to work with children and young people commits to a Child Protection Policy. Through the policy an organisation demonstrates that it is committed to practice which protects children from harm. Staff, volunteers and artists working in a funded organisation accept their responsibilities under the Children (NI) Order 1995, about safeguarding children. In particular, funded organisations are required to demonstrate that they are aware of the issues which cause children harm; have adopted child protection guidelines for staff, leaders, volunteers and artists; have provided information about child protection and good practice to children, parents and guardians, staff, volunteers and artists; have committed to share information about concerns with children, parents and guardians and others who need to know; have followed the procedures for the recruitment and selection of helpers (staff, volunteers, artists) and the management of the group, undertaking appropriate training; keeping child protection policies under regular review and providing information and updates about safeguarding and child protection to management committees and to their funders.
9. Before making any award of funding, the Arts Council requires organisations to submit a copy of their Child Protection Policy, signed and dated, as adopted. Policies and procedures are checked before awards are made.
10. Organisations dealing directly with children, young people and vulnerable adults must also complete and return a Safeguarding Checklist, in addition to their Child Protection Policy. No funds are released to organisations until the Arts Council is satisfied with the information provided.
11. Organisations that develop procedures and guidelines in relation to the protection of children, young people and vulnerable adults will help to reduce the possibility of abuse.
12. An organisation working with children should aim to provide activities that will encourage learning and development and assist children to develop new skills within a safe environment. By developing procedures and guidelines, organisations will help to minimize the potential for abuse and create a positive environment for the children involved. A child protection policy is designed to protect children from harm and abuse, protect workers against false allegations and protect the reputation of the organisation.
13. The fundamental principle in childcare law and practice is that the welfare of the child must always be the paramount consideration in decisions taken about them, as set out in the Children (NI) Order 1995, which provides the legislative basis for child protection practice in Northern Ireland.
15. The Arts Council is committed to reviewing its policy and guidelines at regular intervals (at least every three years), obtaining further advice and information from appropriate agencies. In addition, the Arts Council takes measures to ensure that those in the Arts sector review and update their policies and procedures in line with best practice and legislation relating to protection issues.

Summary:

- I. The Arts Council is compliant with DCAL Guidance on Safeguarding, issued on the 1st June 2009.

- II. The Arts Council has a Safeguarding Policy, a designated safeguarding officer and deputy designated safeguarding officer.
 - III. The Arts Council has in place Good Practice Guidelines for Child Protection (can be viewed on the ACNI web site (Annex 1) and a Safeguarding Checklist (Annex 2).
 - IV. The Arts Council's guidelines have been developed in partnership with Volunteer Now – Our Duty to Care Team and Arts Council client organisations.
 - V. Client's organisations receive Briefing Papers regarding Safeguarding, e.g. changes to vetting and barring arrangements in Northern Ireland that came into effect on the 10th September 2012.
 - VI. Client's organisations are signposted to relevant training and guidance regarding safeguarding from external service providers, Volunteer Now, Children in Northern Ireland (CiNI).
 - VII. Client organisations are provided with advice and support regarding Safeguarding.
17. For our Lottery and Exchequer funded clients, the Arts Council requires:
- Clients must submit a signed Safeguarding Policy; this policy needs to be no older than 3 years.
 - Clients must submit a Safeguarding Checklist in addition to the organisation's child protection safeguarding policy.

Arts Council and Child Internet Safety

18. The internet is an integral part of children and young people's lives and it opens up many educational, artistic and social opportunities, giving access to a world of information and experiences. As technology advances, the ways in which we communicate, receive and send information, constantly change. While this provides opportunities for organisations to promote their activities and communicate easily with the public, it also carries risks, which is why safeguards must be put in place.
19. Whether on a computer at school, at home, or using a games console or mobile device, children and young people are increasingly accessing the internet on demand. In the real world, this creates many practical issues not least knowing which protection measures are effective. Risk factors have been documented in recent reports. "Risks and Safety for children on the internet: Ireland report" (2011) cites a variety of risks. Misuse of personal data, access to harmful user generated content and contact through social media with those not known to the child, are amongst the most prevalent. The extent to which these risks may lead to harm needs to be carefully assessed. That is not to suggest that children are not able to cope with such content but parents and educators need to be vigilant regarding the range of harmful content online. There is also a need for reinforcement of positive content and the beneficial educational value of much online content. As with all aspects of safeguarding, you will want to make sure that children are safe whatever they are doing.
20. The Arts Council with the support of Volunteer Now and others with a responsibility for promoting, supporting and enabling safe opportunities for children and young people will develop a set of guidelines and actions for those in the arts sector to enable them to increase awareness and actions they can take to create child internet safety.

Current Actions regarding Child Internet Safety:

Policy/Strategy:

- ACNI Child Protection Policy and Procedure
- ACNI IT Security Policy

Awareness:

- Briefings circulated to client organisations on Safeguarding and associated legislation.
- Information circulated to client organisations relevant to Safeguarding Training provided by external organisations e.g. CiNI, Volunteer Now.

24. Evidence of Good Practice:

- The Arts Council commissioned Volunteer Now to carry out comprehensive training, support and policy development to arts organisations over a two year period.
- Briefing papers circulated to clients on a regular basis.
- Regular signposting of safeguarding training to arts sector clients.
- Good Practice Guidelines relevant to the arts sector in place.
- Safeguarding Checklist in place for exchequer and lottery clients.
- Safeguarding review carried out by the Education & Training Inspectorate in 2011 commenting on Arts Council's procedures and processes.
- Childline awareness training for Arts Council staff and client organisations.
- The Arts Council is a member of the Safeguarding Adults at Risk Information Hub
<https://docs.google.com/file/d/0B68KYXr1tCqSYIRRanQwaTVBWnc/edit>

Annex 1



Arts Council of Northern Ireland Safeguarding Policy and Procedure

Please note that the term Vulnerable Adult used in this document is inclusive of Older People.

1. Policy Statement

The Arts Council of Northern Ireland is the lead development agency for the arts in Northern Ireland. We are the main support for artists and arts organisations offering a broad range of funding opportunities through our Exchequer and National Lottery funds.

The Arts Council is committed to providing a high level of service to all our clients whether individual artists or arts organisations.

As the lead development organisation for the arts in Northern Ireland, we believe that:

- The welfare of the child, young person and vulnerable adult is paramount.
- All children, young person and vulnerable adult whatever their age, culture, disability, gender, language, racial origin, religious beliefs and / or sexual identity have the right to protection from abuse.
- All suspicions and allegations of abuse should be taken seriously and responded to swiftly and in an informed manner.
- Staff and volunteers should be clear on how to respond appropriately.

The Arts Council will take every reasonable step to ensure that children, young people and vulnerable adults are protected where:

- Our own staff are directly involved in the delivery of an arts project
- Our staff recruit or broker relationships between an artist or arts facilitator and a third party
- We fund an arts organisation for a programme of work, or for core work
- We seek to promote a positive ethos of collaborative work between the professional arts sector and children, young people and/or vulnerable adults

If a complaint or criminal proceeding occurs between an artist and arts facilitator and a third party, as a result of the Arts Council's direct or indirect involvement, the Arts Council will treat the situation with the utmost urgency. All concerns, disclosures and allegations are dealt with by the Arts Council's Designated or Deputy Designated Officer for Child Protection.

The Arts Council's Designated / Deputy Designated Officer is responsible for acting as a source of advice on child protection matters, for co-ordinating action within the Arts Council and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse.

The Arts Council of Northern Ireland with the support of The Volunteer Development Agency has developed overarching child protection guidelines for use by organisations within the arts sector in Northern Ireland. This resource document outlines legislative and good practice guidelines for working with children. Organisations should take these guidelines and adapt them to suit their specific activities and organisational structure.

It is a requirement of the Arts Council of Northern Ireland funding conditions that an organisation intending to work with children and young people commits to a Child Protection Policy, namely that an Arts Organisation;

“are committed to practice which protects children from harm. Staff, volunteers and artists in this organisation accept and recognise their responsibilities under the Children (NI) Order 1995, about safeguarding children, and will endeavour to carry these out by”:

- Having an awareness of the issues which cause children harm;
- Adopting child protection guidelines for staff, leaders, volunteers and artists;
- Providing information about child protection and good practice to children, parents and guardians, staff, volunteers and artists;
- Sharing information about concerns with children, parents and guardians and others who need to know; following carefully the procedures and recruitment and selection of helpers (staff, volunteers, artists) and the management of the group;
- Undertaking appropriate training;
- Keeping child protection policies under regular review; and
- Providing information as required to management committees/funders.

The Arts Council insists that all those in receipt of funding submit a copy of their Child Protection Policy (if applicable), signed and dated as adopted.

Organisations dealing directly with children, young people and vulnerable adults must complete and return a Safeguarding Checklist, in addition to their child protection policy. No funds will be paid across to organisations until they are able to sign up completely to the checklist.

Organisations that develop procedures and guidelines in relation to the protection of children, young people and vulnerable adults will help to reduce the possibility of abuse.

An organisation working with children should aim to provide fun activities that will encourage learning and developmental opportunities and assist them to develop new skills within a safe environment. By developing procedures and guidelines, organisations will help to minimize the potential for abuse and create a positive environment for everyone involved. A child protection policy is therefore designed to protect children from harm and abuse, protect workers against false allegations and protect the reputation of the organisation.

There is a moral obligation on anyone who is involved with children to provide them with the highest possible standard of care. Secondly, there is a legal responsibility, under the common law Duty of Care, for all organisations to take reasonable steps to ensure the safety and wellbeing of all children in their care.

The fundamental principle in childcare law and practice is that the welfare of the child must always be the paramount consideration in decisions taken about them. This is set out in The Children (NI) Order 1995, which provides the legislative basis for child protection practice in

Northern Ireland and which is underpinned by the standards of the United Nations Convention on the Rights of the Child.

The Arts Council of Northern Ireland is committed to reviewing its policy and guidelines at regular intervals, at least every three years, gaining further advice and information wherever possible and ensuring that those in the Arts sector review and update their policies and procedures in line with best practice and legislation relating to protection issues.

2. Reporting Concerns, Disclosures and Allegations Procedure for Arts Council Staff and Volunteers

The Arts Council fully acknowledge that the sharing of information in ensuring that children are safe and in assessing whether a child or children are at risk is essential. It is vital that all staff and volunteers are aware that “significant information”, that, is information about the behaviour which may put children at risk of harm, is shared with personnel and agencies whose role is to protect them.

The Arts Council has in place a Designated and Deputy Designated Child Protection Officer (see attached Appendix 1), who are responsible for acting as the source of advice on child protection matters, for co-ordinating action within the organisation and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse.

2.1 What May Constitute a Concern about a Child?

A concern relates to the possibility of a child suffering harm or abuse. Indicators of this may include:

- Sudden, unexplained or worrying changes in behaviour (e.g. becoming withdrawn, displaying sudden outbursts of temper or displaying inappropriate sexual awareness for their age).
- Physical signs or symptoms that may be indicative of abuse (e.g. unexplained or suspicious injuries or for which the explanation given seems inconsistent, or physical appearance such as weight loss for no apparent reason or a dirty or unkempt appearance).
- Worrying remarks made by a child.
- A situation where a child has been exposed to potential risk of harm.

Due to the nature of expressivity involved with all arts forms, staff and volunteers should be aware that children may express their emotions in different ways. Any concerns about a child should be reported in line with the reporting procedure.

2.1.1 Considerations for Situations where Concerns are Regarding Children with a Disability:

- The nature of the disability may appear to ‘explain’ signs and symptoms (e.g. bruising, inappropriate sexual behaviour).
- A child may often be more dependent on adults (e.g. physical contact & support needs, intimate care) and may be cared for by a number of adults.
- A child may be unable to recognise abusive behaviour and differentiate between appropriate and inappropriate touch.
- Children with communication or language difficulties may be unable to convey an experience to others and it may be difficult to convey information to a child.
- Staff or volunteers may have a greater reluctance to accept that children with a disability can be abused.

2.2 What is a Disclosure?

A disclosure is when a child tells a member of staff or a volunteer that they have been or are being harmed or abused in some way. This may constitute physical, sexual or emotional abuse, or neglect or bullying. Detailed definitions can be found in the Arts Council Child Protection Best Practice Guidelines for Arts Organisations (available on the public server).

2.1 Dealing with Disclosure

If a child makes a disclosure, it is important that staff or volunteers:

- Stay calm - do not panic!
- Reassure the child that they have done the right thing in telling.
- Listen to what the child is saying, do not rush them or ask leading questions.
- Do not promise to keep secrets, as the child's welfare is paramount and they must pass this information on to their Deputy/Designated Officer.
- Record in writing what was said and/or observed as soon as possible so that they do not forget any information and try to write exact words if possible.
- Report without delay within the reporting procedure.
- Record they made the report.

Staff or Volunteers should Never:

- Question unless for clarification;
- Make promises you cannot keep;
- Rush into actions that may be inappropriate;
- Make/pass a judgment on alleged abuser; and
- Take sole responsibility, consult the designated officer so you can begin to protect the child and gain support for yourself.

2.3 Concerns or Allegations about the Behaviour of a Member of Staff or Volunteer

Inappropriate or unacceptable behaviour or communication, favouritism or negligence, or a breach in the Code of Behaviour may constitute a concern about the conduct of a member of staff.

An allegation about a staff member occurs when a child, parent/guardian or another member of staff reports specific unacceptable behaviour where a child has been harmed or abused in some way.

2.3.1 Responding to Concerns, Disclosures and Allegations

Staff should be aware that signs and symptoms are not a checklist or definite indicators that abuse or harm has occurred, as other areas of a child's life may affect their behaviour at a given moment (e.g. separation anxiety, homesickness or bereavement). In some instances, it may be appropriate for a member of staff or volunteer to check out a concern with the child, parent/guardian, colleagues or supervisor.

Similarly, there will be times when it is inappropriate to do so, particularly (but not exclusively) in relation to a disclosure or an allegation. It is not the member of staff or volunteer's responsibility to investigate a concern or decide if abuse or harm has occurred. Staff and volunteers simply need to ensure that all information is passed to the Deputy/Designated Officer without delay.

All concerns, disclosures and allegations should be recorded and passed to the Deputy/Designated Officer as outlined in the Reporting Procedure in Section , no matter how

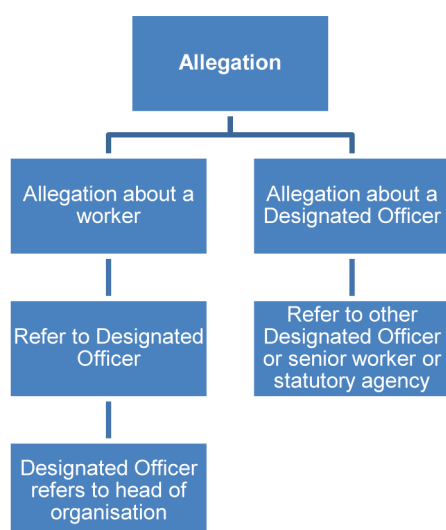
insignificant they may seem and regardless of whether they relate to situations internal or external to an organisation (i.e. any concerns connected to a family or school situation should be noted as well as concerns within an organisation).

If there is an emergency and the Deputy/Designated Officer cannot be contacted, staff and volunteers should know to contact Social Services, the PSNI or the NSPCC directly (see Appendix 2 for contact details).

2.3.2 Allegations about a Member of Staff or Volunteer

An allegation against a member of staff or volunteer must be referred to the Deputy/Designated Officer, who will then pass it on to the head of the Arts Council.

The Arts Council has a reporting procedure to deal with an allegation against a Deputy/Designated Officer. In the case of an allegation against one of the Designated Officers, a referral will be made to the other Designated Officer, an identified individual in a senior position (e.g. the Chairperson) or directly to a statutory agency. For example:



As well as following child protection procedures and reporting allegations to the appropriate authorities (if appropriate), the Arts Council's own internal Disciplinary Procedure will be followed where necessary. The Deputy/Designated Officer will deal with the Child Protection Reporting Procedure and the Chief Executive of the Arts Council will have responsibility for ensuring the Disciplinary Procedure is correctly implemented where necessary.

The Deputy/Designated Officer will liaise closely with statutory agencies and seek advice with regards possible concerns. There may be instances when an allegation may not necessarily lead to a referral to a statutory agency. For example, a one-off incident may be considered to be a training matter (e.g. a member of staff shouting at a child that has misbehaved - the staff member may have family issues at home and be under a considerable amount of stress as a result and/or may not be confident with behaviour management, in which case training should be sourced and code of behaviour re-visited with the member of staff). **Serious incidents should be referred to the PSNI.**

If a referral about a criminal offence is made to the PSNI and it instigates a criminal investigation, the Arts Council will not conduct an internal investigation or gather evidence that could prejudice a criminal investigation.

2.4 Reporting Procedures

The Arts Council have procedures in place for dealing with concerns raised by staff and volunteers and for reporting those concerns to the local Social Services or PSNI if appropriate.

In any case where an allegation is made, or if an Arts Council staff member or volunteer has concerns, a record needs to be made, the information below needs to be adhered to when writing your report:

- Date
- Name of staff member / volunteer
- Name of the Child
- Age of the child
- Any special factors
- Name of parent / guardian (s) / primary carer
- Home address (and phone number if available)
- Is the person making the report expressing their own concerns or passing on those of someone else.
- What prompted the concerns, include dates, times etc of any specific incidents.
- Any physical signs. Behavioural signs. Indirect signs.
- Has the child been spoken to. If so what was said.
- Have the parents / guardians been contacted. If so what was said.
- Has anybody been alleged to be the abuser. If so record details.
- Has anyone else been consulted. If so record detail.

See Appendices 3 and 4 for Flow Charts on Reporting Concerns and Reporting Allegations

Appendix 1 – Arts Council Designated Officers

Everyone in the Arts Council should be aware of the Designated Officer for Child Protection and their Deputy within the organisation who should always be informed of any concerns about a child being abused. The following information should be referred to when making a report.

1. **Designated officer:** Gavin O'Connor
2. **Deputy Designated Officer:** Claire Kilpatrick

Job/Role/Title:

1. Arts Development Officer-Designated Child Protection Officer
2. Human Resources Officer

Address:

Arts Council of Northern Ireland, Mac Neice House, 77 Malone Road, Belfast, BT9 6AQ

Telephone Number:

1. 02890 385239
2. 02890 385264

Email:

1. goconnor@artscouncil-ni.org
2. ckilpatrick@artscouncil-ni.org

These Officers are the first people staff, volunteers or members of the public should approach with concerns, the Officer will be responsible for appropriately recording an allegation or reported incident. They will be responsible for contacting the statutory agency such as the Local Health and Social Care Trust or the PSNI if necessary. They will also have a responsibility to ensure that the policy and procedures are implemented. Their role is to:

- Provide information and advice on training requirements in relation to child protection.
- Ensure that child protection policy and procedures are being followed.
- Contact local statutory organisations (Social Services Gateway Team, the PSNI and/or NSPCC) about concerns and make a formal referral, if applicable. The general procedure is that the Deputy/Designated Officer will contact a statutory organisation by phone and follow this up in writing.

Appointing a Designated Officer and a Deputy Designated Officer means that if one Designated Officer is on holiday/off sick or if an allegation is made against them, this can be reported to the other Designated Officer.

For appropriate contacts outside the organisation see Appendix 2.

Appendix 2 - Useful Contacts

PSNI Child Abuse Investigation Units

From 31 March 2008, Child Abuse Investigation Units have replaced the CARE units.

A District (North and West Belfast) 028 9070 0604

B District (South and East Belfast) 028 9025 9832

C District (Castlereagh, Carryduff, Dundonald) 028 9056 1767

D District (Lisburn, Antrim, Newtownabbey, Carrickfergus) 028 9448 2633

Health and Social Services Trusts – Gateway Teams

Belfast Trust

North and West Belfast 028 9032 0840

South and East Belfast 028 9020 4550

From September 2008, all Belfast referrals will be made to 028 9020 4550

Northern Trust

Ballycastle, Ballymoney, Portrush and Coleraine 028 7032 5462

Ballymena, Magherafelt and Cookstown 028 7965 1020

Antrim, Carrickfergus, Newtownabbey and Larne 028 9334 0165

Southern Trust

Craigavon 028 3834 3011

Dungannon 028 8772 2821 ext 3429

Newry 028 3082 5152

South-Eastern Trust

Dunmurry and Greater Lisburn 028 90602705

Newcastle and Downpatrick 028 44613511

Bangor, Newtownards and Ards Peninsula 028 91818518

Western Trust

Enniskillen 028 6634 4037

Omagh 028 8283 5043

L'Derry 028 7131 4090

Out of Hours Emergency Social Work Service

Belfast Trust 028 9056 5444

Northern Trust 028 9446 8833

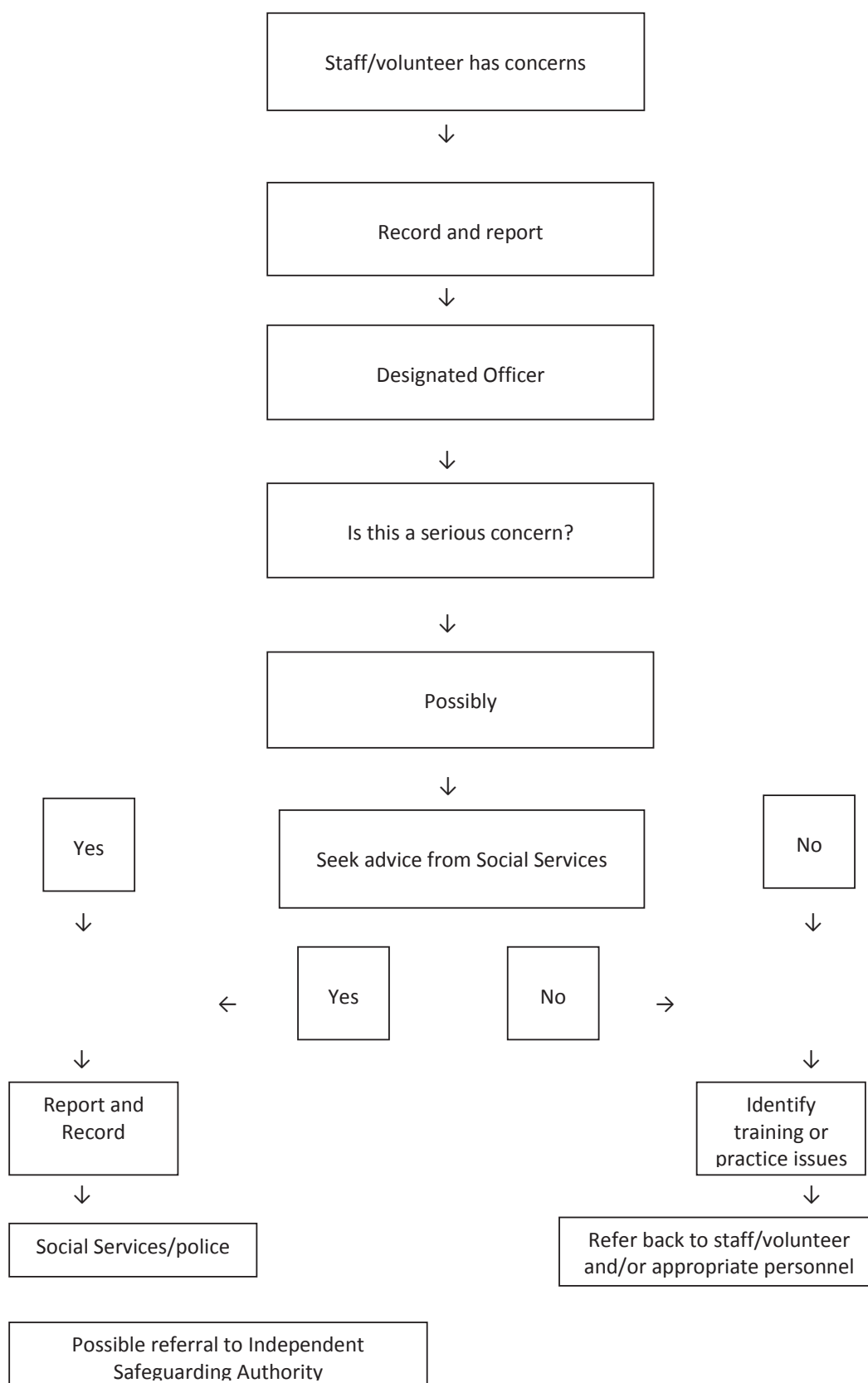
Southern Trust Craigavon & Dungannon 028 3833 4444 / Newry 028 3083 5000

South Eastern Trust 028 9056 5444

Western Trust Enniskillen 028 6638 2000 / Omagh 028 8283 3100 / L'Derry 028 7134 517

NSPCC

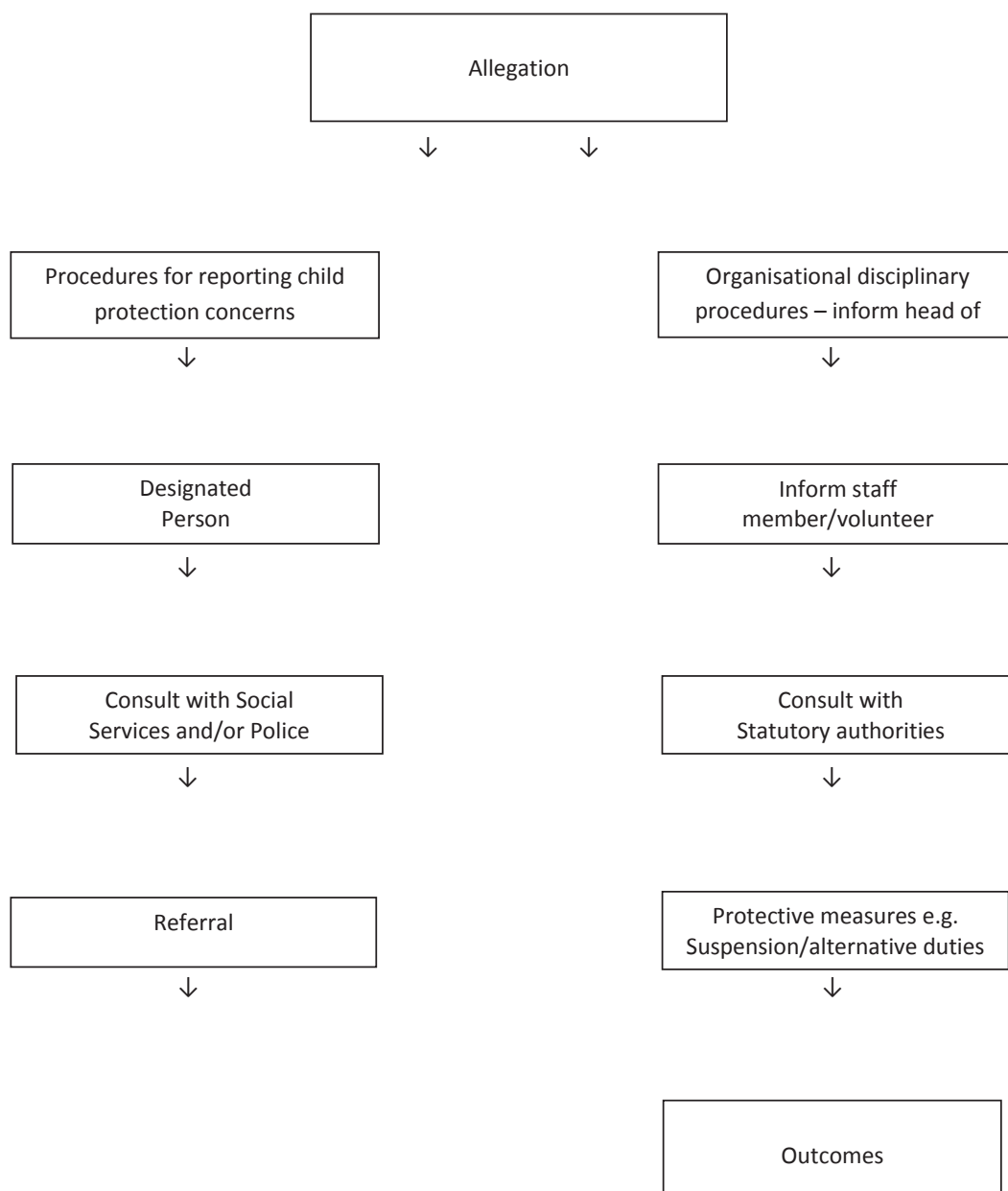
Northern Ireland Divisional Office
Jennymount Court
North Derby Street
Belfast
BT15 3HN
Tel: 028 9035 1135
www.nspcc.org.uk

APPENDIX 3**CONCERN REPORTING PROCEDURE**



APPENDIX 4

REPORTING ALLEGATIONS / SUSPICIONS OF ABUSE



3. Code of Behaviour for Arts Council Staff and Volunteers

The Arts Council have developed this code of behaviour for staff and volunteers to ensure the safety and welfare of children. It outlines acceptable and unacceptable behaviours which all staff and volunteers are expected to adhere to and they should be encouraged to highlight any issues or areas about which they are uncertain. Failure to comply with the code of behaviour will result in disciplinary action in respect of staff and sanctions in respect of volunteers.

The code of behaviour will be explained to all new staff members and volunteers and clients of the Arts Council. Arts Council staff and volunteers and client organisations must ensure it is applied consistently so that children know what to expect and to encourage acceptable behaviour.

3.1 Code of Behaviour for Staff and Volunteers and Client Organisations

Do
<ul style="list-style-type: none"> • Be supportive, approachable and reassuring. • Show respect, be patient and listen to children. • Respect a young person's right to personal privacy. • Treat and value children as individuals. • Treat children with consistency, fairness and equality. • Set a good example by using appropriate attitude, demeanour and language at all times. • Wear clothing that is appropriate to the art form and artistic need. • Offer support and empathy in a manner appropriate to age, stage and gender of a child - always in an open and transparent/guardian manner and within context e.g. if child distressed. • Ensure that any time spent with children takes place in as open a setting as possible. • Provide clear instruction, clarify meaning and establish clear boundaries. • Involve children in the decision making process as much as possible (e.g. activities). • Focus on the child what they really want to do (i.e. it is more damaging to push a child who is not ready, for example, to take part in a performance). • Encourage leadership, responsibility and participation in activities. • Encourage children to do as much as possible for themselves and instill confidence - support them to make choices and to find acceptable ways to express their feelings. This will enable children to have the self-confidence and vocabulary to resist inappropriate approaches. • If there is a need to change clothes, separate changing facilities should be used.

Some activities may involve discussion about sensitive topics, such as drugs, bullying or racism. Staff and volunteers should ensure that such activities are appropriate to the age and stage of the children in the group, within context and only allow this to take place with guidance and within a controlled environment (e.g. a role play activity).

*Some art forms will require a greater amount of physical contact than others.

Please see guidelines on Physical Contact (below) and Appendix 1 in the Best Practice Child Protection Guidelines for Arts Sector Organisations.

Never

- Show favouritism towards a child.
- Promise to keep secrets.
- Belittle or demean children or other workers.
- Shout at/argue with children or other workers in a humiliating / patronising / threatening manner.
- Embarrass, ignore or single out a child.
- Give unnecessary orders or orders which humiliate/instigate fear in others.
- Allow or engage in inappropriate touching (hugging, kissing, hitting, smacking etc.)
- Engage in sexually provocative/inappropriate games (including horseplay). Any contact activities must be part of the planned activities for the group and clearly supervised.
- Make sexually suggestive comments about or to a child, even in jest.
- Abuse privileges/own position.
- Give your personal contact details to children; organisational details should be used instead.
- Text/telephone/e-mail children on a one-to-one basis unless with parental consent and for a specific purpose.
- Invite/accept invites from children for social networking websites.
- Let allegations a child makes/a concern go unrecorded or leave issues unresolved.
- Teach or give instruction that is outside your remit.
- Be under the influence, or recovering from the effects of, alcohol/illegal substances.
- Leave children unsupervised.
- Allow children to use language that is deemed inappropriate or offensive to others within the group.
- Do things of a personal nature for children that they can do themselves.
- Take children to your home (or their own home if a parent/guardian/carer is not there to meet them).

Staff and volunteers should be positive role models for children in areas such as friendliness, care, respect and courtesy. Workers should praise and endorse desirable behaviour, such as kindness and willingness to share, and avoid situations where a worker's attention is received only in return for undesirable behaviour.

Shouting at a child in a threatening, patronising or derogatory manner is unacceptable; however, appropriate shouting within the context of an activity (e.g. rehearsals or a theatre performance) may be required when children need to be alert and ready to respond. In many instances, workshops and technical rehearsals involve loud music, participants are excited and boisterous, the environment is often chaotic and the schedule may be running behind time. The importance of following direction and instruction given by the artistic team in these situations may make shouting appropriate and contextual as part of the learning process for participants.

3.2 Examples for a Code of Behaviour for Children

A code of behaviour (or a group agreement) should be developed for children which outlines appropriate and inappropriate behaviours (including language), which should be valid for the duration of a group's involvement with an organisation (e.g. on an annual basis or for a one-off workshop). It is good practice to involve children in developing a code of behaviour that is specific to their activity. The following key principles should apply:

Do	Do not
<ul style="list-style-type: none"> • Wear clothing that is appropriate to the activity. • Include and encourage the participation of other group members. • Listen to others. • Ask questions if you are unsure about something. • Respect other children and adults at all times. • Use allocated toilet and changing facilities. • Tell a leader straight away if you (or another child) feel uncomfortable or frightened by the actions or words of another adult or child. • Say 'no' if you feel uncomfortable at any time (e.g. during an activity). • Follow safety guidelines and instructions for an activity. 	<ul style="list-style-type: none"> • Shout. • Swear or use inappropriate language. • Make fun of others. • Exclude or make assumptions about others. • Fight/push/pull/hit/nip/bite – even in fun. • Tell jokes or stories that are rude or may offend or hurt others. • Run in corridor areas/backstage. • Keep bullying or inappropriate behaviour a secret. • Promise to keep secrets. • Use mobile telephones during activities (including breaks).

A specific code of behaviour should be drawn up with a group and its importance explained, with regards ensuring their safety while participating in an activity.

Depending on the age and stage of the group, the content should be discussed with members to ensure they understand and agree with the boundaries and understand the sanctions for breaching it.

Organisations working with children and adults (aged 18 and over) should develop and implement procedures and provide guidance to protect all participants. Organisations should ensure that all participants are aware of, and adhere to, the code of behaviour. If supervisory responsibilities are to be given to a participant, they should be subject to an AccessNI check (www.accessni.gov.uk).

Participants aged 18 and over should be made aware of issues such as appropriate behaviour (including language and topics of conversation) and being a good role model to the younger participants within the group. Daytrips and residential activities should be carefully planned, with particular attention given to accommodation needs and supervision of group members.

3.3 Physical Contact

There will be instances when physical contact with a child is unavoidable. Organisations should provide guidance about what is considered acceptable and unacceptable physical contact. Some examples include:

Appropriate

- Context dependent touch within a controlled and supervised environment (e.g. demonstrations for dance, music, drama, craft - or singing e.g. a teacher demonstrating a breathing technique).
- Administration of first aid (with parental consent and only by a trained first-aider).
- Assistance to avoid embarrassment (e.g. offering to help a child to their feet if they fall).
- Support & guidance for performing arts such as drama, dance, circus and musical theatre (e.g. lifting/positioning/spotting).
- Offering comfort to a distressed child, in response to the child's needs.
- Preventing injury (e.g. catching a falling child, appropriate restraint).
- Handshake and 'hi-fives'
- Group hug at the end of class/following a performance as a means of congratulations.
- Undertaking personal care (e.g. for very young or disabled children) only with the full consent of parents/guardians and, if possible, by a worker of the same gender. In an emergency, personal care should only be undertaken with the full consent of a leader/supervisor and parents/guardians should be fully informed as soon as possible, if it was not possible to contact them beforehand.
- Fitting/checking/fixing microphones and sound equipment.
- Taking measurements/fittings for costume.
- Emergency costume repairs (e.g. while a child is wearing a costume during a performance).
- Fitting harnesses/checking safety equipment for 'flying'.
- Assisting children with planned costume changes in the wings/backstage.

Inappropriate

- Touch which is unnecessary/unexplained/out of context/out of normal environment/in response to adult's needs/without consent.
- Sustained and prolonged 'appropriate' touch.
- Kissing and hugging.
- Touch in breast, groin or buttocks.
- Horseplay (adults – child; between peers).
- Sexual gestures.
- Slapping/hitting (even in jest).
- Holding hands (unless in context e.g. assisting very young children with crossing the road).

In addition, physical touch should only occur:

- after the type of contact within an activity and reason for it has been explained to the child.
- when the child's consent has been gained.
- in an open and transparent/guardian manner, preferably in view of others.
- when it is appropriate to the age and developmental stage of the child.
- in response to the particular needs of the child.
- when it is not in breach of appropriate physical contact guidelines.
- as lightly and sensitively as possible.
- care should also be taken to avoid standing behind the child whenever possible.

3.4 **More details on guidelines in respect of Child Protection can be found in the Arts Council Child Protection Best Practice Guidelines for Arts Organisations (available on the public server).**

Annex 2

Arts Council of Northern Ireland

Safeguarding Checklist

Organisation Name:

Question	Types of evidence	Yes	No	Comments
Does your organisation have a safeguarding statement agreed by senior management.	Copy of statement Statement promoted to stakeholders Promoted on web site			
Does your organisation have written procedures for recruitment and selection of staff and volunteers?	Written job description Written application form to include request for references and self declaration. Record of interview Follow-up on written references			
Are all staff and volunteer appointments subject to the appropriate safeguarding checks and these are properly recorded.	Access NI reference check recorded Written list of roles that are “regulated” within the organisation Proof of ID request			
Does your organisation provide Safeguarding training for Designated Officer, staff and volunteers?	Written list of information provided to staff on induction. Copy of letters/memos/certificate outlining safeguarding training provided to staff. Data-base of those trained Learning outcomes from safeguarding training.			
Does your organisation regularly re-evaluate and update your safeguarding training and education?	Copy of letters/memos/certificate outlining Safeguarding training provided to staff.			
Does your organisation have written procedures for reporting child protection concerns, disclosures and allegations?	Written procedures for reporting concerns to Designated Officer and statutory services Pro formas/written guidance			

Question	Types of evidence	Yes	No	Comments
Are the procedures for reporting concerns communicated to staff and volunteers?	Confirmation from staff (especially recently recruited) that they have received safeguarding training and written reporting procedures			
Does your organisation have an open complaints process that includes guidelines on a disciplinary process?	Copy of complaints, disciplinary and appeals process. Evidence of how this is communicated to stakeholders			
Does your organisation have written procedures for Designated Officers?	Written documents stating the name and up to date contact details of Designated Officers.			
Are the contact details of Designated Officers communicated to staff/ volunteers?	Written evidence to support that staff, members and volunteers are aware of who to contact and how. Confirmation from staff/ volunteers			
Do you have a written Code of Behaviour?	Written Code of Behaviour Evidence this is communicated to all stakeholders			
Do you have a written Safeguarding policy, endorsed and approved by Management Board?	Written Policy Statement Please advise when last reviewed and updated			
Do you communicate your Safeguarding policy statement to staff/ volunteers/children/ young people/ vulnerable adults and parents?	Confirmation from staff/ volunteers/ children/ vulnerable adults and parents that they received a copy or know where to access the policy			

Child Protection Policy Statement

It is a requirement of the funding conditions under the Annual Support for Organisations Programme that an organisation which comes into contact with children and young people either directly through its programme or indirectly through its services commits to a Child Protection Policy. Therefore, this Statement MUST be adopted by your organisation if any aspect of your work is aimed at children and young people.

Note: In addition to signing this statement you are also required to submit a copy of your Child Protection Policy (see Enclosures section). Please note Clients who submitted their Child

Protection Policy for the Arts Council Masterfile in September 2008 do not have to submit their Policy unless it has been amended.

We (name of organisation) _____

are committed to practice which protects children from harm. Staff, volunteers and artists in this organisation accept and recognise their responsibilities under the Children (NI) Order 1995, about safeguarding children, and will endeavour to carry these out by:

- having an awareness of the issues which cause children harm;
- adopting child protection guidelines for staff, leaders, volunteers and artists;
- providing information about child protection and good practice to children, parents, staff, volunteers and artists;
- sharing information about concerns with children, parents and others who need to know;
- following carefully the procedures and recruitment and selection of helpers (staff, volunteers, artists) and the management of the group;
- undertaking appropriate training;
- keeping child protection policies under regular review; and
- providing information as required to management committees/funders.

This Child Protection Policy statement was formally adopted by us on (insert date) _____

Authorised Signature _____

Date _____

Position in Organisation _____

Please refer to the Arts Council's Child Protection Best Practice Guidelines For Arts Organisations to ensure your own guidelines and policy represent good practice in relation to working with children.

Please see the Arts Councils web site, from the Home page click on About the Arts then click on Youth Arts, see Publications and Information for a link to the Child Protection Best Practice Guidelines .

[www.artscouncil-ni.org/news/2008/files/Child Protection.pdf](http://www.artscouncil-ni.org/news/2008/files/Child%20Protection.pdf)

Beat the Cyber Bully

Background

Issue: Cyber Bullying and Culture of Negative and Unsafe Online and Mobile Use by CYP

Cyber Bullying and the culture of negative and unsafe behaviour online and via mobile devices is increasing and will continue to have a profound effect on our Children and Young Peoples lives and our society.

There are currently many excellent and informative online resources creating awareness and giving advice on cyber bullying and safe online use eg

- Child Exploitation and Online Protection <http://www.ceop.police.uk/>
- CEOP – Thinkyouknow <https://www.thinkuknow.co.uk/parents/>
- Childnet International <http://www.childnet.com/KIA/>
- Childline <http://www.childline.org.uk/Pages/Home.aspx>
- BeatBullying <http://www.beatbullying.org/?gclid=CLbZm5GR17QCFQzKtAodBjsA5w>
- NSPCC <https://www.nspcc.org.uk>
- NIABF <http://niabf.org.uk/>

However there is a gap - in the delivery of positive and inspirational messaging on what the internet has to offer, online social and moral codes and awareness, recognition and safeguarding re cyber topics by experienced Thought Leaders in digital and youth engagement, to our CYP, parents, educators and community and church leaders.

Introducing teaching on social media, positive online use and digital citizenship topics in the formative years and throughout our CYP education will help avoid cyber bullying, cyber crimes, cyber related mental health issues and cyber related suicides.

Beatthecyberbully can work with policy makers at a strategic level to inform health professionals , educators and community leaders on these topics and offer assistance at implementation and delivery levels to combat these issues.

Evidence

The current dangers and issues of cyberbullying and negative, inappropriate and unsafe online use by CYP are well documented and prevalent in the media as are the links to cyber crimes, cyber related mental health issues and cyber bullying related suicides in the South of Ireland, the USA and Canada.

Awareness of this problem is also reinforced by the Beat Bullying Virtual Violence II Report (2012) Commissioned by Nominet and NAHT and Ofcom Children and Parents: Media Use and Attitudes Report (2012).

We live in a digital world. We communicate digitally. This problem is here to stay and will increase rapidly without intervention.

Beat the Cyber Bully can help address these issues at policy-making, legislative, strategic and ground level.

Recommendations

- Promotion of awareness and understanding of Cyberbullying and Positive Online Use throughout our education system and communities.
- Training delivered by Government Partnerships with Digital and Youth Engagement/ Communications Experts as opposed to ICT Professionals.
- Keynotes and Workshops for CYP and Educators
- Focus Groups Led by CYP
- Teacher Training
- Community and Church Leader Training
- Parents Information Workshops
- Legislation to ensure Schools AUP's updated on Cyber Bullying and General Cyber Use
- Digital Citizenship Model to be introduced into the Curriculum.

Also it is recommended that proposed topics are introduced for eg to groups involved in the North South Exchange Consortium due to the impact of cyberbullying and recent suicides in the South. CYP Led Focus Groups to share their experiences to enable us in North to prevent cyberbullying related suicide here.

Questions

- Which, if any programmes are currently in place to address these issues?
- What funding or grants are available?

Statistics

CYP

'28 of 11-16 year olds have been targeted threatened or humiliated through the use of mobile phones or the internet'

BeatBullying Virtual Violence II Report In Association with Nominet Trust and NAHT

'Children, particularly 12-15's, are prolific social networkers with large numbers of friends - an average of 92 friends for 8-11's and 286 for 12-15's'

Ofcom (Oct 2012) Children and Parents: Media Use and Attitudes Report

'43 of children aged 5 to 15 have a social networking profile, rising to 80 of 12-15 year olds'

Ofcom (Oct 2012) Children and Parents: Media Use and Attitudes Report

'Since 2011 there has been a 50 rise in 12-15 year olds owning smartphone device.. mobile phones are more important to this age group than any other device, even TV'

Ofcom (Oct 2012) Children and Parents: Media Use and Attitudes Report

'For the first time Ofcom reported on the media habits of 3-4 year olds...over a third (37) are going online'

Ofcom (Oct 2012) Children and Parents: Media Use and Attitudes Report

'Teenage girls are sending an average of 221 texts a week'

Ofcom (Oct 2012) Children and Parents: Media Use and Attitudes Report

'7.5 Million Facebook users are under the age of 13. Among this group of minors..more than 5 million were aged 10 and under'

CNet Consumer Report (2011)

'When young people upload 'sexy' images online to share with friends, 88 are stolen and used on 'parasite' websites.'

Childnet and Internet Watch Foundation Study (2012)

Educators

'One in 10 teachers report experiencing harassment through a technical medium..and 48 have witnessed or heard of this type of harassment directed against one of their colleagues'

'Three-quarters (77) had dealt directly with a case of cyberbullying..and the average the respondents had dealt with was 13'

BeatBullying Virtual Violence II Report In Association with Nominet Trust and NAHT

Links to Submission by NSPCC Northern Ireland to the Assembly Culture Arts and Leisure Committee on Safeguarding in Sport 2012

P4

Key Achievements and Developments

..the establishment of a range of consultation/support/information sharing for Sports Organisations which aim to ensure that the needs, issues and challenges of the sector are understood and communicated;

P5

Recommendations and key messages from this research

..creating a positive sporting ethos where children and young people are respected, and where their voices are heard and used to shape sporting experience, welfare and performance.

P6

Using sport to raise awareness of the issue of self harm and suicide

Recommendation: Responding appropriately will increase the confidence young people have in turning to those around them when they need support.

Safeguarding deaf and disabled children and raising awareness of their particular vulnerabilities

In particular..impaired capacity to resist, avoid or understand abuse

P6

Safeguarding and Social Media

All.

In particular, Recommendation: AUP, code of conduct for communication with young people through any form of social media with guidelines about when and how young people should be communicated with.

P7**Consulting young people**

Money is saved by changing services that are not required or run well.

P9**Establishing a DCAL Safeguarding Implementation Group**

Recommendation: the creation of a strategic group

Learning from Saville

Similar services (applied to Sport) being extended to media and culture sectors

P10**Safeguarding Standards**

Delivering information sessions for Sport NI compliance officers upon request.

Education and Training

Support the development of specific resources and learning opportunities in response to identified gaps in knowledge and expertise for SportNI funded organisations.

Working with Coach Education and the development of coaching workforce

P13**Appendix 2**

Information sharing and digital Media

Child Protection and Online Protection Centre (CEOP)



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Child Exploitation and Online Protection Centre
33 Vauxhall Bridge Road, London SW1V 2WG, England
Telephone: +44 (0)870 000 3344
www.ceop.gov.uk

NORTHERN IRELAND ASSEMBLY
Culture, Arts and Leisure (CAL) Committee
Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit

Date: 14th March 2013

Location: MAC Theatre, 10 Exchange Street West, Belfast, BT1 2NJ (at St. Anne's Square)

WRITTEN EVIDENCE SUBMISSION

Peter Davies, Chief Executive (CEO), Child Exploitation and Online Protection (CEOP) Centre.

1. Terms of Reference (TORs) for the Investigation

TORs 1: The Committee will seek to map the existing structures for Child Protection and Safeguarding across the sectors in the CAL remit;

TORs 2: Members will analyse the elements of the systems in place in the Sports sector to assess transferability to other sectors within the CAL remit;

TORs 3: The Committee will identify exemplars and benchmark against which the sectors in the CAL remit can base their Child Protection and Safeguarding guidance and practices;

TORs 4: Members will examine the issues around 'cyber-bullying' and Social Media, including education on safe and effective use of the internet for children and young people and their parents; and

TORs 5: The Committee will use its findings to present the Department with recommendations for managing and closing gaps in Child Protection and Safeguarding across its remit and, additionally, the Committee will disseminate these recommendations to other Statutory Committees.

2. OVERVIEW – Child Exploitation and Online Protection (CEOP) Centre

2.1 The Child Exploitation and Online Protection (CEOP) Centre was established in April 2006 (affiliated to the Serious Organised Crime Agency) and has a remit for tackling the sexual exploitation and abuse of children in both the online and offline environments. Central to CEOP's work are three themes of "Prevent", "Protect" and "Pursue" with the principle aim of identifying, locating and safeguarding children and young people from harm.

2.2 CEOP has built strong and effective partnerships with government departments, law enforcement agencies national and international, educational establishments, industry partners and children's charities to bring a holistic approach to tackling child sexual abuse. This multiagency approach and the sharing of expertise by professionals has consistently added value to the safeguarding of children from sexual exploitation and sexual abuse as well as providing a better picture of offenders in this complex arena.

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2.3 From 1st July 2011, CEOP has acted as the national lead for the UK on Missing Children providing tactical and specialist operational support, identifying best practice, helping develop guidance for police through the Association of Chief Police Officers (ACPO) covering England, Wales and Northern Ireland as well as ACPOs (Scotland).

2.4 In June 2012 CEOP published its most recent Threat Assessment of Child Sexual Exploitation and Sexual Abuse, highlighting the changing nature of the threats in the online and offline environment. The assessment report identified five key threat areas:

1. **The targeting of children online based on their heightened vulnerability;**
2. **Those who sexually offend against children using the anonymity afforded by the hidden internet;**
3. **The production, distribution and possession of the indecent images of children;**
4. **Those who travel overseas to sexually offend against children;**
5. **Group and gang associated sexual exploitation of children.**

The five threat areas above directly influence the prioritisation of the work carried out by the Centre and gives a better understanding of where children are at risk from sexual exploitation. These key threats are acknowledged across England, Wales, Scotland and Northern Ireland.

2.5 CEOP will transition into the National Crime Agency (NCA) as one of four Commands along with Border Policing, Economic Crime and Organised Crime. It is intended that the NCA will be fully operational by the end of 2013. The Agency must have regard to the safeguarding of children and consider the welfare of children in all its work.

3. Child Protection and Safeguarding Guidance and Practices

3.1 Over recent years there has been a real drive in the child protection and safeguarding community to foster a multi-agency joined up approach to protect children from harm across multiple sectors. This is covered by the Children (Northern Ireland) Order 1995. The Working Together to Safeguard Children (2006) superseded by the Working Together to Safeguard Children (2010) gives detailed guidance on inter-agency working. This Guidance is currently being reviewed by the Department for Education (England) and the Welsh, and Northern Ireland equivalent, with a view to increase clarity and reduce content. Both CEOP and ACPO (England, Wales and Northern Ireland) provided significant contribution to the consultation to ensure key elements and principles are maintained and supported within the guidance, the reduction of this guidance aims to focus agencies priorities around safeguarding structures without unnecessary bureaucracy. The revised guidance is currently in draft and has yet to be released. Whilst this is still up for full debate outside of England, the benefits of this approach are potentially persuasive across the UK.

3.2 In 2011 the UK government published its '*Tackling Child Sexual Exploitation Action Plan*', the plan included a range of commitments and actions from a variety of departments aiming to ensure victims are identified and supported to break away from child sexual exploitation (CSE). This plan may well be of some value beyond England and Wales. This contained a range of measures aimed at reducing the risk to children from this form of exploitation.

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- 3.3 The current definition of Child Sexual Exploitation¹ (CSE) is:

'Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability'.

- 3.4 In January 2013 ACPO (England, Wales and Northern Ireland) adopted a comprehensive Action Plan against Child Sexual Exploitation which is now being implemented across the three countries. The newly-formed College of Policing (2012) (England and Wales, role yet to be defined in Scotland and Northern Ireland) is also in the process of reviewing Public Protection Training across police forces and is currently developing a new e-learning training in order to standardise the system for different levels of staff.
- 3.5 There is always scope for more sector-specific joint training but the links are being made. For example at the National Multi-Agency Child Protection and Abuse Investigation Conference, January 2013 hosted by ACPO, Carole Billington-Wood from the NSPCC Child Protection in Sport Unit highlighted a need for greater engagement between the law enforcement, child protection professionals and culture, arts and leisure organisations to routinely share expertise, best practice and emerging trends.
- 3.6 Worthy of positive note was the creation of a new Safeguarding Board established in Northern Ireland in September 2012, the aim of which was to ensure the effectiveness of agencies involved in child protection, whose membership includes law enforcement, social services, criminal justice, health and education boards.
- 3.7 Of specific relevance to this inquiry, Sport Northern Ireland created in 2001 has also taken the positive step of identifying six standards that governing bodies are assessed against:
1. Safe recruitment practices
 2. Effective management of staff and volunteers
 3. Reporting concerns
 4. Code of behaviour
 5. Sharing information
 6. General safety and management of activities
- 3.8 Similarly the Child Protection in Sport Unit (a partnership between NSPCC, Sport England, Sport Northern Ireland and Sport Wales; and in Scotland a partnership between Children First and Sports Scotland) has developed standards and a useful audit tool kit for those involved in sports to not only create a safe working environment but also to enable individuals working with children to make better informed decisions, promote good practice and challenge practices that are harmful to children. This self audited process adopted in the voluntary sector provides a voluntary inspection regime (supported by governing bodies) would complement the statutory published guidelines and ensures at least in theory, consistency of processes for safeguarding children from harm.

¹ Department for Children, Schools and Families: National Working Group for Sexually Exploited Children and Young People (NWG) 2008

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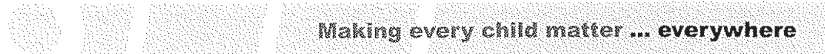


4. CEOP's work in Northern Ireland

- 4.1 A key element of CEOP's work is to empower children, young people, parents and carers with the awareness they need to protect themselves from online risks, including from child sexual offenders and to know what to do when something goes wrong, reporting to CEOP if necessary via the **ClickCEOP button** which is now available on hundreds of websites popular with young people or the authorities as required.
- 4.2 CEOP's "Thinkuknow" Education programme has been viewed 12 million times. Thinkuknow is part of CEOP's outreach programme to reduce the harm caused by those individuals that seek to abuse children and young people through the misuse of technology. The key messages of all Thinkuknow products are that children should be aware of the risks they may be taking; know how to take control; and know what to do if things go wrong.
- 4.3 Of relevant note the below figures highlight CEOP education awareness training activity in Northern Ireland from April 2006 – January 2013:
- **Number of recorded views of Thinkuknow in Northern Ireland (NI) = 254,189**
 - **Number of CEOP Ambassadors in NI = 97**
 - **Number of Thinkuknow trained users in NI = 522**
 - **Number of users on the Thinkuknow website from NI = 1,636**
- 4.3 The education programme is an effective resource that can be easily transferable to cascade messages targeting hard to reach groups in areas such as clubs or youth groups. It is of note that having a member of staff 'CEOP trained' is mentioned as evidence of good practice². While the above figures are encouraging there are many more children in need of education about how to manage the risks from sexual exploitation, online and offline. We must never be complacent.
- 4.4 A good example of educational outreach activity relevant to this inquiry, was the Northern Ireland Roadshow in 2006 which brought together representatives from PSNI, child protection and education communities together to understand the newly formed CEOP Centre.
- 4.5 In February 2012, CEOP Ambassadors were deployed into the Disney store in Belfast as part of the Safer Internet Day activities.
- 4.6 In November 2012, CEOP education and communications staff undertook a seven day regional tour rolling out the new CEOP education film, 'First to a Million'. This interactive film looks at the risks associated with posting self generated indecent video material online and the help available when things may go wrong. The regional tour included a screening and workshops with pupils at Lagan College, Belfast. The team facilitated the events alongside local police press offices and the schools and sought local and regional publicity, inviting press to the events. A regional specific press release and operational note was sent to media contacts in Northern Ireland with assistance from the PSNI press office.
- 4.7 The next annual CEOP Ambassador course will be delivered in Belfast on 16/17 October 2013.

² Ofsted Guidance to Inspectors "E-Safety: Briefing for Inspectors", Ofsed, September 2012

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4.8 Since 2006 CEOP's dissemination of intelligence relating to suspects involved in child abuse investigations including online and offline sexual exploitation and abuse, the possession, production and distribution of indecent images of children and travelling sex offenders. Of relevance to this investigation, highlighted below are the dissemination figures from 2006 to present of intelligence packages that have been disseminated to forces in Ireland:

- **Police Service of Northern Ireland (PSNI) = 235**
- **Republic of Ireland (Interpol) = 732**
- **Republic of Ireland Garda (Direct) = 33**

Peter Davies
Chief Executive

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Appendix 1 – CEOP Thinkuknow programme figures in Northern Ireland

Number of recorded views of Thinkuknow in Northern Ireland 2006 – 13/01/13	254,189
Top 5 Northern Irish Regions	
Craigavon	57,581
Belfast	22,912
Newtownabbey	22,429
Castlereagh	21,579
Derry	18,879

Number of users on the Thinkuknow website from Northern Ireland 2006 – 13/03/13	1,636
Top 5 Northern Irish Regions	
Belfast	328
Castlereagh	207
Lisburn	103
North Down	94
Derry	79

Number of CEOP Ambassadors in Northern Ireland 2006 – 13/01/13	97
Top 5 Northern Irish Regions	
Belfast	20
Castlereagh	11
Lisburn	7
Antrim	6
North Down	5

Number of Thinkuknow trained users in Northern Ireland 2006 – 13/01/13	522
Top 5 Northern Irish Regions	
Belfast	131
Castlereagh	80
Lisburn	38
Craigavon	25
Newtownabbey	24

Department of Culture, Arts and Leisure

INVESTIGATION INTO CONSISTENCY ACROSS CHILD PROTECTION AND SAFEGUARDING MEASURES WITHIN THE CULTURE, ARTS AND LEISURE REMIT.

CAL COMMITTEE – DCAL BRIEFING PAPER

Background

- In **2006** the Department commissioned the **Education and Training Inspectorate (ETI)** to undertake a review of the child protection arrangements in a sample of organisations sponsored by DCAL.
- The ETI findings showed that although a **number of strengths and instances of good practice were identified** there were **gaps and inconsistencies in both policies and practice**. The report found a high degree of uncertainty and a lack of understanding among some of the sponsored organisations about what is required of them and how the child protection aspect of their work should be managed.

The ETI Report identified the need to:

- (i) Provide formal guidance to sponsored organisations on matters relating to child protection;**
- (ii) Deliver a child protection workshop with external input and providing examples of best practice; and**

-
- (iii) **Examine how the Department given its arms lengths management arrangements can develop a more robust system for monitoring child protection arrangements across its sponsored bodies**
- In response to the ETI report the Department;
 - (i) Developed a written **Departmental Safeguarding Guide** and issued to ALBs in **June 2009**.
 - (ii) The Department held **two training events (Feb 2008 and May 2010)** attended by departmental staff and representatives from our ALBs to consider the complex issues of safeguarding. These workshops included input from internal and external agencies to support the sponsored bodies in the development and understanding of rigorous safeguarding policies and procedures.
 - (iii) Introduced a **system for monitoring and reporting** on the child protection arrangements across our ALBs.
 - (iv) Established a **Departmental Child Protection Working Group** to act as a co-ordinating unit for awareness raising and implementation of safeguarding policy and legislative developments affecting DCAL and its sponsor bodies. The group consisted of a rep

from each business area and a policy officer from NSPCC.

Monitoring and Reporting on Safeguarding issues

- DCAL monitors safeguarding and child protection arrangements through regular governance and accountability meetings and has ensured that **child protection policies** and **nominated child protection officers** are in place in all our ALBs.
 - Safeguarding is now an **agenda item** at our **ALB Accountability meetings**.
 - ALBs must complete an **audit checklist** (attached) on an annual basis that will assess the organisations performance against generic standards.
 - Safeguarding now forms part of the Department's **risk management process** and Head of Branches will confirm the appropriate checks have taken place through completion of the Statement of Internal Control (SIC).
 - These processes provide the Departmental Accounting Officer with assurances that there are satisfactory safeguarding measures in place across all ALBs.

ETI Follow Up Review

- At the request of DCAL, the Education and Training Inspectorate (ETI) carried out a **follow-up inspection** of our ALBs in **2009-10** to assess progress made since the original review.
- The report found the quality of safeguarding arrangements in all of the sponsored bodies inspected was **satisfactory**. In particular it was noted;
 - The good progress made by DCAL in issuing to the sponsored bodies, comprehensive and appropriate guidance on safeguarding children;
 - The inclusion by DCAL of the monitoring of the respective safeguarding arrangements of each of its sponsored bodies within its regular accountability meetings;
 - The compliance of the sponsored bodies with DCAL's guidance and the appropriate use of the associated checklist as a tool to evaluate safeguarding within their organisation

Recent Developments

- Following the **NSPCC briefing** to the **CAL Committee** in November 2012 Departmental Officials met with the NSPCC. Discussion took place on what NSPCC viewed as 'adding value' and 'improvements' to our current safeguarding provision.
- NSPCC suggested several potential areas for future development:-
 - (a) DCAL might usefully develop links with the new **Safeguarding Board for Northern Ireland (SBNI)**.

Meeting arranged with Director of Operations, SBNI for 11th February 2013.

- (b) DCAL to consider merits of an **internal safeguarding group** to bring together issues in ALBs and to promote awareness.

The Department's Child Protection Working Group will be reconvened and membership extended to include our ALBs.

- (c) The OFMDFM gapping exercise underway on **child internet safety** may provide a vehicle to look at issues coming to our attention.

DCAL are represented on the OFMDFM led inter-departmental group to consider internet safety concerns in North of Ireland.

- (d) There may be a business case to develop the structured support for the Arts similar to the Child Protection in Sport Unit (CPSU) provided to sports.

This will be considered as part of the wider review of the departments/ALB child protection policies.

- (e) There may be opportunities to develop NSPCC's 24 hour helpline within the arts sector as well as the operation of Childline.

The NSPCC Helpline is considered an additional resource available to improve the protection of children and young people. NSPCC have undertaken an exercise to identify sports, arts and culture related referrals and queries. We have agreed to engage further with NSPCC on this proposal.

Departmental Review

- The Department has used this timely opportunity to undertake a formal review of our Safeguarding Policies. The **DHSSPS Social Services Inspectorate** and the **Safeguarding Vulnerable Groups Unit** have been engaged to review the Departmental Safeguarding Guide.

Safeguarding Checklist

NDPB

Question	Types of evidence	Yes	No	Comments
Does your organisation have a safeguarding statement agreed by senior management.	Copy of statement Statement promoted to stakeholders Promoted on web site			
Does your organisation have written procedures for recruitment and selection of staff and volunteers?	Written job description Written application form to include request for references and self declaration. Record of interview Follow-up on written references			
Are all staff and volunteer appointments subject to safeguarding checks and these are properly recorded?	Access NI reference check recorded Written list of roles that are "regulated" within the organisation Proof of ID request			
Does your organisation provide Safeguarding training for Designated Officer, staff and volunteers?	Written list of information provided to staff on induction. Copy of letters/memos/certificate outlining safeguarding training provided to staff. Data-base of those trained Learning outcomes from safeguarding training.			
Does your organisation regularly re-evaluate and update your safeguarding training and education?	Copy of letters/memos/certificate outlining Safeguarding training provided to staff.			
Does your organisation have written procedures for reporting child protection concerns, disclosures and allegations?	Written procedures for reporting concerns to Designated Officer and statutory services Pro formas/written guidance			
Are the procedures for reporting concerns communicated to staff and volunteers?	Confirmation from staff (especially recently recruited) that they have received safeguarding training and written reporting procedures			

Does your organisation have an open complaints process that includes guidelines on a disciplinary process?	Copy of complaints, disciplinary and appeals process. Evidence of how this is communicated to stakeholders Whistle blowing policy			
Does your organisation have written procedures for Designated Officers?	Written documents stating the name and up to date contact details of Designated Officers.			
Are the contact details of Designated Officers communicated to staff/volunteers?	Written evidence to support that staff, members and volunteers are aware of who to contact and how. Confirmation from staff/volunteers			
Do you have a written Code of Behaviour?	Written Code of Behaviour Evidence this is communicated to all stakeholders			
Do you have a written Safeguarding policy, endorsed and approved by Management Board?	Written Policy Statement			
Do you communicate your Safeguarding policy statement to staff/volunteers/children/young people/ vulnerable adults and parents?	Confirmation from staff/ volunteers/ children/ vulnerable adults and parents that they received a copy or know where to access the policy			

SIGNED: _____ **DATE:** _____

Print Name _____

Foras na Gaeilge

Committee Investigation into gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure (CAL) remit.

Background of Organisation:

Foras na Gaeilge, the body responsible for the promotion of the Irish language throughout the whole island of Ireland, was founded on the second day of December 1999.

In the Good Friday Agreement, it was stated that a North/South Implementation body be set up to promote both the Irish language and the Ulster Scots language. Under the auspices of this body, Foras na Gaeilge will carry out all the designated responsibilities regarding the Irish language. This entails facilitating and encouraging the speaking and writing of Irish in the public and private arena in the Republic of Ireland, and in Northern Ireland where there is appropriate demand, in the context of part three of the European Charter for Regional and Minority Languages.

The staff of Bord na Gaeilge, An Gúm (Publishers), and An Coiste Téarmaíochta (Terminology Committee) and their activities have all been transferred to the new body.

Foras na Gaeilge has a role in advising administrations, North and South, as well as public bodies and other groups in the private and voluntary sectors in all matters relating to the Irish language. They will also be undertaking supportive projects and grant-aiding bodies and groups throughout the island of Ireland.

The functions of Foras na Gaeilge:

- promotion of the Irish language
- facilitating and encouraging its use in speech and writing in public and private life in the South and, in the context of Part III of the European Charter for Regional or Minority Languages, in Northern Ireland where there is appropriate demand;
- advising both administrations, public bodies and other groups in the private and voluntary sectors;
- undertaking supportive projects, and grant-aiding bodies and groups as considered necessary;
- undertaking research, promotional campaigns, and public and media relations;
- developing terminology and dictionaries;
- supporting Irish-medium education and the teaching of Irish.

With regard to the Terms of Reference for the Investigation as proposed:

Map the existing structures for Child protection and safeguarding:

Foras na Gaeilge and its officers would have no direct or regular contact with young people. Foras na Gaeilge provides grant aid to organisations to organise and deliver activities through the medium of Irish to young people as part of their annual funding stream or through smaller, grants based schemes.

The organisation has a comprehensive child protection policy and code of practice. This was undertaken in conjunction with the Ulster Scots Agency and prepared by the NSPCC. A working group between the two organisations has been established to carry out a review of policy twice a year. The last revision of policy was in May 2012.

The policy is consistent with the most recent legislation across the island of Ireland as well as recommendations based on best practice. We receive regular updates about changes to legislation through the NSPCC and the National Youth Council of Ireland.

Foras na Gaeilge have also appointed two nominated officers to act as Designated Officer (DO) and Deputy Designated Officer (DDO) in relation to Child Protection and Safeguarding issues. They are:

Seosamh Ó Coinne – Programme Manager for Education (Designated officer)

Ciarán Mac Giolla Bhéin – Youth Officer in Education Department (Deputy Designated officer)

Member will analyse the elements of the systems in place in the sports sector to assess transferability to other sectors within the CAL remit:

Foras na Gaeilge's policies and systems relating to Child protection and safeguarding are based on the highest standards of best practice and in line with all existing legislation, in both jurisdictions. We would, however, welcome any recommendations that would benefit and strengthen our existing structures and policies, be those from the sports sector or any other sector within, or indeed outside of, the CAL remit.

Identify exemplars and benchmarks against which against which the sector in CAL remit can base their child protection and safeguarding guidance and practices:

Foras na Gaeilge have a professional and well established working relationship with the NSPCC and also with the National Youth Council of Ireland. This allows us to stay abreast of any changes relating to best practice, structures or policies in terms of Child Protection and Safeguarding. We review our policies and structures on a biannual basis in conjunction with the organisation which forms An Foras Teanga / Language Body, the Board of Ulster Scots. All staff with Child Protection responsibilities have been trained to the highest expected standard. We also deliver training in house to our staff on child protection and safeguarding. Child protection awareness training has been completed by a majority of current staff. This will be rolled out again before the end of the year to accommodate new staff and as a refresher course for others. Three members of staff have been trained to deliver this training.

Examine the issues around 'cyber bullying' and social media, including education on safe and effective use of the internet for children and young people and their parents:

Foras na Gaeilge recognises the importance of the role that the internet generally, and social media in particular, play in the lives of young people today. More and more young people are using social media as a standard means of communication with their peers and others. Two years ago Foras na Gaeilge carried out research into the trends of young people online and this re-enforced our view on the importance and potential dangers to young people online, specifically relating to 'cyber bullying' and social media.

As a result of this, included in our larger Child Protection policy, we have an appendix dealing specifically with 'Keeping young people safe online'. This gives clear advice on the 'do's and don'ts' of internet use with young people and explains the procedures should a breach of those rules occur. We also have additional guidelines on mobile phone usage, which also play a fundamental role in young people's lives and can, potentially, expose them to dangers.

Additional info:

Foras na Gaeilge has been advised by various agencies (NSPCC, Volunteer Now etc...) that vetting for staff is not necessary as their roles will not involve regular contact with children. Some staff members may visit activities (summer schemes, youth clubs etc...) but these visits are infrequent and irregular and only monitor the activities and staff. In spite of this Foras na Gaeilge requires all new members of staff to be vetted by the appropriate body depending on which jurisdiction the post will be based. Foras na Gaeilge is committed to implementing the highest standards of child protection.

Foras na Gaeilge has a reporting and recording mechanism for child welfare and protection concerns as outlined in our policy. If someone has a concern they can report it to the Designated Officer (DO) or the Deputy Designated Officer (DDO) if the DO is unavailable, is implicated in the concern or has another conflict of interest.

Irish Football Association

Irish Football Association Evidence to CAL Committee Re Investigation Into Gaps in Safeguarding/Child Protection across the Culture Arts and Leisure Department

February 2013

1. The Irish Football Association Child & Player Welfare Department employ two full time members of staff dedicated to the area of child protection/safeguarding. The Child & Player Welfare Manager was appointed in 2005. The Child & Player Welfare Officer was appointed in 2007. Recently a casual administrator has been appointed two days per week to assist with the increased workload of the department.
2. All staff or volunteers employed by the IFA in regulated activity must complete a satisfactory Access NI enhanced disclosure vetting check and also complete a criminal conviction disclosure form before commencing employment. This is administered by the Child & Player Welfare Department.
3. All staff and volunteers employed in regulated activity must attend the IFA's Safeguarding Children & Young People in Football 3hr child protection awareness training course within 6 months of taking up post.
4. The department delivers its own child protection awareness courses but also uses 4 outside tutors due to demand. 61 courses were delivered this year to around 1200 coaches/volunteers through level 1 coaching awards and club courses. In total 7350 coaches/volunteers have been through training to date. Enhanced Access NI vetting checks are carried out as part of these courses. To date 5300 coaches/volunteers have been Access NI checked. 1085 Coaches /volunteers were checked through the old POCVA system. The IFA is a compliant Access NI umbrella organisation facilitating club vetting checks.
5. A mandatory 3hr safeguarding module is part of the IFA Level 1 coaching award. Every coach at this level must complete the safeguarding course and a satisfactory vetting check before any award can be given. Difficult disclosures are referred to the case management team.
6. Coaches attending licenses from outside Northern Ireland would also have to do Access NI enhanced disclosure checks.
7. The department works to the CPSU/ SPORT NI 7 Standards implementation framework for safeguarding and protecting children in and through sport in Northern Ireland and currently hold satisfactory status.
8. New Policy & Procedures are currently being developed by the Child Welfare Officer both for the IFA and also for all affiliated clubs. Previously to this all clubs were given hard copies and CD versions to adapt to their own needs.
9. The IFA website has a safeguarding /child protection section offering advice and guidance to clubs and individuals.
10. Advice and guidance on good/poor practice is given regularly to coaches, parents and clubs. The CPSU would always be at hand to help with this advice and guidance.
11. Each year free training and vetting would be offered to the Milk Cup and Foyle Cup staff, the child welfare department would also attend these events and be at hand to offer any advice should there be an incident. SAFE & FUN in Football posters would be put up at all the venues. Advice on policies and procedures would be offered, as well as meetings between Milk Cup Committee, IFA, CPSU and local PSNI PPU to minimise risks during the tournament.

- Free vetting and training is also offered to all County teams at the Milk Cup to assist them in their preparation and already Co Antrim put in a request for this year.
12. During 2011-12 along with Swim Ireland, Gymnastics Ireland and Ulster GAA, the IFA assisted NSPCC CPSU/ SPORT NI with organisation of an all Ireland safeguarding in sport conference which was held in Armagh in September 2012 and was a great success.
 13. The Child & Player Welfare Manager and Officer would attend quarterly all Ireland Designated Safeguarding Children's Officer meeting's organised by the CPSU and the Irish Sports Council and held at venues in either Dundalk or Newry. These meetings would be attended by up to 36 different sports throughout Ireland looking at all aspects of safeguarding with exchanges of good practice always taking place.
 14. Every 4-5 months meetings take place between the Irish FA, English FA, Welsh FA, Scottish Youth FA and the FA of Ireland. These are good practice meetings to see how we can exchange areas of good practice, or looking at safeguarding and legislation. Meetings have taken place in Cardiff and Wembley, the Irish FA are due to host in Belfast in April 2013.
 15. The department is currently working in partnership with Jim Gamble INEQUE CEO looking at developing a Safeguarding APP which would be totally unique and innovative. Jim will also be offering advice on developing new social media policies.
 16. 5 areas of safeguarding must be implemented by the 12 Irish Premier League and 6 Championship clubs as part of domestic licensing. These are:
 - Appointment of a child welfare officer.
 - Policy & procedures in place.
 - Training of staff.
 - Vetting of staff.
 - Mission statement on display in club. (These standards are where we would like all our clubs to be at). The club visits, assessment, and implementation process can be demonstrated if needed.
 17. A new Safeguarding Strategy for 2013-17 has been presented to the IFA Board and unanimously passed. The main area of development will be that every regulated activity club must appoint a Child Welfare Officer. An education in safeguarding plan has been put in place to train up 350 Officers in 2013-15. League and association officers will also be put in place. This can be demonstrated if necessary.
 18. The Child & Player Welfare Department works continuously with Paul Stephenson (CPSU) to ensure that best practice is always adhered too and that we endeavor to provide a safe and enjoyable environment for all children and young people involved in football.
 19. Player Welfare is another element to the programme which mainly deals with giving support to our young players but mainly the young international players outside N Ireland. Although this is not safeguarding it is welfare and very important.
 20. Jonny Evans (Manchester United & NI) is the ambassador for the department and would assist in the promotion of many elements of the programme. Ashley Hutton (NI ladies captain) is ambassador for women's football. The department has worked to promote CEOP, NSPCC, CRY, UCF, Childline and the Childrens Hospice to name a few.
 21. The IFA Child & Player Welfare Department would welcome any meeting with the committee to discuss more in depth or further explain any of the areas in this document that may assist in the transferability to other sectors within the CAL remit that it feels would be of benefit.
 22. In answer to the request in paragraph 2 of the guide to submitting evidence to include any recommendations for action by the Government that the CAL Committee may consider. We

think that to assist organisations CAL should consider ring fencing funding for safeguarding to Governing Bodies so that it can be used to educate coaches and parents, children and young people of the importance of safeguarding. Lots of these clubs are run by volunteers in areas of social deprivation, it can make a huge difference by giving them as much assistance as possible, which in turn will make sport a much safer place for all our children and young people to participate in.

Irish Rugby Football Union (Ulster Branch) (IRFU)

IRFU (Ulster Branch) response to:

Committee Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit. (Ref: C42/13)

1. Background

- 1.1 The IRFU (Ulster Branch) is the governing body for rugby football in Ulster.
- 1.1 The IRFU (Ulster Branch) is committed to the enjoyment of rugby by young people. It values and encourages the participation of parents, guardians, teachers, coaches and volunteers in the participation of young people in rugby activities.
- 1.3 The fundamental policy of the IRFU (Ulster Branch) is to respect the dignity and rights of each individual under age player and will strive to promote, create and maintain safe environments for under age players.
- 1.4 The IRFU (Ulster Branch) expects all those involved with under age rugby to publicise, adapt and supervise the implementation of the IRFU Child Welfare Policy Document and is committed to monitoring and enforcing the policy where reasonably possible.
- 1.5 IRFU (Ulster Branch) take cognisance of the legislation in relation to Northern Ireland and at the same time for that applying in Republic of Ireland in the Ulster counties of Donegal, Cavan and Monaghan
- 1.6 IRFU (Ulster Branch) is a Registered Body for administering Access NI vetting and barring for staff, coaches and member clubs.
- 1.7 IRFU (Ulster Branch) work closely with Sport Northern Ireland and the Child Protection in Sport Unit (CPSU) of the NSPCC to ensure we adhere to the Framework for Safeguarding Standards in Sport. IRFU (Ulster Branch) are currently rated as “satisfactory” by CPSU in meeting the 6 standards of the framework.
- 1.8 The main points for improvement in our child protection and safeguarding policies and practices to move towards “substantial” rating, identified by CPSU are set out on the attached table.

IRFU (Ulster Branch) Standards for Safeguarding and Children in Sport (CPSU)

Current status: Satisfactory

Standard	Recommendation/Comment from CPSU
Safe Recruitment (Satisfactory)	Club Excellence should enable rugby to assess implementation of safe recruitment procedures at club level.
Effective Management of Staff/Volunteers (Satisfactory)	Roll out of Club Excellence Award should enable rugby to assess implementation at club level
Reporting Procedures (Satisfactory)	Highlight procedures for communicating reporting procedures to parents/guardians, children and young people
Codes of Behaviour (Satisfactory)	Evidence on procedures for communicating code of behaviour to parents and young people.
Sharing Information (Satisfactory)	Roll out of Club Excellence Award will enable IRFU (Ulster Branch) to assess implementation of standard at club level and communication to parents and young people.

Standard	Recommendation/Comment from CPSU
General Health and Safety (Satisfactory)	Already has guidance on a number of these areas. Only outstanding issue is to achieve substantive rating is guidance on use of social media. (we are currently working with IRFU Child Protection Group to include this aspect in the IRFU Child Welfare Policy
Overall Recommendations	Continue to roll out Club Excellence Award to ensure confirmation of implementation of safeguarding requirements at the majority of clubs. Possible linking safeguarding requirements to club affiliation. In some sections IRFU (Ulster Branch) could be assessed as substantial.

Libraries NI

Culture, Arts and Leisure Committee Safeguarding Children and Vulnerable Adults

Briefing by Libraries NI

21 February 2013

1. Introduction

- 1.1 Libraries NI welcomes the opportunity to brief the Committee and contribute to its investigation into gaps in child protection and safeguarding across the Culture, Arts and Leisure sector.
- 1.2 There are 109,022 children and groups of children under the age of 16 years and 8,163 teenagers aged 16 - 17 years who are active members of the public library service, making up almost 40% of the total active members.
- 1.3 Libraries NI is committed to providing a safe environment for all its customers and is particularly conscious of the need to ensure that children can access services safely whether in a library, in their own home or in another environment.

2. Safeguarding and related policies and procedures

- 2.1 Libraries NI has a number of policies and procedures relevant to child protection, of which the overarching one is the Safeguarding Children and Vulnerable Adults Policy. It is the aim of this policy to ensure the safety of children and vulnerable adults by providing guidance on the detection and management of situations where abuse or neglect is evident or suspected. It seeks to put in place clear procedures and ensure that all staff members know and understand their responsibilities.
- 2.2 The policy is kept under regular review with a comprehensive review scheduled at least every 3 years. The Safeguarding Policy and its implementation were inspected by the Education and Training Inspectorate in 2010 and found to be operating satisfactorily. The Policy and associated training for staff were also quality assured by Volunteer Now. Libraries NI's Internal Audit Section, when auditing branch libraries, checks to ensure that staff have received relevant training and that the policy and procedures are being followed. A strategic audit of Safeguarding arrangements is included in the Internal Audit Plan for 2013/14.
- 2.3 The general principles guiding our approach to child protection are set out in the policy as follows:
 - We are committed to practice which promotes the welfare of children and protects them from harm. We wish to ensure that all children participate in an enjoyable and safe environment and accept and recognise our responsibility to develop awareness of the issues which cause children harm and to establish and maintain a safe environment for them.
 - We recognise that every child and young person has the fundamental right to be safe from harm and to have their physical, emotional and spiritual wellbeing promoted by those looking after them
 - The child or young person's welfare must always be the paramount consideration. This concern overrides all other considerations.

- Children and their families have a right to services which are tailored to best meet their assessed need regardless of disability, gender, racial group, age, religious belief, political opinion or sexual orientation
- Children and young people have a right to be heard, to be listened to and to be taken seriously
- We will report concerns to statutory agencies that need to know and involve parents and children appropriately
- A proper balance will be struck between protecting children and respecting the right of other library users. Where there is a conflict, the protection of the child will always come first
- Actions taken to protect the child or young person should not cause the child or young person unnecessary distress or further harm.

2.4 The policy also sets out the general principles which guide our approach to working with vulnerable adults:

- We will actively work with other agencies to safeguard vulnerable adults
- We will actively promote the empowerment and well-being of vulnerable adults through the services we provide
- We will act in a way that supports the rights of individuals to lead an independent life based on self-determination and personal choice
- We will recognise people who are unable to take their own decisions and/or to protect themselves, their assets and bodily integrity
- We will ensure the safety of vulnerable adults by integrating strategies, policies and services
- We will ensure that the law and statutory requirements are known and used appropriately.

2.5 The Safeguarding policy is supplemented by detailed procedures and information and guidance for staff covering such matters as:

- What to do if a child or vulnerable adult discloses abuse
- Recognising abuse
- Dealing with unsupervised children
- Dealing with allegations against a member of staff
- Single staffing
- A Code of Conduct for staff when dealing with children and vulnerable adults
- Contact details for Designated Officers and Social Services Gateway Teams
- Inappropriate use of the Internet
- Filming or photography in the library
- Dealing with inappropriate and unacceptable behaviour
- Supporting vulnerable adults in the library environment
- Visiting vulnerable adults in their homes or in a care situation.

3. Staffing arrangements

3.1 Since its establishment in 2009, Libraries NI has had Registered Body status with Access NI. All new employees are vetted in accordance with Access NI checking procedures prior to appointment. Enhanced checks are carried out on all frontline staff, including caretaking and cleaning staff. Temporary staff and volunteers are subject to the same vetting procedures.

- 3.2 Child protection is part of the induction programme for new staff and refresher training is provided on an ongoing basis to ensure an awareness of the policy and procedures and that staff are clear about their responsibilities in relation to safeguarding children and vulnerable adults.
- 3.3 There are 19 staff (at middle management level) within Libraries NI who are Designated Officers for Child Protection and Safeguarding Vulnerable Adults, one of whom is the Lead Designated Officer. All Designated Officers have received more detailed training on safeguarding issues. Their role is to act as a source of advice and support to frontline staff in particular and, where required, to liaise with, or make referrals to the relevant statutory organisation(s). The Lead Designated Officer is responsible for co-ordinating the Libraries NI approach to safeguarding. To ensure awareness of wider issues associated with child protection, the Lead Designated Officer sits on the Child Protection Co-ordinating Group in one of the Education and Library Boards, which is chaired by a Chief Education Welfare Officer.

4. Monitoring and Reporting Incidents

- 4.1 All staff are made aware of the procedure to follow if they have a concern about the possible abuse of a child, young person or vulnerable adult. Designated Officers maintain records of all concerns and any follow-up action taken. Quarterly reports are compiled by the Lead Designated Officer and provided to the Chief Executive. These reports are also provided to the Department of Culture, Arts and Leisure. Safeguarding is a standing item on the agenda for the Chief Executive's Accountability Meetings with DCAL.

5. Internet Access

- 5.1 Libraries NI provides free Internet access on public access computers for all library members, including children. Libraries NI has a policy on conditions of use of computers for both adults and children and guidelines for staff. The Conditions of Use policy includes guidelines for children on being Net Safe and advice for parents on how to keep children safe when using the Internet. An integral part of the safeguarding staff training is ensuring awareness of these guidelines, including areas of concern and the correct procedures to follow.
- 5.2 Children under the age of 8 years are not permitted to use the Internet unless they are accompanied by a parent or guardian who must remain with them while they are on the Internet. Children and young people between the age of 9 and 16 years must have the consent of their parent or guardian before being permitted to use the Internet.
- 5.3 All access to the Internet is filtered and filters exclude access to known illegal sites and pornography for all users with additional filtering applied to children's access (under 16 year olds), including known social media sites. There is a process in place to block additional sites deemed inappropriate by the Designated Officers
- 5.4 Libraries NI will introduce a new IT system in 2013 (the e2 project), which will include improved internet access and pervasive wireless access in all library buildings. As part of this process, Libraries NI is looking at improved filtering and monitoring and is reviewing policies on computer use.
- 5.5 Libraries NI offers support on use of the Internet for adults and children. As part of the programmes for adults (Got IT? and Go ON), advice is provided on safe and appropriate use of the Internet and more recently classes for adults have been introduced on use of Facebook and Twitter.
- 5.6 A class visits programme is offered to all Year 4 and Year 6 pupils. This programme, which has been quality assured by the Education and Training Inspectorate and complements the Northern Ireland Curriculum, consists of 3 visits to the library to introduce children to the services available, help with the development of literacy and information literacy skills and encourage library membership and use. Visit 3 is entitled "Computers and the Internet" and

includes information on safe use of the Internet and an introduction to some quality assured Internet sites.

- 5.7 Libraries NI is of the view that, in an increasingly digital world, e-safety should strike the right balance between protecting children from obviously inappropriate Internet sites and empowering them to make responsible and informed decisions. E-safety issues are part of a much wider remit of teaching basic information literacy skills i.e. knowing when and why you need information, where to find it, how to differentiate the good from the bad, how to use it and communicate it in an ethical and safe manner and what to do if problems occur.

Music Theatre 4 Youth (Ireland)

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



STATEMENT

Music Theatre 4 Youth (Ireland) provides young people with the opportunity to experience all aspects of music theatre. Music Theatre 4 Youth recognises that it has a moral obligation as well as a legal responsibility, under the common law Duty of Care to ensure the safety and well-being of all children in its care and both staff and volunteers are committed to ensuring that young people are able to experience music theatre in an environment where their safety and welfare are of chief concern. We believe that all children have the right to be protected from harm at all times and in all situations and that the children who participate in our activities, can do so in an enjoyable and safe environment in which they can have fun and feel valued. To ensure that a culture of safety informs all that we do, Music Theatre 4 Youth has developed this Child Protection and Safeguarding Policy and associated Principles of Good Practice. This policy has been approved and endorsed by senior management and the Board of Directors.

DEFINITION OF A CHILD For the purpose of this guidance a child is a person under the age of 18.

The following principles inform all aspects of our Child Protection Policies and Procedures

PRINCIPLES (Children (NI) Order 1995)

Paramountcy – the child's welfare comes first

Partnership - all parties should be involved in decisions making –parents/guardians/carers/ social services

Prevention – follow procedures and policies on safeguarding & child protection

Protection – duty of care to all children & young people to protect them

Parental Responsibility – parents/ guardians by law have ultimate responsibility (consent)

AIMS & CONTENTS

The aim of the policy is to safeguard the personal safety of all children who take part in our activities through actively promoting awareness, good practice and appropriate and effective procedures.

- | | |
|--|--|
| 1. Code of Behaviour | 7. Disclosures |
| 2. Consent & Sharing Information | 8. Reporting & Recording Child Protection Concerns |
| 3. Recruitment and Vetting Procedures | 9. Reporting an allegation against staff members |
| 4. Staff Induction & Training | 10. Safety & First Aid |
| 5. Definitions of Child Abuse | 11. Communication |
| 6. Role of Designated Children's Officer | + Appendices 1 - 10 |

We will endeavour to safeguard children by:-

- Ensuring that all staff and volunteers are carefully selected, monitored and cleared by the relevant authorities i.e. Access NI. They will be informed of and make themselves familiar with our Child Protection and Safeguarding Policy.
- Providing effective management for staff and volunteers through supervision, support and training.
- Adopting child protection guidelines through a code of behaviour for staff, volunteers and young people.
- Carrying out risk assessments at rehearsal, accommodation and performance venues and ensure that safety procedures are adhered to.
- Letting parents and young people have information about Music Theatre 4 Youth and the Child Protection and Safeguarding Policy and explain what they can expect of Music Theatre 4 Youth.
- Reviewing our policy, procedures and practice annually.

If you have any further queries or wish to report a concern please contact:

Designated Children's Officer: Suzie Scott

Deputy Designated Children's Officer: Erika Reid

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



PRINCIPLES FOR DISABLED CHILDREN

Children (NI) Order 1995

- Welfare of children should be protected and promoted by those providing services
- Primary aim should be to promote access for all children to the same range of services
- Children with a disability are children first
- Recognition of family and carers in a child's life & partnership with parents and external agencies
- Views of child and their parents should always be sought and taken into account

Including disabled children

Below are some of the things you should consider to include successfully a disabled child in your scheme.

- Work in partnership with the child, parents and any professionals to establish how the child can be included.
- Make sure inclusion is possible before bringing the child into the scheme.
- Make reasonable adjustments- e.g. if your group has a requirement for children to be toilet trained, can this be waived in the case of a child who is not?
- Be interested in the child- build a rapport.
- Gather some information about the child's impairment, acquiring some key skills in the child's communication method will be useful e.g. it is quite easy to learn some simple signs.
- Some disability specific training may be useful or required- e.g. on autism or epilepsy.
- Risk assessments may be necessary to ensure the safety of some disabled children.
- Higher staff ratios may be required if the child has additional needs or behavioural problems.

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



1 CODE OF BEHAVIOUR - STAFF

The information below gives a detailed outline of how Music Theatre 4 Youth expects its employees to behave when representing the company. It will ensure that situations that could be open to misinterpretation are best avoided and that our employees – core, chaperones and artistic team - will respond appropriately whilst working with young people on Music Theatre 4 Youth projects.

Any breach of the Code of Conduct will result in disciplinary procedures.

PERSONAL CONDUCT	REHEARSALS
Set a good example Show respect, be patient and listen Use appropriate language and attitude Respect a young person's right to personal privacy Use positive body language. Adhere to Music Theatre 4 Youth's 'no swearing' policy Use staff not children's toilets Never arrange meetings with children outside organised activities Never bring any alcohol onto a Music Theatre 4 Youth project, even for consumption during non-working hours Never turn up for work smelling of alcohol Never smoke inside venue/ rehearsal space grounds, or in the presence of young people. Find a private – out of sight, designated area to smoke away from the young people Never swear or have conversations of an adult nature during Music Theatre 4 Youth projects Never undermine, ridicule or insult other MT4Uth staff, chaperones and volunteers Never offer alcohol, cigarettes or drugs/medicines (even headache tablets) to a child	Conduct activities within sight or hearing of others. Where possible involve more than one child in a conversation/ activity Stop or cancel activities if conditions are unsafe or unreasonable demands are being made Never work without chaperones present No facilitators – individually or together – should be left alone with children for any length of time Never show favouritism towards a child Never comment on a young person's personal appearance in public except in professional terms Never promise to keep secrets Never embarrass, ignore or single out a child Never engage in sexually provocative games Never allow children to engage in bullying, mocking or initiation ceremonies Never offer lifts to children, except in an emergency (bring another adult with you in this case)
PHYSICAL CONTACT	SOCIAL MEDIA
Keep physical contact to an appropriate level and always specific to the activity Consult with the child before engaging in any physical contact Avoid excessive physical contact with children Never allow or engage in inappropriate touching	Never 'add' or accept a young person's (under 18 years) friendship invitation on social networking sites such as Facebook . <u>If you have already accepted young people's invitations please take steps to delete/ block this connection</u> Establish clear boundaries at the beginning of each project – you are there to teach the young people, not be their friend Never ask for a young person's mobile phone number and do not give your mobile number out to young people

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YOUNG PEOPLE'S CODE OF BEHAVIOUR

Music Theatre 4 Youth expects a standard of behaviour from the young people taking part in its activities. Further details on expected behaviour can be found in The Young People's Handbook (which can be accessed on the website www.mt4uth.com) Young people are expected to follow Music Theatre 4 Youth's House Rules – turning up to projects/ activities on time, showing respect and listening to the artistic team and facilitators, respecting the role of the Chaperones, adhering to Music Theatre 4 Youth's no smoking, no drinking, no drugs and no swearing policies. All participants will receive a copy of the handbook prior to all projects/ activities.

THE ROLE OF CHAPERONES

All Music Theatre 4 Youth projects are supervised by a chaperoning team. Chaperones act *in loco parentis* and are responsible for the well-being and safety of all young people during Music Theatre 4 Youth activities. The team consists of a highly experienced Head Chaperone supported by a number of chaperones depending on the number of young people on each project as per the guidelines in the Children NI Order 1995. Where feasible, Music Theatre 4 Youth endeavours to have both male and female chaperones present. The chaperone team work in conjunction with the artistic team and core staff to ensure the safety and wellbeing young people. Music Theatre 4 Youth sees this as a vital and fundamental part of our duty of care to young people.

2 CONSENT AND SHARING INFORMATION

Good communication helps to foster an environment in which children will be protected from harm. Music Theatre 4 Youth has established systems to provide opportunities for sharing information with children, parents/ guardians and workers.

Music Theatre 4 Youth will seek various forms of consent from parents/ guardians of all young people aged under 18 years of age taking part in its activities prior to commencement of said activities.

General Consent – Music Theatre 4 Youth will request permission from parents/guardians of all young people under the age of 18 to take part in any activity.

Medical – Music Theatre 4 Youth will request from the parents/ guardians of all young people aged under 18 years information on any medical conditions that chaperones will need to be aware of i.e. any allergies, asthma, migraines etc. and whether the young person will need to take medication whilst on a project. Music Theatre 4 Youth is committed to inclusivity and will accommodate any medical conditions as best we can.

We will also request permission from parents/ guardians for chaperones to administer first aid when required, i.e. painkillers etc

Dietary – When on a project where Music Theatre 4 Youth is providing catering, we will request information from parents/ guardians as to whether the young person has any dietary requirements or allergies to certain foods.

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Communication – Music Theatre 4 Youth will request permission from parents/ guardians for Music Theatre 4 Youth administration to communicate with them and/or their young persons via email and mobile text communication. Parents/ guardians and young people can unsubscribe from this service at any time and all administrative communications are subject to ‘spot checks’ from the Designated Children’s Officer.

Use of photographic/filming equipment - Music Theatre 4 Youth is aware of the potential to misuse photographs of young children and needs to balance its requirements to provide a safe environment for children with its need to have photographs for press, publicity and archival purposes. We have developed a policy to meet these concerns. The policy is based on a common sense approach, the twin pillars of which are staff vigilance and comprehensive authorisation policies. This also covers filming, DVD recordings and mobile phone imaging.

Our policy is that Music Theatre 4 Youth will always request parental/guardian consent prior to filming or photography. In addition:

- We will provide a clear brief about what is considered appropriate in terms of content and use of image.
- We will identify the photographer to the host group and issue the photographer with identification, which must be worn at all times.
- We will not permit unsupervised access to children.
- We will avoid using names of children if image is used in publicity where practicable.
- All film and video footage of Music Theatre 4 Youth projects will be taken by Music Theatre 4 Youth staff or sanctioned by Music Theatre 4 Youth staff only. All film and video footage (that is not of a Music Theatre 4 Youth production, i.e. audition/workshop material) will be stored in the Music Theatre 4 Youth office and can be viewed during office hours only with Music Theatre 4 Youth staff present.
- Concerns regarding inappropriate or intrusive photography should be reported to the event organiser or leader and will be recorded in the same manner as any other child protection concern.

All consent forms will be stored in line with data protection legislation.

Music Theatre 4 Youth also accepts a moral responsibility for those aged 18 – 25 years who are participants on Music Theatre 4 Youth projects and activities.

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3 RECRUITMENT AND VETTING OF STAFF

Robust recruitment and selection procedures will help Music Theatre 4 Youth to screen out unsuitable individuals and prevent them from working with children.

Music Theatre 4 Youth is committed to equality and fair treatment of all core staff, freelance employees and potential candidates for posts within the company. Music Theatre 4 Youth ensure that company recruitment systems do not increase or ignore the potential risk of harm to the young people with whom Music Theatre 4 Youth works nor should it compromise or put at risk individual staff members or candidates.

This process should cover the following:

- Providing full job descriptions for each post
- Providing application form and referee request forms for all vacancies
- Providing an interview process where applicable
- Requesting and completing Access NI clearance check where appropriate **PRIOR** to employment
- Providing Induction – Pre-project training with Deputy Designated Officer on Child Protection Policy, Code of Behaviour and Health and Safety Policies
- Providing Probationary Period – Review suitability of new core and freelance staff where applicable
- Providing on-going supervision and support

Music Theatre 4 Youth can identify 5 groups of potential employment or involvement

Group 1: Core permanent and/or senior staff (both full-time and part-time) Chief Executive, Office Manager, Project Manager and Administrator must be subject to an Access NI Enhanced Disclosure.

Group 2: Freelance staff are subject to an Access NI Enhanced Disclosure

Group 3: Chaperones are subject to an Access NI Enhanced Disclosure

Group 4: Directors on the Board are subject to an Access NI Enhanced Disclosure

Group 5: Volunteers are subject to an Access NI Enhanced Disclosure

Recruitment and Selection Guidelines

- When recruiting for staff and volunteers, Music Theatre 4 Youth is responsible for reviewing the job description to assess if it involves unavoidable access to children. If this is the case, whether permanent, temporary, fulltime or part time job applicants must be asked to consent to a police check being carried out to check the existence and content of any criminal record they may have.
- Music Theatre 4 Youth will point out that if the applicant refuses to grant consent for such checks that would be sufficient grounds for Music Theatre 4 Youth not to progress any further with the application and possible employment.

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When the short listed candidates have been interviewed and a recommended candidate emerges, a nominated officer will request ACCESS NI to make the relevant checks. In order to conduct the checks, ACCESS NI will have to be furnished with photographic ID and two other forms of appropriate identification. The confidential results of the checks will be forwarded by ACCESS NI to Music Theatre 4 Youth

N.B. Music Theatre 4 Youth is aware that since most child abusers have not been convicted in a court of law there may be no records for ACCESS NI to check. However it is still a valuable service for employers although it cannot be totally conclusive in its findings.

Music Theatre 4 Youth uses Volunteer Now as its “Umbrella Body” for Access NI checks. We require enhanced disclosures from all staff that have regular contact with children and all members on the Board of Directors. As part of Music Theatre 4 Youth’s recruitment and selection process, offers of employment will be subject to the Access NI check being complete.

References

When recruiting, Music Theatre 4 Youth will ask for references from two referees who are not related to the candidate. We will inform the referees that the post involves working with children and ask about the candidate’s suitability in this context.

4 STAFF INDUCTION AND TRAINING

Core Staff Training on child protection will form part of the company induction programme, and will then be updated on an annual basis, or as updates are required. All core members of staff will complete external Child Protection Training provided by bodies such as Youth Action or Volunteer Now. All staff training will be signed off, recorded and filed by the Deputy Designated Children’s Officer and stored in the Music Theatre 4 Youth office for reference.

Induction for Free Lance Employees Prior to being employed on any project all freelance artistic practitioners will be sent Music Theatre 4 Youth’s full Child Protection & Safeguarding Policy electronically with a request that they read through and familiarise themselves with its content. A training session led by the Project Manager/ Deputy Designated Children’s Officer will take place at the start of every project. Music Theatre 4 Youth’s Child Protection & Safeguarding Policy, Code of Behaviour, Risk Assessments, Health & Safety Policy and Reporting Procedures Policy will be covered and each member of staff will sign and date a certificate for Music Theatre 4 Youth training records.

Chaperones All chaperones are subject to Access NI checks and are licensed through their local authority. Chaperone training is led by the Head Chaperone prior to each activity in Child Protection awareness, how to recognise abuse and the reporting procedure to be followed in the instance of a concern. Chaperones also receive on-going training in Child Protection from external providers. All training will be signed off, recorded and filed by the Deputy Designated Children’s Officer and stored in the Music Theatre 4 Youth office for reference.

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5 DEFINITIONS OF CHILD ABUSE AND NEGLECT

There are several different categories of abuse officially defined in 'Co-operating to Safeguard Children'. Any action taken by statutory child care agencies will be based on these definitions. All staff and volunteers should be aware that, essentially, 'child abuse' occurs when the behaviour of someone in a position of greater power than a child causes significant harm.

Physical - the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a patient or carer fabricates or induces illness, or deliberately causes ill health to a child in their care.

Emotional - where children are persistently or severely emotionally neglected or rejected, for example, by not being given enough love or attention, made to feel worthless, or being intimidated by threats or taunts.

Sexual - where children are encouraged or forced to observe or participate in any form of sexual activity. Boys and girls are sexually abused when adults (male or female) or other young people use them to meet their own sexual needs. Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities whether or not the child is aware of what is happening. It may involve physical contact including penetrative or non-penetrative acts. It may include non-contact activities, such as involving children in looking at child abuse, or involving them in the production of such images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect - where children's physical and/or psychological needs are persistently or severely neglected or the failure to protect a child from exposure to any kind of danger.

Bullying - Although bullying is not defined as abuse, in its more extreme form it would be regarded as a form of abuse. It can take many forms but Kidscape identifies the main types as:

- emotional- excluding, being unfriendly;
- physical- hitting, kicking, theft
- racist- racial taunts, graffiti, gestures
- sexual- unwanted physical contact or sexually abusive comments
- homophobic- because of, or focusing on, the issue of sexuality
- verbal- name calling, sarcasm, spreading rumours, teasing
- cyberbullying - bullying via mobile phones; email, website bullying

Recognising abuse

It is not always easy to identify when children have been abused even for the most experienced carers. However, some of the more typical symptoms, which should arouse suspicion may include

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries (elbows, small of the back, buttocks, behind the ears etc).
- Use of sexually explicit language or actions by a child maybe to an adult or another child.
- Sudden change in behaviour such as becoming quiet or withdrawn.
- A general distrust of adults especially with whom a close relationship would be expected.
- An unreasonable reaction to normal physical contact.

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6 ROLE OF DESIGNATED CHILDREN'S OFFICER

The Designated Children's Officer is Suzie Scott, member of Music Theatre 4 Youth's Board of Directors, and Deputy Designated Children's Officer is Erika Reid, Music Theatre 4 Youth's Project Manager.

The Role and Responsibility of the Designated Children's Officer
<p>Provide information and advise on Child Protection & Safeguarding within Music Theatre 4 Youth</p> <p>Ensure that the Child Protection & Safeguarding Policy and Procedures are followed</p> <p>Inform Health & Social Services/PSNI of concerns about individual children / members of staff if a situation or Child Protection concern arises,</p> <p>Record in writing all reports/ disclosures/ investigations.</p> <p>Advise about training needs.</p> <p>Act as the first point of contact and support.</p> <p>Uphold confidentiality with regards to disclosures at all times</p>
The Role and Responsibility of the Deputy Designated Children's Officer
<p>Process Access NI clearance checks for all staff through nominated umbrella body</p> <p>Support Designated Children's Officer with advice on training needs and child protection procedures</p> <p>Support Designated Children's Officer with recording reports/ disclosures</p> <p>Act as first point of contact/ support if Designated Children's Officer is not available</p> <p>Update all policy and procedures as necessary</p> <p>Conduct all pre-project Child Protection & Safeguarding training with freelance staff</p> <p>Circulate and communicate Music Theatre 4 Youth's Child Protection Policy to all relevant parties</p> <p>Uphold confidentiality with regards to disclosures at all times</p>

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7 DISCLOSURE

Disclosure is a term used to describe the act of a child telling an adult or another child that something has happened and they want to talk about it or they may just come out and tell you that they have been hit or indicate they have been sexually abused. It is when the child is away from an abuser that they may use the opportunity to tell. **In cases of child abuse the main aim is to keep calm and provide a positive, friendly attitude to encourage the child to talk.**

If a child confides in you, the following guidance gives you an idea of how to handle the situation. Try and stay calm and listen without interruption. Try not to appear shocked with the allegation. Let the young person speak at their own pace. Try to use open questions/statements and only ask questions if an explanation is not clear. **You are not investigating, just gathering information.** Do write down all that is reported to you in as much detail as possible and in the exact way it is described to you. Try not to put things into your own words but use the exact words of the young person.

Do reassure the young person that they have done the right thing in reporting the incident and that they will be told of any resultant action. Thank them and tell them that it is very important that they have told you and explain that you will have to tell someone who can help and do something about it and maybe make it all stop.

If the child has told you something about their parent/guardian/carer to whom they are returning after the project, more immediate action may need to be taken depending on the nature of the disclosure. You are not fully trained and **it is NOT your responsibility to decide if it is abuse but it is your responsibility to act on your concerns and do something about identifying the situation. If you have any doubt then always contact the NSPCC or Childline. Contact details in Appendix 1**

8 REPORTING & RECORDING CHILD PROTECTION & SAFEGUARDING CONCERN

- The reporting of a concern should be made to the Deputy Designated Children's Officer, Erika Reid, and then she will pass it to the Designated Children's Officer Suzie Scott, as soon as possible to safeguard the child, particularly if the child is concerned about returning home. The **'Reporting a Concern'** form (Appendix 3) should be completed by anyone who has a concern about a Child Protection issue. This form should be completed as soon as possible following the incident which has prompted the concern and should be presented to the Deputy Designated Children's Officer who will assess the situation and decide on the most appropriate response to the concern.
- When recording information, it is important that Deputy Designated Children's Officer does not start an internal investigation but rather is gathering information.
- If the information raises significant concerns about the child returning home, the welfare of the young person is the first priority. **The Deputy Designated Children's Officer/ Designated Children's Officer will seek advice from the NSPCC who have a 24 hour helpline 0808 8005000**, as it is not always going to be practicable to contact social services.

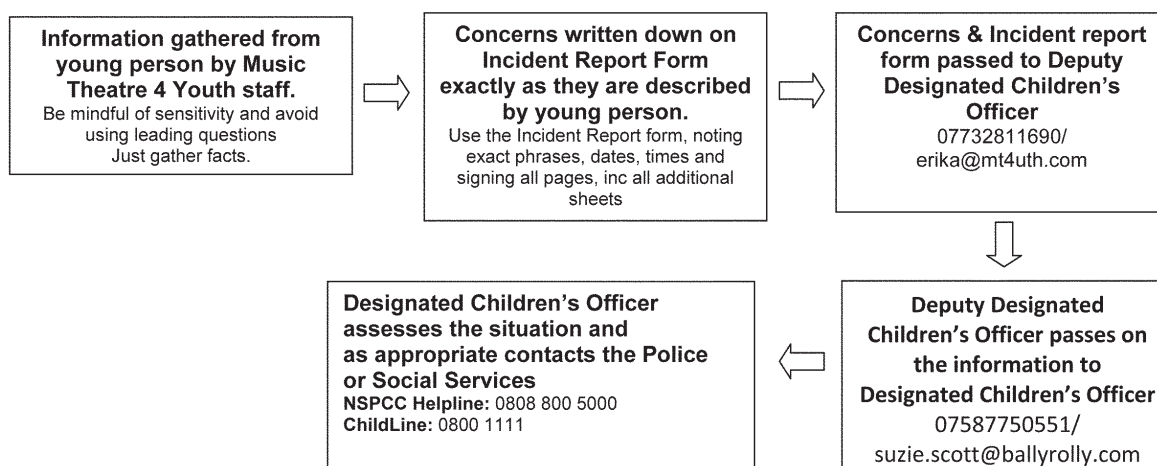
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RESPONDING TO A CONCERN – DESIGNATED & DEPUTY DESIGNATED CHILDREN’S OFFICER ROLE

- Following the report of a concern or abuse, the Designated Children’s Officer will assess the information and report it to the parents/guardians/carers of the alleged victim, local social services or police depending on the seriousness of the concern as soon as possible, in some cases this may need to be immediately, depending on the nature of the information provided.
- The role of the Designated Children’s Officer is **not** to make an independent investigation into any allegations as this could delay the retrieval of vital evidence and also put a child at risk.
- If in doubt advice should always be sought from the NSPCC who have a 24 hour help line **0808 8005000** or Childline, or contact the local police (Appendix 1)
- If the allegation or concerns are about the parent/guardian/carer of the child that parent or carer should **not** be informed before contacting or seeking advice from NSPCC or Social services as that could put the child at further risk or prompt the parent/carer to take steps to avoid an investigation by speaking to the child.
- Alternatively, if the allegations are being made against another young person then the parents/guardians/carers of the accused should also be informed. If there is a need to call in police before parents/guardians/carers have arrived then the Designated or Deputy Designated Children’s Officer may act as the appropriate adult in order for the Police to conduct an appropriate investigation.
- Any action taken by the Designated Children’s Officer must be recorded and include details of whom they have spoken to, date and time and the advice given.

• Flowchart of the Reporting Process for Child Protection Issues



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9 REPORTING ALLEGATIONS / CONCERNS ABOUT OTHER MEMBERS OF STAFF

- The reporting of allegations or concerns about another member of staff and their behaviour towards a child should be done by using **Reporting a Concern Form (Appendix 3)** as mentioned above and passing it on to the Deputy/ Designated Children's Officer as soon as possible.
- It is always difficult to report matters about another member of staff as that action could cause anxiety and stress for all parties concerned, but it is better to report concerns than not to, as this action may help to safeguard a child.
- Advice can be sought from the NSPCC or Childline before reporting but it should not be left too long as delay may put a child or children at risk.

RESPONSE TO ALLEGATIONS AGAINST STAFF & DISCIPLINARY PROCEDURE

- Music Theatre 4 Youth will ensure that all young people, parents/carers and staff are aware that any allegations will be taken seriously. Although it is a sensitive and difficult issue, child abuse can and does occur outside the family setting. Child abuse has occurred within institutions and may occur in other settings such as those where there is a 'position of trust', such as that held by those working closely with children during Music Theatre 4 Youth activities.
- If the concern is regarding general behaviour and a threshold of concern does not appear to have been breached, then the employee in question will only be subject to an internal investigation. This may be use of inappropriate language or 'horseplay', which could be misinterpreted. Such action may lead to disciplinary proceedings.
- When an internal investigation is initiated, the Board of Directors via The Chair and the CEO should be informed. For less serious matters, advice may be sought from appropriate statutory authorities such as social service or from the NSPCC (Appendix 1). The alleged "perpetrator" should also be informed at this time that allegations have been made against him/her and that an internal investigation has been initiated.
- Once the Designated Children's Officer has gathered all relevant information as part of the internal investigation, they will invite the employee by letter to attend a meeting to discuss the matter with the Designated Children's Officer and CEO.
- The meeting must take place before any disciplinary action is taken, except in the case where the disciplinary action consists of immediate suspension to protect young people involved in current activities.
- After the meeting, the Designated Children's Officer and CEO must inform the employee of their decision and notify them of the right to appeal against the decision if they are not satisfied with it.
- If the employee wishes to appeal, they must inform the Designated Children's Officer and CEO. The appeal should be dealt with by the Chair of the Board of Directors. After the appeal meeting, the Music Theatre 4 Youth CEO must inform the employee of the final outcome of the appeal.

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- If, however, during the course of the internal investigation a threshold of concern does appear to have been breached, then the internal investigation will cease and the police/social services will be contacted immediately. Any such internal investigation to that point must be documented with date, time and signatures.
- Steps will be taken to ensure that the employee being reported to the police/social services does not continue to have access to children until the matter is resolved.
- The matter may be so serious that it is reported to the police/social services immediately, before any internal investigation. In that case, the police/social services will control the investigation and contact relevant parties with the assistance of the Designated Children's Officer. The alleged "perpetrator" should also be informed at this time that allegations have been made against him/her and that they have been reported to the police/social services.
- In all cases, parents/carers of the child will be informed, as appropriate, about the concerns /allegations that have been made and they will be kept informed of the progress made in respect of any investigation.
- If the person making the complaint considers that the Designated Children's Officer has not taken the concern seriously, that person should report the matter directly to the CEO of Music Theatre 4 Youth.

Confidentiality - All personal and sensitive details which have been confided to Music Theatre 4 Youth (re: family situations, personal details etc.) will not be talked about or passed on to others without prior consent.

Information of a confidential nature will only be communicated on a 'need to know' basis.

Designated Children's Officer: Suzie Scott
Deputy Designated Children's Officer: Erika Reid

10 SAFETY AND FIRST AID

The safety and welfare of young people on Music Theatre 4 Youth activities is of paramount importance and as such the following are in place to ensure the safety and welfare of all people involved in our activities:

Risk Assessments: The Project Manager from Music Theatre 4 Youth will complete a thorough Risk Assessment of all venues used for Music Theatre 4 Youth activities – Weekend Academy at May Street, all residential accommodation, all theatre venues and rehearsal spaces. All health and safety risks will be identified and relevant actions put in place to minimize these risks.

First Aid: All Music Theatre 4 Youth core staff and chaperone team have completed official first aid training. On each project/ activity there is a nominated first aider, usually the Head Chaperone or Project Manager. All accidents, injuries, slips, trips and falls are recorded on an Incident Report Form (Appendix 8) by the Head Chaperone/ Project Manager or other chaperones who witness the incident and is filed in the Music Theatre 4 Youth office.

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11 COMMUNICATION

Music Theatre 4 Youth will distribute the full Child Protection & Safeguarding Policy to all core staff, volunteers, chaperones and artistic team members and will request signatures to confirm that all staff have read and understood the Child Protection & Safeguarding Policy. The full Child Protection & Safeguarding Policy will also be distributed to parents/ guardians /carers of Music Theatre 4 Youth participants upon registration on our programmes. Parents/ guardians/carers will be asked to provide a signature to confirm they have read and understood the Child Protection & Safeguarding Policy.

The Child Protection & Safeguarding Policy Statement will be distributed and included in all Music Theatre 4 Youth Information Packs intended for any funders, sponsors, supporters and other stakeholders.

Music Theatre 4 Youth's Child Protection & Safeguarding Policy will also be displayed on the website www.mt4uth.com

Responsibility for Management

Final responsibility of this policy will rest with the Board of Directors of Music Theatre 4 Youth. The daily and on- going management of the policy will be undertaken by the Deputy Designated Children's Officer and Project Manager. All other employees have a responsibility to adhere to the organisation's Child Protection & Safeguarding Policy and follow all procedures as required.

Monitoring

- Induction and training will be recorded for all core staff, freelance staff and volunteers
- Music Theatre 4 Youth will keep detailed and accurate records of any reported incidents, allegations or concerns and comply with all requirements to supply information as appropriate
- Music Theatre 4 Youth will review procedures on a regular basis and update all staff/freelance staff/volunteers
- Music Theatre 4 Youth will retain all relevant records and keep all records confidential
- Music Theatre 4 Youth Board of Directors will work with the Deputy Designated Children's Officer in ensuring that all procedures and child protection and safeguarding policy is being adhered to

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**APPENDIX 1 - USEFUL CONTACTS****PSNI CHILD ABUSE INVESTIGATION UNITS**

From 31 March 2008, Child Abuse Investigation Units have replaced the CARE units.

- District (North and West Belfast) 028 9070 0604
- District (South and East Belfast) 028 9025 9832
- District (Castlereagh, Carryduff, Dundonald) 028 9056 1767
- District (Lisburn, Antrim, Newtownabbey, Carrickfergus) 028 9448 2633

HEALTH AND SOCIAL SERVICES TRUSTS – GATEWAY TEAMS**Belfast Trust**

North and West Belfast - 028 9032 0840
 South and East Belfast - 028 9020 4550
 From September 2008, all Belfast referrals will be made to 028 9020 4550

Northern Trust

Ballycastle, Ballymoney, Portrush and Coleraine
 028 7032 5462
 Ballymena, Magherafelt and Cookstown
 028 7965 1020
 Antrim, Carrickfergus, Newtownabbey and Larne
 028 9334 0165

Southern Trust

Craigavon 028 3834 3011
 Dungannon 028 8772 2821 ext 3429
 Newry 028 3082 5152

South-Eastern Trust

Dunmurry and Greater Lisburn 028 90602705
 Newcastle and Downpatrick 028 44613511
 Bangor, Newtownards and Ards Peninsula 028 91818518
 56

Western Trust

Enniskillen 028 6634 4037
 Omagh 028 8283 5043
 L'Derry 028 7131 4090

Out of Hours Emergency Social Work Service

Belfast Trust 028 9056 5444

Northern Trust 028 9446 8833

Southern Trust Craigavon & Dungannon 028 3833 4444 / Newry 028 3083 5000

South Eastern Trust 028 9056 5444

Western Trust Enniskillen 028 6638 2000 / Omagh 028 8283 3100 / L'Derry 028 7134 5171

ACE (Advisory Centre for Education)

Advice on bullying
www.ace-ed.org.uk
Helpline 0808 800 5793

Anti-bullying Alliance

www.antibullyingalliance.org

Behaviour Management www.parenting-ed.org

Bullying

Good advice for children on bullying is outlined here - how to recognise it, and what to do if you are the victim or know of someone who is.
www.bullying.co.uk

Child Exploitation Online Protection

www.ceop.gov.uk
Child Protection in Sport Unit (CPSU)
cpsu@nspcc.org.uk
pstephenson@nspcc.org.uk
www.thecpsu.org.uk
 028 90351135

Childline Northern Ireland

www.childline.org.uk
Helpline 0800 11 11
 1st Floor, Queens House, 14 Queen Street, Belfast BT1 6ED. Tel: 0870 336 2945

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Children's Law Centre

www.childrenslawcentre.org
Philips House, York St, Belfast, BT15 1AB
CHALKY Helpline 0808 808 5678

Counselling for young people

www.contactyouth.org

Domestic Violence www.womensaid.org.uk

Drugs and alcohol www.contactyouth.org

Health www.kidsallergies.co.uk

Health and Social Care Trust Gateway Teams

Belfast HSC Trust Gateway Team
028 90507000

Internet Safety www.iwf.org.uk

Kidscape

www.kidscape.org.uk
020 7730 3300

National Children's Bureau www.ncb.org.uk

NI Anti-Bullying Forum www.niabf.org.uk

NSPCC Child Protection Helpline

www.nspcc.org.uk
Helpline 0808 800 5000

Parentline Plus

Advice for parents on supporting a child who is being bullied.

www.parentlineplus.org.uk

Freephone 0808 800 2222

Parents Advice Centre

Parenting Education Project, Parenting Forum NI and The

Men's Project -

www.parentsadvicecentre.org

Freephone 0808 8010 722

Parents Centre www.parentscentre.gov.uk

Special Education Needs

www.throughtheroof.org

Suicide and self-harm www.pipsproject.com

Volunteer Development Agency

028 90236100

For further information on developing Safeguarding policy and procedures are provided in the documents **Our Duty to Care** and **Getting it Right** available at www.volunteering-ni.org

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**Appendix 2 MT4UTH STAFF INDUCTION & PERSONAL DETAILS**

NAME: _____

HOME ADDRESS: _____

CONTACT PHONE NUMBER (landline): _____

CONTACT MOBILE NUMBER: _____

EMAIL ADDRESS: _____

POSITION / ROLE APPLIED FOR: _____

PROJECT WORKING ON: _____

Have you read and understood the entirety of MT4Uth's Child Protection & Safeguarding Policy : YES / NO
(please circle)

Are there any areas you need further guidance/ clarification on:

AGREEMENT

I (NAME) acknowledge that I have received, read and understood a copy of all the relevant policies as detailed in the MT4Uth Child Protection & Safeguarding Policy.

I declare that there is no reason why I would be considered unsuitable to work with children. I have no criminal convictions (past / present), cautions or cases pending under the Rehabilitation of Offenders (Exceptions) Order (NI) 1979.

CONSENT TO ACCESS NI CHECK

Do you have any prosecutions pending YES / NO (please circle)
(if yes, please give details)

Have you ever been convicted at a court or YES / NO (please circle)
cautioned by the police for any offence?

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If yes, please list below details of all convictions, cautions, or bind-over orders. Give as much information as you can, including, if possible, the offence, the approximate date of the court hearing and the court which dealt with the matter.

Have you ever been the subject of an Adult or Child Abuse investigation which alleged that you were the perpetrator of any adult or child abuse?

YES / NO (please circle)

If yes, please list full details below. If possible please provide the approximate date (s).

I understand that an ACCESS NI check (as specified above) must be carried out before an offer of appointment can be confirmed. This has been explained to me and I am aware that spent convictions may be disclosed. I declare that the information I have given is accurate and I consent to the check being made.

SIGNED **DATE**
("worker")

SIGNED **DATE**
(on behalf of MT4Uth)

Please supply the names and addresses of 2 independent referees (to whom you are not related):

NAME: Name:

Address: Address:

.....

Tel No: Tel No:

Mob No: Mob No:

**** All information received will be dealt with in a confidential manner and will not be used to discriminate against applicants unfairly**

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**Appendix 3 - REPORT FORM FOR AN ALLEGATION OR SUSPICION OF ABUSE**

As an employee or artist employed by Music Theatre 4 Youth, you have a duty of care to ensure that the children who work with us are kept safe from harm. Abuse of a child or of an adult with a learning disability is a criminal offence. If you have a suspicion that someone is being or has been abused, or if an allegation of abuse has been made to you by a child or another individual, it is vitally important that you faithfully, truthfully and swiftly record the details. It is also important that you comply fully with Music Theatre 4 Youth's Child Protection & Safeguarding procedures and the full requirements of the law. You may not be able to, and are not expected to, complete all of this form.

Please remember you should not discuss the details of your concerns with any other party outside of those directly involved.

Reporting Procedure Form/Cause for Concern Form

To be filled in if you suspect child abuse.

Name of Child Age DOB.....

Any special factors

Name of parent (s)

Home address

Phone number

Own concerns or passing on somebody else's
.....

What prompted the concern
.....

Date// Time of specific incident

Any physical signs / behavioural / indirect
.....
.....

Has the child spoken to you? If so what did they report?
.....
.....

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Has anybody been alleged to be the abuser? If so, record details

.....

.....

.....

Has anyone else been consulted? If so, record details

.....

.....

.....

Please now take this report form immediately to the Designated/ Deputy Designated Children's Officer for Music Theatre 4 Youth who will then take appropriate action with regards to this allegation.

MT4Uth Child Protection Contacts/ Numbers

Suzie Scott, Director / Designated Children's Officer

Erika Reid, Project Manager / Deputy Designated Children's Officer

Email: erika@mt4uth.com

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APPENDIX 4 ACCESS NI & REGULATED ACTIVITY

Access NI - Background

The Pre-Employment Consultancy Service (PECS) had been operated by the DHSSPS since 1982 to assist agencies in screening out unsuitable people when recruiting to positions with substantial access to children and to adults with learning disabilities. The Protection of Children and Vulnerable Adults (NI) Order 2003 (POCVA) enhanced these arrangements for safeguarding vulnerable members of society. From April 2005 the system for vetting those who work with children was known as the Protection of Children (NI) Service (POC (NI)). From 1st April 2008 the system for providing organisations with criminal history information about anyone seeking paid or unpaid work in certain defined areas has been administered by AccessNI. AccessNI was established by a joint programme between the Northern Ireland Office, the Department of Health, Social Services and Public Safety, the Department of Education and the Police Service of Northern Ireland. It provides a disclosure service and an individual checking a number of sources of information and lists. These include UK criminal record information and current disqualifications lists in NI and GB. AccessNI should be used to complement each agency's own safeguarding measures and all agencies entrusted with the care or training of children need to have robust recruitment and staff/volunteer selection procedures, which are enhanced after appointment by appropriate training, supervision and appraisal processes. AccessNI should only be used as part of an overall recruitment policy. It provides organisations registered with them with a central means of checking the suitability of an individual seeking work with children. The use of AccessNI by organisations has a deterrent effect but should **never** be relied upon to screen out all abusers. It is not a foolproof guarantee of suitability. AccessNI provides a means for accessing any information which might have a bearing on an individual's suitability.

Levels Of Disclosure From AccessNI

There will be **3** different levels of disclosure. Individuals will be able to access a Basic Disclosure. Standard and enhanced disclosures can only be accessed by registered employers.

1. BASIC DISCLOSURE

An individual may apply for their own criminal record certificate which will disclose any unspent convictions recorded on police systems.

2. STANDARD DISCLOSURES

An employer seeking to employ a person in the occupations listed in the Exceptions Order to the Rehabilitation of Offenders (NI) Order 1978, is eligible for a **standard** disclosure which contains details of both spent and unspent convictions.

3. ENHANCED DISCLOSURE

All **regulated positions** under the Protection of Children and Vulnerable Adults (NI) Order 2003 will be subject to an **enhanced disclosure**. An enhanced disclosure provides the full criminal history and any relevant non-conviction information. *(N.B. All positions of those working or managing those working with children or vulnerable adults should be required to undertake an Enhanced check)*

What Is Actually Checked

AccessNI searches the following databases for every application.

- The Criminal Record Viewer – which contains the NI criminal record, and
- The Police National Computer – which contains the GB criminal record. In respect of a basic check the "spent"

element of the criminal record is removed. For Standard and Enhanced checks, the full record is disclosed. For Standard and Enhanced Disclosures, the following sources will also be searched if E4 and E5 on the Disclosure

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Certificate Application Form are ticked, meaning the position applied for involves working with children or vulnerable adults:

- Disqualification from Working with Children (DWC (NI) List)
- Disqualification from Working with Vulnerable Adults (DWVA (NI))
- List 99 held by DCSF
- DoH PoCA and PoVA lists
- Unsuitable Persons List held by DE
- Relevant Scottish Lists

For Enhanced Disclosures only, AccessNI will ask relevant Police Forces throughout the UK for any additional nonconviction material, including cases pending, which the Police consider relevant for Disclosure.

‘Regulated and controlled activity’ is set out in the Safeguarding Vulnerable Groups (NI) Order 1997. Regulated activity is work that involves contact with children or vulnerable adults and is of a specified nature e.g. teaching, training, care, supervision, advice, treatment or transport or in a specified place e.g. schools, children’s homes and hospitals, juvenile custody centres and adult care homes. It must occur frequently, intensively and/or overnight, either once a month, 3 or more occasions in a period of 30 days or overnight between 2 and 6am.

‘Controlled activity’ only occurs in jobs in the health or further education sectors, where employees do not work directly with children or vulnerable adults but might have some contact e.g. cleaners, caretakers, shop workers, catering staff etc. This activity must also be frequent or intensive. Barred individuals can work in controlled activity if sufficient safeguards are put in place.

‘Prescribed Purpose’

In the context of AccessNI’s services, **‘prescribed purpose’** relates to the Enhanced Disclosure process. The regulations under Part V of the Police Act 1997 sets out or ‘prescribe’ the positions which qualify for an Enhanced Disclosure. Therefore, a position which appears in the regulation is said to be a ‘prescribed purpose’ for an application for an Enhanced Disclosure. If the position for which you are seeking an Enhanced Disclosure isn’t on this list then you have no entitlement to apply for such a disclosure and should not, in any circumstances, do so.

‘Exempted Question’

An **‘exempted question’** relates to the Standard/Enhanced Disclosure process. Ordinarily, due to the Rehabilitation of Offenders (Northern Ireland) Order 1978, an employer is entitled only to request an individual’s unspent record. However, exceptions are made in the Rehabilitation of Offenders (Exceptions) Order 1979 and subsequent legislation which lists the circumstances in which an employer may apply for a Standard/Enhanced Disclosure. **It is an offence to request sight of an individual’s full criminal record if you have no legal basis to do so.**

Working with children and vulnerable adults in ‘regulated’ or ‘controlled’ activity, as defined by the Safeguarding Vulnerable Groups (NI) Order 2007, is regarded as exempt from the Rehabilitation of Offenders (NI) Order 1978.

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**APPENDIX 5 – Participation Consent & Agreement Form**

FIRST NAME _____ LAST NAME _____

Joining Music Theatre 4 Youth is a partnership between us, the participant and their parents / guardian. As such we ask that all participants and parents / guardians read the terms & conditions below, sign and date the agreement and return the copy of the agreement to the Music Theatre 4 Youth office to confirm your place. This agreement form will cover all events in 2012.

**** You should keep a signed copy for your records**

TERMS & CONDITIONS

- The £150.00 deposit is non-refundable. We will arrange with you for the remainder of your fee to be paid either in full or in instalments, depending on individual requirements. If you have any problems with this please contact the office ASAP. All deposits / fees paid are non-refundable (this is due to project costs already incurred and unfortunately cannot be avoided)
- If there is an outstanding amount an invoice will be posted out to you. You should then return the full amount as stated on the invoice to the office (cheques / postal orders to be made payable to MT4Uth). If you have any problems with this you must contact the office straight away.
- ** Please note that the course fee does not cover:**
 - Travel to / from home - rehearsal venue. You will need to make your own arrangements for this.
 - Insurance for your personal belongings. This is the responsibility of you and your parents / guardians.
 - Snacks / drinks during the project. A tuck shop will be available, for which cash is required (all main meals, breakfast / lunch / dinner/ break, will be provided during the projects). We have had to place a ban on Pot Noodles and all energy drinks (Red Bull, Boost, Monster etc)
 - Accommodation will be provided for participants during all residential projects.

AGREEMENT**PARTICIPANT - I agree to:**

- Attend all workshops, rehearsals and performances as stated in the pack
- Commit 100% to the project (giving energy, focus, attention and commitment)
- Abide by the rules of the company and listen to all instructions given by the chaperones and artistic team
- Work as part of a team and respect all other members/ chaperones/ artistic team & staff

Music Theatre 4 Youth - We agree to:

- Provide full time pastoral care on-site with a team of experienced and ACCESS NI cleared chaperones and staff
- Provide top level Music Theatre training from a team of International directors, choreographers and musical directors
- Provide full project information in a pack to all participants and parents / guardians

If you're child has any specific issues with regards to food/ sharing rooms and any other information we should know about them please detail this here –



Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012

Music Theatre 4 Youth need to be in regular contact with participants and parents/ guardians throughout the year – we prefer to contact you via email and mobile phone text. Please provide your email address and mobile number for correspondence and tick the box to show you agree to us contacting you via email and text.

Consent to communicate with you via email/ mobile: ☐

Your Email: _____ Your Mobile: _____

Consent to communicate with your child via email/ mobile: ☐

Participant's Email: _____ Participants Mobile: _____

Music Theatre 4 Youth will only contact you via email or mobile when it regards projects/ activities that your child is directly involved in or if any opportunities which we believe your child may be interested in. You are welcome to unsubscribe to this service at any time. All email and mobile phone communications from the Music Theatre 4 Youth office are subject to 'spot checks' from Designated Children's Officer.

Your contact details will not be shared with any third parties.

Please tick this box to confirm you have **received, read and understood** Music Theatre 4 Youth's ☐
Child Protection Policy

Signed (PARENT / GUARDIAN)

signed (Participant)

Date

Date

Signed (MT4Uth)

Further information is provided via email including The Young People's Handbook, House Rules, Child Protection Policy and any other relevant information. Please ensure you check your emails on a regular basis throughout the year for updates and opportunities.

The Music Theatre 4 Youth office is open Monday – Friday, 10am – 5pm, closed during lunch. An answer phone is on outside these hours.

Contact:

Address: Music Theatre 4 Youth (MT4Uth), Urban Soul, Creative Space, 23 May Street, Belfast, BT1 4NA

Web: www.mt4uth.com

Erika Reid (Project and Communications Manager/ Deputy Children's Officer) – erika@mt4uth.com

Music Theatre 4 Youth is recognised as charitable by HMCR No. XR86461 and is a Company limited by guarantee registered in Northern Ireland No. NIO 53823 with Registered Offices at 23 May Street, Belfast, BT1 4NA

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**APPENDIX 6 Music Theatre 4 Youth Participant Medical Information**

Please complete and attach a photograph to this form

First Name					
Last Name					
Age		Years		month	Date of Birth
(You must be aged between 11 – 25)					
			Male	<input type="checkbox"/>	Female <input type="checkbox"/>
Home Address					
				Post Code	
Home Phone no.				Participant Mobile no.	
Parent / Guardian/ Emergency contact no.					
Doctor Contact					

Medical/ Dietary information

Please describe any medical conditions or learning difficulties you have that we should know about e.g. Asthma, dyslexia

Do you have any allergies? (if yes, please list)

Do you take any regular medication? (if yes, please list)

FIRST AID - As a parent/ guardian I give permission for the Music Theatre 4 Youth pastoral team to administer First Aid as and when my child needs it (this includes providing paracetamol, Ibuprofen, deep heat, plasters, bandages, ice packs, disinfectants)

Please tick this box ☐

Signature (if under 18 this should be signed by a parent/guardian)

Print Name

Date

DATA PROTECTION

The above information will be kept by Music Theatre 4 Youth on the database and used for future correspondence regarding other projects, events etc during the year. The Head Chaperone will be made aware of any medical information on a need to know basis. Details will not be passed onto third parties.

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



APPENDIX 7 PHOTOGRAPHIC /VIDEO PERMISSION FORM 2012

Music Theatre 4 Youth recognises the need to ensure the welfare and safety of all young people. In accordance with our Child Protection Policy we will not permit photographs, video or other images of young people to be taken without the consent of the parents/carers and children.

Many of the activities organised by Music Theatre 4 Youth are recorded on film and still photography for archive and promotional purposes.

Also on occasion local press and broadcast media record Music Theatre 4 Youth productions/events. Importantly Music Theatre 4 Youth **will not publish any address details of any young people in captions associated with any film/still photography.** Participation in filming is always optional. If you choose to withhold your permission **your child will not be excluded or penalised, unless the entire activity is being recorded.**

Music Theatre 4 Youth will take all steps to ensure these images are used solely for the purpose they are intended. If you become aware that these images are being used inappropriately, you should inform Music Theatre 4 Youth immediately.

PHOTOGRAPHIC/VIDEO PERMISSION

..... (NAME IN BLOCK CAPITALS) give my permission for all photographs and video images of my child, as recorded during the Music Theatre 4 Youth project detailed above, to be used for publicity purposes, whether it be in print, on television, or on the Music Theatre 4 Youth social media/ website.

DECLARATION: ***If you are under 18 yrs old a parent / guardian must complete this section***

Signature of consent

Name of Child

Date

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012**APPENDIX 8 – INCIDENT/ ACCIDENT REPORT FORM****PART 1 – About the Person**

1. Name _____
2. DOB _____
3. SEX _____
4. Home Address _____
5. Date of reporting accident: _____
6. Actual date of Accident: _____
7. Reason for delay in reporting accident (if any)

PART 2 – Particulars of Accident / Incident

8. Where did the accident occur - _____
9. What was being done at the time _____
10. Details on how the accident happened _____
11. Nature and extent of injury and action taken _____
12. Did the injured person go to hospital YES NO
13. If yes, was the stay in hospital more than 24hrs Yes No

PART 3 – General

14. Remarks by Office Manager / actions to be taken to prevent a recurrence

Signed Date:

Role:

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



APPENDIX 9 – COMPLAINTS PROCEDURE

As an organisation Music Theatre 4 Youth strives to create a safe, secure and happy environment for all our children and young people. If, however you are unhappy with the way in which your child is being treated, or if any of our actions or lack of action give you cause for concern, please feel free to contact us.

- We will deal with your concern or complaint honestly and politely.
- It will be looked into thoroughly, fairly, confidentially and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if we have made a mistake
- We will tell you what we are doing to put things right first.

WHAT TO DO

Informal Stage

If you have a concern about anything we do, wish to raise awareness or resolve a specific issue, you can contact tell us, in person, by telephone, email or in writing. The first point of contact should be

Erika Reid
Project & Communications Manager
Music Theatre 4 Youth (Ireland) - MT4Uth
Creative Space
Urban Soul
23 May Street
Belfast BT1 4NA

E mail erika@mt4uth.com

If she is unavailable another member of staff or the Head Chaperone should be contacted at the above address. Most concerns can be sorted out quickly and informally. However, if the issue cannot be resolved at this stage you may wish to make a formal complaint.

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In that instance please send a letter of complaint to

Jenny Cooke,
Chief Executive
Music Theatre 4 Youth (Ireland) - MT4Uth
Creative Space
Urban Soul
23 May Street
Belfast BT1 4NA

What happens next?

- The Chief Executive, Mrs Cooke will send you a letter acknowledging receipt of your complaint within 3 days of receiving it.
- She will then investigate your complaint and invite you to a meeting to discuss and hopefully resolve your complaint. She will do this within 14 days of sending you the acknowledgement letter.
- Within three days of the meeting, Mrs Cooke will write to you to confirm what took place and any solutions she has agreed with you.
- If you do not want a meeting or it is not possible, Mrs Cooke will send you a detailed written reply to your complaint, including her suggestions for resolving the matter, within 21 days of sending you the acknowledgement letter.
- At this stage, if you are still not satisfied, you should contact us again and we will arrange for the Board of Directors of Music theatre 4 Youth to review the decision.
- We will write to you within 14 days of receiving your request for a review, confirming our final position on your complaint and explaining our reasons.

Music Theatre 4 Youth (Ireland) Child Protection & Safeguarding Policy 2012



APPENDIX 10 – EQUAL OPPORTUNITIES POLICY

EQUAL OPPORTUNITIES POLICY / STATEMENT 2012

Music Theatre 4 Youth aims to promote equality of opportunity and good relations. We will ensure that Trustees, Management Committee and Staff understand and implement this.

Music Theatre 4 Youth mission statement is “to improve access to all aspects of musical theatre to young people throughout Ireland” so that as many people as possible can enjoy musical theatre to as high a standard as possible. Everyone is welcome regardless of religious belief, political opinion, racial group, age, gender or disability. Music Theatre 4 Youth promotes interaction between all sections of the community throughout Northern Ireland and Ireland as a whole, developing cross-community friendships, as well as focusing on disadvantaged areas.

Music Theatre 4 Youth recognises the integration of equal opportunities with its employment practices and seeks to provide Equal Opportunities to any employee or job applicant and aims not to discriminate either directly or indirectly on the grounds of race, colour, ethnic origin, nationality, language, gender, religion, marital status, disability or sexuality.

Music Theatre 4 Youth will adopt measures to ensure the absence of discrimination in employment practice. MT4Uth aims that all individuals selected as Artistic Staff or Administrative Staff, are selected on the basis of their relevant merits and abilities. This will apply from recruitment stage and we will monitor our practices to try to ensure that our equal opportunity policy is effective.

Music Theatre 4 Youth seeks to promote the rights and welfare of the young people taking part in Music Theatre 4 Youth activities. We are committed to ensuring the safety and protection of all the young people involved with Music Theatre 4 Youth and have adopted a Child Protection Policy (updated regularly) in association with the Access NI processes and appointed a Child Protection Officer and Deputy Child Protection Officer to protect and safeguard the children. In all cases where there are child protection concerns the welfare of the young person is of paramount importance.

National Museums Northern Ireland



explore/engage/enjoy

Submission to DCAL re Safeguarding on NMNI sites and NIMC Local Museums

Representatives at hearing: Paddy Gilmore, Director of Learning and Partnership, NMNI; Ruth Turkington, Visitor Services Manager, Ulster Folk and Transport Museum /NMNI; Mark Wilkinson, Human Resources Manager, NMNI

1. Organisation Background

National Museum's role is to present a comprehensive picture of Northern Ireland's people, their creativity, their innovation and environment. Under the Museums and Galleries Order we are required to:

- care for, preserve and add to the collections
- ensure that the collections are available to the public through exhibitions, effective interpretation and availability for research and study
- promote awareness, appreciation and understanding of art, history and science, the way of life and traditions of people and the migration and settlement of people, with particular reference to the heritage of Northern Ireland.

National Museums Northern Ireland seeks to make a key contribution to the achievement of the goals set out in the Programme for Government and DCAL's Corporate Strategy by:

- providing an excellent environment in which to explore greater understanding of, and respect for, our culture, history and heritage
- working to improve public access to assets in public ownership
- delivering high quality learning programmes to tens of thousands of children and adults in partnership with schools, colleges and universities
- playing a vital role in tourism as a key partner with the Northern Ireland Tourist Board and Tourism Ireland Limited
- contributing to a positive international image of Northern Ireland
- playing a significant role in increasing cultural participation for a wide cross-section of Northern Ireland society
- contributing to Cultural Capital through its care and development of the national collections including its sites.

We also contribute to making Northern Ireland a more competitive region, we seek to build equality and community cohesion and we aim to provide better public services.

2. Our Sites

Our sites comprise the Ulster Museum, Armagh County Museum, Ulster Folk and Transport Museum and Ulster American Folk Park. In recent years we have witnessed a transformation at our sites, thanks to a strong capital investment programme, a commitment to increasing participation and strong public programming activity designed to attract the widest possible audiences. The nature of our sites varies enormously in terms of geography, layout and facilities – from traditional museum buildings to open air museums with exhibit buildings and residential facilities. This in itself has presented a challenge in relation to policy development as each of these elements had to be taken into consideration in National Museums' overall Safeguarding policy.

During 2011-12 the organisation welcomed over one million visitors across its sites. The Ulster Museum is of course our largest site and this summer, thanks to a major Dinosaur Exhibition, we saw record numbers for five months in a row including around 100,000 in the month of August alone. We also have seen a growth in the numbers of people participating in organised learning programmes at NMNI sites. 148,000 took part in 2011-12 and this year the figure is in excess of 127,000.

We have worked hard to change the user profile of our museums and again, if I can use the Ulster Museum as an example, we have shifted from a strong ABC1 bias towards a C2DE audience which now stands at 36% but can reach 44% of users, dependent on programming.

The huge volumes of visitors are very gratifying for us as an organisation but we recognise that our duty to safeguard our visitors is also considerable. That is why we have developed a robust approach to safeguarding children and vulnerable adults – a system which is subject to regular review and checks.

3. Policies and Procedures at NMNI Sites

National Museums has had child protection policies and procedures in place for many years across its sites and individual staff in key roles were given responsibility for the Designated Officer Role at each site. The first version of our Child Protection policy dates back to 1996 and the organisation has been active in this area since then, working closely with various partner organisations to develop and deliver best practice policies and procedures.

In October 2011, after a substantial review process, we published the latest version of our **"Safeguarding Children and Vulnerable Adults Policy and Procedures"**. It is available for all staff on the intranet and is also published for the general public on the NMNI website.

4. Safeguarding System at NMNI Sites

The systems and procedures at NMNI sites are built around the role of the Designated Officer, who takes lead responsibility for all matters in relation to safeguarding. In recent years we have made significant changes to this system and we would ultimately hope to cite this approach as template for best practice.

Traditionally, across NMNI sites, the role of Designated Officer was allocated to staff in key roles. One the changes we have made is to build in a specific responsibility within the Job Descriptions of the Heads of Learning and Partnership at each of the sites, for safeguarding. It is the intention to build in this responsibility to other job descriptions, relating to other forward facing roles, as these roles come up for review. This is important as we wish to clearly signal that safeguarding is a cross departmental responsibility and not the preserve of only one element of the organisation.

5. Procedures for Groups undertaking Residential Visits

A considerable number of our users will visit our sites as part of organised groups and as mentioned many will use our residential facilities. It is therefore important that we have

processes in place to allow children, in particular, to enjoy the facilities we offer in a safe and secure way.

At the residential centres at the Ulster Folk and Transport Museum and Ulster American Folk Park sites there are specific policies and procedure related to the sensitivities of overnight accommodation. These are included in the overall NMNI Safeguarding Children and Vulnerable Adults policy. Groups undertaking residential visits will be welcomed on site and accompanying staff as well as children will be made aware of codes of conduct, safeguarding policies and procedures, health and safety requirements as well as again being reminded of the name of the Designated Officer.

6. **Safeguarding Forum**

One of the key undertakings of late has been the establishment of a Safeguarding Forum within the organisation and this in particular is something we would like to draw to the attention of the Committee today.

The Safeguarding Forum was established as part of a “best practice” recommendation by the Education and Training Inspectorate. Part of the inspection of learning provision is the requirement to complete an ETI Safeguarding Checklist as the provision of adequate safeguarding is a key requirement of the DCAL Learning Strategy. On the advice of the Inspector we set up this forum and although at an early stage we consider it to be a success. Although there has always been an internal network of staff involved in child protection and safeguarding this is the first time that a formally constituted team has been put in place.

The main benefit of the Forum is again that it elevates the significance of safeguarding within the organisation as well as providing a coherent management structure within which issues, concerns, policy development or practice issues can be dealt with. Sharing our experiences, for example, has revealed a common issue of unaccompanied children on our sites. We have also recently debated the impact of changes to definitions of regulated activity.

7. **Training**

NMNI is conscious that the policy and procedures are of limited use if they are not being utilised properly by trained staff. Consequently we have a training programme for all staff and regular refresher training for Designated Officers.

Two of our Visitor Services Managers, themselves Designated Officers, have been trained to City and Guilds level in safeguarding children and vulnerable adults training. They provide the core of the training programme, particularly at induction level and this is further complemented by external training where required – for instance for Designated Officers.

8. **Vetting**

The vetting process within National Museums is managed by the HR department. The posts within the organisation that are deemed to fall within the definition of **regulated activity** are regularly reviewed with input from other relevant staff. All staff involved in **regulated activity** are vetted through Access NI.

The established practice at National Museums has been to check all staff involved in front of house and education roles. However the likely impact of changing the definitions of **regulated activity** last year would be to significantly reduce the number of checks carried out by the organisation going forward. The issue of eligibility for checks is one where additional guidance would be helpful.

9. **Issues that we would wish to draw to the attention of the CAL Committee**

There are four issues which we would like to bring to the attention of the Committee for consideration.

The need for the development of a central resource

We are aware that the sport sector has a central resource which provides the entire required infrastructure to allow clubs and societies, however small or large, to have access to the best possible training, policy and procedures and to allow them to offer a high standard of care in relation to safeguarding. We are also aware that this central resource provides support in terms of compliance with the latest policy and legislative changes. It is important that organisations such as ourselves are not only updated in relation to such changes, as we will be through DCAL, but that we also have access to resources which help us to interpret their significance, relevance and impact on our organisation.

The impact of digital technologies

We are acutely aware that certain issues come to prominence very quickly and this is often a reflection of the pace of change in our lives, not least in the area of digital communications. These trends can appear rapidly and spread quickly and the systems and procedures that were once thought robust are put at risk. The increase in the proliferation of devices which can be used to create digital images is particularly marked and this is an area which requires an increasingly sophisticated safeguarding response. It is of particular relevance across the cultural and heritage sectors where photography is often an integral part of the visitor experience and activity.

Whilst we have policies and procedures within museum bye laws and the Safeguarding policy in relation as an organisation we are aware that fast moving change means that we are required to remain abreast of these technologies, their capabilities and their potential use in bullying or mistreatment of children. Again we would suggest to the Committee that access to a centralised resource with the professional back up of an organisation such as the NSPCC would enable a consistent sector wide approach to this rapidly expanding area of concern.

Maintaining up to date contact details

As an organisation the onus is also on us to maintain up to date contact details in relation to local police, social services and other relevant agencies. Contact with outside agencies may be limited and quite sporadic in nature and in the interim staff may move, contact points may change and often new structures will emerge. In many situations fairly instantaneous contact will be required with an outside agency when advice or guidance is being sought by a Designated Officer. We would welcome the development of a centralised database of local area contact details which is easily accessible and regularly updated.

The role of DCAL

Within DCAL we would welcome the further development of the Safeguarding Forum, which brings together people from across the DCAL family to discuss issues pertinent to safeguarding children and vulnerable adults. The DCAL Learning Forum offers a possible model for the development of a Departmental wide group dealing with generic issues relating to safeguarding across ALBs.

National Society for the Prevention of Cruelty to Children (NSPCC) Briefing on 22 November 2012

Submission by the NSPCC Northern Ireland to the Assembly Culture Arts and Leisure Committee on Safeguarding in Sport

Foreword

The NSPCC is grateful for the Committee's invitation to present on safeguarding issues in sport in Northern Ireland. This is timely given the high level of interest in child protection in media arising from the Savile case, which has a direct relevance to the Committee's area of responsibility.

The Committee has asked us a number of questions which we hope to address in the course of the paper and our presentation:

- Your assessment as to whether there are robust child protection measures in sport, or whether more could / should be done in this area, and
- What engagement and role does NSPCC have with SportNI/DCAL/Sports Governing Bodies in relation to child protection issues in sport?

Executive Summary

Today there are certainly much more robust child protection measures in place within sports governing bodies and in many of their clubs than had been the case when our Child Protection In Sport Unit (CPSU) began working in NI. One clear example of a safeguarding improvement is that in 2001 no sport's governing body was using the vetting service in Northern Ireland at the time (the Pre-Employment Checking Service PECs) and this was despite the service being available since 1984. Now all funded sports governing bodies are registered to use a vetting service as part of their safe recruitment processes. But there are many additional and new challenges and we set out in our submission future areas of work including internet safety, suggested improved structures for safeguarding, protecting elite athletes and in the light of the Savile case how to strengthen safeguarding children in the arts and media sectors.

The CPSU have worked with SportNI following the development of safeguarding standards for sport to ensure that these standards have been introduced as part of the wider governance requirements and this has had a substantial benefit. It has focused the attention of those who are responsible for the running of sports governing bodies and embedded safeguarding a core reporting requirement.

The CPSU has had regular opportunity to present at the SportNI performance consultants team meetings, providing updates on general progress or difficulties across all the sports. We have also held individual meeting with each relevant member of staff at SportNI to give individualised sport feedback and attended many 100 day review meetings between SportNI and the various governing bodies.

Through working in partnership over the last number of years with SportNI and governing bodies we have worked to create a culture of safety within sport. This has been a cultural change within sport, in the response to poor behaviour as well as abusive situations. To further progress this change in attitude to ensure young people experience sport in a fun and safe environment requires continued partnership arrangements to be in place.

Introduction

The NSPCC in Northern Ireland provides a range of services in NI with the aim of ending cruelty to children. These include provision of UK-wide services such as ChildLine and the Child Protection Helpline and a range of regional services across in Foyle, Belfast and Craigavon as well as training, consultancy, research, and policy. NSPCC is a core member of Public Protection Arrangements Northern Ireland (PPANI) and a statutory member of the Safeguarding Board for Northern Ireland (SBNi) and sits on all the 5 Safeguarding Panels.

Sport is an everyday activity for many children and makes a significant contribution to their well-being and development offering opportunities for personal development, fun, and friendship. Whether involved in sport at a local level or competing at national/international championships all children and young people have a right to have fun, be safe, and be protected from harm. Second only to education, sport is the largest sector in terms of its regular contact with children.

The NSPCC's Child Protection in Sport Unit (CPSU) is one of core services in NI, working in partnership with SportNI and sports governing bodies for over eleven years. The unit in Northern Ireland is part of a wider team that works across the UK and in partnership with the Irish Sports Council. It is designed to promote safeguarding and child protection in sport. Joint funding arrangements between the NSPCC and the Sports Councils of England and Northern Ireland enabled the creation of the Unit in 2001. This was followed by a similar arrangement with the Welsh Sports Council in 2002. A close working relationship with Children 1st in Scotland has also contributed to ensuring that the Unit has established a UK-wide role helping to ensure a consistency of approach and sharing of high quality safeguarding resources and practice for those responsible for safeguarding children.

The Unit is now recognised as a world leader by the United Nations and the International Olympic Committee. It is recognised as a model of best practice in statutory safeguarding guidance (Working Together to Safeguard Children 2010). The Unit is the blueprint for the establishment of the new National Safeguarding Unit for the Third Sector (in England). The NSPCC CPSU is accepted as the source of expert safeguarding advice and support by the sports sector and as an advocate for the sector with government departments and agencies. A key part of the Unit's success has been the ability to work in partnership with sports organisations with a flexible and tailored approach that is sensitive to the diverse needs of the sector.

Further information on CPSU's role is found in Appendix 1 and 2. See Case Advice for statistics on the number and sample of calls to the CPSU in Northern Ireland.

Key achievements and developments

Key achievements of the CPSU and of sports organisations working together in Northern Ireland include:

- the development of comprehensive standards for safeguarding children in sport by working with SportNI to link the attainment of these standards to funding requirements for governing bodies;
- the development of effective systems and structures for reporting and responding to concerns about children's welfare and protection, as well as systems for preventing unsuitable people from working with children, together with improving working relationships between sports organisations and the statutory sector;
- establishing a network of trained designated safeguarding children officers at Governing Body level and facilitating all Ireland quarterly meetings;
- ensuring the role sport has to play in safeguarding children is recognised in government and other consultation processes, for example, in the development of AccessNI, Regional

Area Child Protection Committee guidelines, Our Duty to Care, Getting It Right and the Vetting and Barring Scheme Consultative Group;

- influencing local council leisure services departments to implement safeguarding practices;
- the ongoing implementation of the Club Framework for Safeguarding Standards in Sport, in consultation with a wide range of sports organisations, which will ensure that core safeguarding requirements and practice is further embedded to grass roots level;
- the establishment of a range of consultation/support/information sharing for sports organisations which aim to ensure that the needs, issues, and challenges of the sector are understood and communicated; and
- ensuring that a focus on children's rights is embedded in the sector's approach to safeguarding as reflected in our revised vision statement.

Research: the Experiences of Children Participating in Organised Sport in the UK

In Autumn 2011 the CPSU published a UK study on The Experiences of Children Participating in Organised Sport in the UK.¹ This study provided an evidence base from which to identify future changes and the actions needed to achieve them.

Overall, participating in organised sport is a positive experience for most children and young people. However they reported a negative sporting culture existed, was accepted as "the norm", and was perpetuated by peers, coaches, and other adults.

Young people in the study reported widespread emotionally harmful treatment (75%) and unacceptable levels of sexual harassment (29%). Clothing and body image are key issues within sport contexts, particularly around puberty and warrant further attention. Self-harm was reported equally by both boys and girls (10%). Reports of sexual harm featured at a low level (3%).

Peers were the most common perpetrators of all forms of harm reported in the research, with coaches sometimes failing to challenge it effectively. Coaches were the second most common perpetrators of harm with their role in harm increasing as young athletes advanced through the competitive ranks.

Experience of various types of harm

	All	Male	Female
Emotional harm	75%	77%	74%
Self harm	10%	9%	10%
Sexual harassment	29%	17%	34%
Sexual harm	3%	5%	2%
Physical harm	24%	26%	23%
Total	100%	100%	100%
Total (n)	6060	1634	4426

Recommendations and key messages from this research

- Sport should focus on a children's rights approach to sport participation; and attention should be paid to creating a positive sporting ethos where children and young people are respected, and where their voices are heard and used to shape sporting experience, welfare and performance.

1 Alexander, Kate, Stafford, Anne and Lewis, Ruth (2011) The experiences of children participating in organised sport in the UK. London: NSPCC.

- Sport should build on what children and young people value about sport participation. This includes the social aspects of sport such as making friends and being part of a team.
- Sport should take steps to promote a positive sporting and coaching ethos, at all levels of participation and in all sports.
- Sports bodies should put in place policies, procedures, training and practice which enable sport practitioners to systematically tackle harm occurring between peers.
- Sports bodies should use the findings and messages from the research to shape an examination of the culture in their own sport and address short-comings.

Areas for Future Work and Development

Our assessment is that in working with SportNI, DCAL, and other partners (such as governing bodies), we have made huge progress on a range of improvements that have undoubtedly seen better safeguards in sport. All funded sports governing bodies have made significant steps by having a safeguarding policy in place that includes:

- safe recruitment procedures;
- guidelines on training;
- reporting procedures;
- the appointment of a designated safeguarding children's officer;
- codes of conduct; and
- general safety guidelines

Many sports now make it a requirement to attend safeguarding training and to complete an AccessNI check before becoming a coach that works with young people.

There is no room for complacency however and we set out below a range of issues and areas for further work and which the Committee may wish to examine further.

Using sport to raise awareness of the issue of self harm and suicide

Sport can play an important part in the promotion of good mental health and exercise promotes general well-being. As such, sport and participation in sport play an important role the Choose Life Suicide Prevention Strategy. We having been promoting the importance of raising awareness of self-harm and suicide through numerous different sports forums and coach education programmes.

Some key facts:

- 10% of young people involved in sport have self-harmed;
- In Northern Ireland there were 21 deaths by suicide by those under 19 in 2010;
- This figure increased by a further 50 in the 20-24 age bracket;
- The total number of deaths by suicide in 2010 was 313 people.

The CPSU has become increasingly aware of both these issues and is encouraging all those involved in sport to attend suicide-awareness training and promote helpline numbers for those who may be in distress and needing help. Self-harm and suicide among young people are serious public health challenges that everyone in contact with young people must rise to - including sports coaches.

Recommendation: Encouraging sports clubs to have a culture of listening to young people and responding appropriately will increase the confidence young people have in turning to those

around them when they need support. It will also have the additional benefit of encouraging adult volunteers to talk about the issues and be aware of the risk factors for the colleagues.

Safeguarding deaf and disabled children and raising awareness of their particular vulnerabilities

When supporting the inclusion of deaf and disabled children and young people, sports need to also recognise the additional vulnerabilities these young people experience and that safeguarding procedures, guidance, and training help staff and volunteers to recognise the additional vulnerability of some children and the extra barriers they face to getting help.

Deaf and disabled children may be especially vulnerable to abuse for a number of reasons:

- increased likelihood of social isolation;
- fewer outside contacts than children without a disability;
- dependency on others for practical assistance in daily living (including intimate care);
- impaired capacity to resist, avoid, or understand abuse;
- speech and language communication needs may make it difficult to tell others what is happening;
- limited access to someone to disclose to;
- Particular vulnerability to bullying.

Recommendation: it is therefore essential that those working with such a particularly vulnerable group understand these risks and put measures in place to reduce harm.

Safeguarding and social media

The issue of the internet and social media features in much of the CPSU's work and is a major issue in sport and sporting organisations. Sporting organisations understand the important benefits around the use of social media in sport but there is a lack of insight into some of the risks.

For children and young people some of the safeguarding risks associated with what is commonly known as social media include:

- inappropriate access to, use or sharing of personal details (e.g. names, mobile phone numbers);
- unwanted contact with children/young people by adults with poor intent;
- text bullying by peers;
- being sent offensive or otherwise inappropriate materials;
- grooming for sexual abuse;
- direct contact and actual abuse.
- For adults involved risks include:
 - lack of understanding of how communication through social media works;
 - misinterpretation of their communication with young people;
 - potential investigation (internal or by statutory agencies);
 - potential disciplinary action.

Recommendation: we would like to see all sports introduce an Acceptable Users' Policy, a code of conduct for communication with young people through any form of social media with guidelines about when and how young people should be communicated with.

Consulting young people

The ability to communicate effectively with children is hugely important, whether for the purposes of imparting or gaining information, or for enabling the child to communicate his or her concerns or wishes. The provision of accurate and truthful information can be empowering to children and facilitates their involvement in making appropriate decisions and choices. It is doubtful that the best interests of any particular young person can be determined if there is not effective communication directly with him/her.

The involvement of children and young people has many benefits to both the children and young people who are asked to get involved and for the sports organisations involving them:

Benefits for children

- Children are more likely to respect others, if they feel their own voice is valued.
- Being listened to has a protective effect as well - they are more likely to speak up when they're being hurt.
- It helps develop the skills, experience and confidence of the next generation of leaders and members. Children who participate have an opportunity to learn about team work, listening to others, etc.

Benefits for organisations/groups

- Training or club services are better because the people who use them shape them. During times of change, uncertainty, and fewer resources, adults developing coaching/training programmes need to be sure that the services and activities invested in are relevant and will be used by young people. Children know a lot about their own lives. Often, decisions are made about children's lives and activities being planned for them based on information provided only by adults. Adults often make assumptions about what information children are able, or not able, to provide. If adults do not listen to children, the decisions that they make for children may have a negative, rather than a positive, impact
- Children and young people feel more connected to the club/ sports group if they have been influential in decision making processes
- Money is saved by changing services that are not required or run well

Recommendation: we would encourage sports to establish a young person reference group to ensure there are opportunities for young people's voice to be heard in a meaningful way. Also, if the requirement for sports organisations to consult young people was introduced for those seeking funding to develop youth programmes, this would encourage sports organisation to create a culture of involvement.

Safeguarding elite athletes

No young person starts off as an elite athlete; they must grow in experience, skills, and confidence with the support of their coach and others. Many sports organisations already ensure that the majority of young people involved in their sport only participate in age-appropriate levels of competition with correct safeguards in place, but there remain specific concerns around the treatment of elite young sports people.

There is particular vulnerability for young people who are participating in elite level sport considering the justifications behind the strenuous training environment these young people may have to experience without any consideration to the negative impact it may be having on the child's development.

Potentially abusive situations can arise when a high performance coach develops training programmes and attendance at competition schedules that are focused on the goals of the

sport to achieve success rather than the needs of the young person. Rhind (2010)² argues that due to the culture of sport, an authority system may be created which facilitates power, obedience, and potentially the rationalisation of abuse which can be more prevalent at the elite level.

There have been a significant number of people convicted of child sexual abuse who were in positions of responsibility in relation to youth sport. Prosecutions for abuse included individuals from a wide range of sports. The cases below are examples of situations where prosecutions have been successful and are illustrative of the kinds of concerns being brought to CPSU by Sports Governing Bodies:

- A former Olympic coach from Northern Ireland was convicted of sexually abusing a 15-year-old female he was training. The jury heard evidence that the sexual abuse was carried out under the pretence of being part of the young person's training regime.
- A coach, who assaulted two promising 15-year-old female players, was jailed for five and a half years. At his trial, evidence was given that the abuse took place over a two year period. On one occasion the coach told his victim "I can't wait until you are legal. I can't wait until you are sixteen." In passing sentence the judge said, "You were in a position of trust as a coach and used that opportunity to commit these offences against these girls ... you were trusted by them, you were trusted by their parents. You controlled her (the victim) by using her ambitions as a means of exercising that control." His behaviour was described as "controlling, grooming and predatory."

Given the legal age of consent for sexual activity is 16 not all cases can or do lead to a criminal prosecution. Many require the sports governing body to respond to concerns that (though not necessarily illegal) nevertheless breach their own internal code of conduct that identify any potential abuse of a position of trust as a disciplinary matter:

Recommendation: that the Department of Justice consider the issue of extending the abuse of Trust provisions in the Sexual Offences Order 2008 to sport as an additional layer of protection for athletes over the age of 16.

Establishing a DCAL Safeguarding Implementation Group

The governance and management structures that are necessary to implement and embed safeguarding standards across all DCAL Arms Length Bodies (ALBs) can only be achieved by a cross departmental working group. This would ensure the same standards apply to all young people involved in activities under the guidance of DCAL.

Recommendation: the creation of a strategic group, with the responsibility of ensuring that the agreed principles are implemented and co-ordinating all organisations so that each knows their role and that of others. This should comprise representation from Department of Culture Arts and Leisure (DCAL), ALBs, and establish a link to the Safeguarding Board for Northern Ireland and some stakeholder representatives.

Sport Governing Bodies (SGBs) maintaining and embedding safeguarding practice

Currently the CPSU and SportNI work in partnership with sports governing bodies and other key partners to ensure that they continue to meet their moral and legal requirements in relation to safeguarding. It is essential to ensure continuous improvement by embedding of safeguarding practice at grass roots level so that all young people can have truly positive experiences of sport.

Recommendation: that it be made a compulsory requirement for all sports governing bodies develop an implementation plan to ensure their safeguarding message is imbedded at club level over the next number of years. But that the governing body should retain the responsibility for ensuring that all those who represent their sport as a coach with a sports

specific qualification to work with young people attend safeguarding training and agree to an enhanced AccessNI Check (or equivalent) as part of their safe recruitment and induction procedures.

Learning from Savile

The Savile case is likely to have profound learning implications for organisations working with children and young people in the world of media and culture. There are many parallels with the vulnerabilities of children and young people in sport and the need for organisations to have a culture of vigilance, codes of conduct, and good recruitment practice with proper vetting procedures and systems to ensure children are listened to and concerns acted upon. The CPSU works almost exclusively in sport but we do get queries from organisations involved in dance, music and arts.

Recommendation: it may be worthwhile for DCAL to consider if similar services to that of CPSU could be extended to media and culture sectors.

Neil Anderson, National Head of Services in NI
Paul Stephenson, Child Protection in Sport Unit
Colin Reid, Policy and Public Affairs Manager

Appendix 1 - Child Protection in Sport Unit Vision

Play Sport, Stay Safe – Enjoy and Achieve

Children who have positive early experiences of sport are more likely to continue some degree of lifelong participation. This contributes to their ongoing physical and emotional wellbeing in adulthood. Sport, therefore, has a lot to offer children – provided it takes place in an environment that is safe, promotes enjoyment, and respects the physical and emotional health and wellbeing of each individual athlete.

Providing children with a safe and enjoyable experience of sport means addressing a number of practical issues, such as ensuring that equipment is in good working order, and that coaches and sports leaders have appropriate knowledge and are able to communicate effectively with children. The promotion of safeguarding standards for sports governing bodies and the **Club framework for safeguarding standards in sport**³ (which provides clubs with a self assessment checklist for sports clubs) will contribute to an overall safe and enjoyable experience of sport by addressing governing bodies and clubs' specific moral and legal responsibilities to protect children from abuse, harm and exploitation when they participate in sports activities.

Purpose

- To help create a safe sporting environment for children and young people⁴ and protect them from harm.⁵
- To provide a benchmark to assist those involved in sport to make informed decisions.⁶
- To promote good practice and to challenge practice that is harmful to children.

3 http://www.nspcc.org.uk/Inform/cpsu/northern_ireland/club_framework_for_safeguarding_standards_in_sport_wdf75820.pdf

4 The terms “children and young people” and “children” will be used interchangeably in the text to refer to those under 18 years of age.

5 “Harm” may result from sexual exploitation, physical abuse or emotional abuse or neglect, harm from bad practice or undue pressure that effects the child/young person’s health and development.

6 Decisions may be about whether to allow use of facilities, funding or affiliation, for example.

Safeguarding Standards

The CPSU works with sports organisation to achieve agreed standards of safeguarding criteria by:

- providing pre-assessment advice, guidance and consultancy;
- individual meetings / contact with Sports Governing Bodies (SGB's);
- checking material or evidence forwarded;
- responding to specific gaps in understanding in sport of areas such as the additional vulnerability of some children with a disability which requires the development of supporting resources and learning opportunities;
- providing templates developed to cover safeguarding policies and procedures, setting consistent parameters within which sport will operate;
- assessing of non- SGB's who receive funding from SportNI;
- delivering information sessions for SportNI compliance officers upon request.

Education and training

- Support the development of specific resources and learning opportunities in response to identified gaps in knowledge and expertise for SportNI funded sports organisations.
- Maintain regular links with SportNI Coach Education Team to ensure communication and collaborative working.
- Working with Coach Education Unit to ensuring that the Safeguarding Children and Young People in Sport course is regularly updated.
- Promote the link between safeguarding standards and the development of a coaching workforce.
- 387 training enquiries from April 2008 – November 2012.

Sports safeguarding children support service

Disseminating information about new developments and providing best practice guidance in the form of briefings, templates, e-newsletter, guidance on how to access statutory services, training advice, information on changes to legislation and the practical local impact that it will make.

- Develop the CPSU website – including FAQs, a NI specific section, updates on legislation (e.g. VBS), updates on news and events.
- Produce the CPSU Newsletter – Relay.
- Develop and communicate briefings, guidance documents and practice toolkits for all organisational levels (appendix 1).

Collate and share best practice examples of sports organisations consulting with and involving children and young people.

Club Designated Safeguarding Children Officer (DSCO) Support

- Provide advice and the development of resources/briefing's for DSCO at club level.
- DSCO support events – including 2012 conference for club DSCO's.
- Development of additional learning opportunities and resources for DSCO.
- Promotion of training opportunities via Sports Governing Bodies DSCO network.

- Advise sports sector of relevant training provided by other agencies.
- Provide case advice.
- Review DSCO workshop.

Safe recruitment

- Supporting sport to develop and implement safe recruitment practices for people working with children and advocating for the sector with government departments.
- Represent sport at VBS/ISA voluntary sector consultative group.
- Provision of information, briefing papers for the sector.
- Campaigning role for the voice of sport in relation to the impact of the new Protection of Freedoms Act.
- Influence and provide guidance on safe recruitment practices for all organisations involved in delivering sports programmes/ activities for children and young people.

Case Advice

Provide and facilitate access to specialist case advice and support for those involved in sport.

The CPSU (NI) has a proven ability to respond to queries in a timely manner and from April 2008 to Nov 2012 have responded to 1711 enquiries of these have been recorded as case advice. Providing access by both telephone and e-mail the CPSU is able to provide advice and information to governing bodies, volunteers and parents. In addition the CPSU has a web site that provides a wide range of information.

Examples of case enquiries

- 1) Call from Local Area Public Protection Panel representative about a sports coach known to have been under investigation for sexual offending in ROI and working as a private sports coach in NI.
- 2) Provided advice to a representative from an educational establishment about a volunteer sports coach who was removed from his position due to reports of threats to two young children and abusing his position of trust with a 14-year-old girl (PSNI & WELB informed).
- 3) Call from governing body lead officer about NI representative coach who is under investigation for sexual abuse matters. PSNI advised that this would be a high profile case when in court.
- 4) Managing information returned from an AccessNI check relating to historical sexual offences.
- 5) Responding to allegations of sexual abuse by a sports coach.
- 6) Responding to a parents concern about bullying by a coach causing the young person to leave the club.

Advocacy and Promotion

- Represent sport at multi agency networks
- Influence, lobby, and advocate on behalf of sport with statutory agencies
- Respond to government consultations

- Developing policy samples
- Work with international organisations to promote safeguarding work with other countries
- Deliver key note presentations and workshops
- Work with the Irish Sports Council code of Ethics Unit to ensure a consistent all Ireland approach to safeguarding
- Continuous consolidation and embedding with Sports Governing Bodies:
- Supporting the process of self assessment and searching for evidence
- Supporting the development of and agreeing the internal implementation/ action plans of SGBs
- Support SGB's to consult with young people in sport.
- Support the maintenance and continuing development of a minimum safeguarding criteria within SportNI's Clubmark accreditation scheme to ensure that regulated sports clubs fulfil their statutory safeguarding requirements

Appendix 2 - Child Protection in Sport Unit resources

For sample Briefing Papers please visit the Child Protection in Sport Unit web site and visit the resources section. www.thecpsu.org.uk

The Child Protection in Sport Unit produces a variety of resources to help sports organisations safeguard children and young people:

- Video clips
- Publications
- CPSU briefings
- Anti-bullying resources
- Safeguarding children with a disability in sport
- Resources for parents and carers
- Examples of good practice
- Sample policies and procedures
- Safeguarding Support Toolkit for sports
- Partnership Check and Challenge Tool

CPSU Briefings

Good practice guidance

- Abuse of positions of trust within sport
- Child sex offender disclosure scheme
- Homophobic bullying in youth sport)
- Involving young people in mixed aged sport/activity
- Managing challenging behaviour
- Managing safeguarding within amalgamated national governing bodies
- Physical contact and young people in sport
- Safeguarding deaf and disabled children and young people

- Safeguarding the elite young athlete
- Safe use of changing facilities
- Sexually harmful behaviour by young people in sport
- Understanding the grooming or entrapment process

Duty of care

- Duty of care (England)
- Duty of care (Northern Ireland)
- Guidance for responding to allergies
- Self harming in sport

Information sharing and digital media

- Guidance on child protection records retention and storage
- Sample incident report form
- Information sharing
- Guidance on photographing and videoing children in sport
- Using social networking services and social media: promoting safe and responsible use
- Text and email messaging - safeguarding guidelines

Safer recruitment

- Recruiting coaches or other staff from overseas
- Vetting sports coaches in schools in Northern Ireland
- AccessNI pre-appointment checking systems
- Safe recruitment and selection procedures
- The Scottish Government, Protecting Vulnerable Groups (PVG) scheme

Staffing, ratios, and checklists

- Guidelines on staffing/supervision ratios for children/young people's activities

Trips, events, and travel

- Away trips and hosting
- Guidelines on transporting a child or young person in your car

For further research on Elite Child Athlete Welfare please visit;

<http://www.brunel.ac.uk/about/acad/sse/sseres/sseresearchcentres/youthsport/elitechildathletebook>

Sign up now to the CPSU E-Newsletter - We can email you the latest information about child protection in sport, simply complete the online registration form or email cpsu@nspcc.org.uk .

National Society for the Prevention of Cruelty to Children (NSPCC) Briefing on 7 February 2013

NSPCC Evidence to Assembly CAL Committee on its Investigation into Gaps in Child Protection across the Culture Arts and Leisure Sectors

February 2013

Background

1. The NSPCC is very grateful for the opportunity to provide written evidence to the Committee on its focussed inquiry into safeguarding in the Culture, Arts and Leisure sectors. The report of Operation Yewtree¹ into the activities of Jimmy Savile has acted as a wakeup call for organisations and society as a whole and a reminder that there are people in all walks of life who will seek to abuse their position of trust to harm children and manipulate systems and others to keep this abuse hidden. This review is timely indeed and we hope it will benefit from our experience of providing structured support to the sports sector in NI through the Child Protection in Sport Unit's partnership with SportNI.
2. The Department of Culture Arts and Leisure (DCAL) has governance responsibility for a range of Arm's Length (ALB) and Executive Agency (EA) Bodies covering a vast array of activities which impact on children and young people. These include: the Armagh Observatory, the Armagh Planetarium, the Arts Council of Northern Ireland, Libraries NI, National Museums Northern Ireland, the Northern Ireland Museums Council and Sport Northern Ireland. DCAL also co-sponsors (with its Irish counterparts) two North/South Implementation Bodies, Waterways Ireland and the Language Body, comprising Foras na Gaeilge and the Ulster-Scots Agency.
3. With such a range of responsibilities, DCAL and its ALBs have more direct contact with children than any other sectors apart from education and health. Through its various bodies DCAL has a substantial opportunity going forward to ensure good standards of practice in the care and supervision of children while involved in any activity supported by its ALBs. The DCAL family will also have significant interactions with volunteers and the opportunity to promote best safeguarding practice with this part of the workforce.
4. NSPCC has a range of expertise in this area through our partnership with SNI and provision of structured support to the sports sector. We also provide a range of services in NI including ChildLine, and our 24 hour helpline and we work with children who have directly or indirectly abused outside of the home. We also provide advice and guidance on a range of safeguarding issues, policies and procedures and case issues. Our consultant trainer has assisted the Language Bodies, Foras na gaeilge and Ulster Scots Agency in developing their organisations safeguarding policies and delivering relevant training for designated safeguarding children's officers and basic safeguarding for relevant staff in both agencies. We have also been involved in delivering designated safeguarding children's officer training to the National Museums.

Layout of report

5. NSPCC would like to put on record our appreciation for the support and interest in safeguarding and child protection shown by the DCAL, the Committee and many organisations, clubs and societies who do so much to promote the wider welfare of children through participation and inclusion in activities. We are aware of work on going in various

¹ http://www.nspcc.org.uk/news-and-views/our-news/child-protection-news/13-01-11-yewtree-report/yewtree-report-pdf_wdf93652.pdf

sectors to develop policy, raise awareness of issues and improvement through development of standards and audit. We have seen developments and improvements but this could be further built upon particularly by responding appropriately to some new challenges ahead. **We make some suggestions to the Committee in bold.** In this report we examine through the format of the evidence, key areas as set out in the terms of reference. We have also set out some illustrative practice issues in the Annex from our Helpline and teams.

Safeguarding in Sport

6. The NSPCC Child Protection in Sport Unit (CPSU) was established to work with sports organisations to provide support and advice on developing and implementing child protection policies and procedures. Joint funding arrangements between the NSPCC and the Sports Councils of England and Northern Ireland enabled the creation of the Unit in 2001. This was followed by a similar arrangement with the Welsh Sports Council in 2002. A close working relationship with Children 1st in Scotland has also contributed to ensuring that the Unit has established a UK-wide role helping to ensure a consistency of approach and sharing of high quality safeguarding resources and practice for those responsible for safeguarding children in and through sport across the home countries. The CPSU (NI) works in close partnership with the Irish Sports Council's Code of Ethics team to ensure a consistent all Ireland approach to safeguarding messages and training standards.
7. The Unit is now recognised as a world leader by the United Nations and the International Olympic Committee. It is recognised as a model of best practice in statutory safeguarding guidance (Working Together to Safeguard Children 2010). The Unit was the blueprint for the establishment of the National Safeguarding Unit for the Third Sector (in England) – Safe Network. The CPSU is recognised as the source of expert safeguarding advice and support by the sports sector and as an advocate for the sector with government departments and agencies. A key part of the Unit's success has been the ability to work in partnership with sports organisations with a flexible and tailored approach, which is sensitive to the diverse needs of the sector.
8. DCAL Minister (Ms Ní Chuilín) stated in the Assembly (November 2012):

"The child protection in sport unit was established in 2001 between Sport NI and the NSPCC. It is recognised and accepted as the source of expert safeguarding advice and support by the sports sector.

Consistent and comprehensive standards have been established and agreed for safeguarding children in sport. The attainment of these standards is a funding requirement for all recognised sports governing bodies and affiliated clubs. A network of trained designated safeguarding children's officers has been established within governing bodies..."
9. The CPSU's Mission is:

"To build the capacity of sport to safeguard children and young people in and through sport to enable sport to lead the way in keeping children safe from harm"

We do this through the:

- Standards for safeguarding – working with sports governing bodies to meet agreed criteria enabling them to demonstrate that they meet both legal requirements and promote good practice in working with children
- Supporting of governing bodies to maintain standards and further embed safeguarding practice to grass roots level where children participate
- Provision of safeguarding education, training and resources for those with key safeguarding roles in sport
- Provision of information services through our website, e-newsletter and enquiry service

- Provision of specialist child protection case advice and support

10. Key achievements of the CPSU and of sports organisations working together in Northern Ireland and key outcomes include:

- the development of comprehensive standards for safeguarding children in sport by working with SportNI to link the attainment of these standards to funding requirements for governing bodies;
- the development of effective systems and structures for reporting and responding to concerns about children's welfare and protection, as well as systems for preventing unsuitable people from working with children, together with improving working relationships between sports organisations and the statutory sector;
- establishing a network of trained designated safeguarding children officers at Governing Body level and facilitating all Ireland quarterly meetings;
- ensuring the role sport has to play in safeguarding children is recognised in government and other consultation processes, for example, in the development of AccessNI, Regional Area Child Protection Committee guidelines, Our Duty to Care, Getting It Right and the Vetting and Barring Scheme Consultative Group;
- influencing local council leisure services departments to implement safeguarding practices;
- the ongoing implementation of the Club Framework for Safeguarding Standards in Sport, in consultation with a wide range of sports organisations, which will ensure that core safeguarding requirements and practice is further embedded to grass roots level;
- the establishment of a range of consultation/support/information sharing for sports organisations which aim to ensure that the needs, issues, and challenges of the sector are understood and communicated; and
- ensuring that a focus on children's rights is embedded in the sector's approach to safeguarding as reflected in our revised vision statement.

In terms of transferability, many of the outputs can be directly transported to other sectors of the CAL family and we would recommend all of the above to the Committee as examples of good practice.

The challenges of new social media

11. New technology and the internet are wonderful tools for children and young people but bring considerable challenges. There are also considerable challenges for adults and those who have positions of responsibility in clubs and societies around good and safe practices and use and misuse of social media.

Some key statistics from across the UK include:

- 41% of 12-15 year olds have a smart phone
- 91% 5-15 year olds in the UK live in household with internet access
- 3% of 5-7s, 28% of 8-11s and 75% of 12-15s have a social network profile
- 29% of UK children have had online contact with someone they had not met before
- 11% of UK children have viewed on line sexual images and 12% have received them
- 8% of UK children have been bullied on line
- 19% of UK 11-16 year olds internet users have seen one or more type of potentially harmful user generated content rising to 32% of 14-16 year old girls
- Almost half of 9-13 year olds have a Facebook account

12. Much of the UK national drive on internet safety has happened through the UK Council on Child Internet Safety (UKCCIS) and the Child Exploitation On Line Protection Centre (CEOP) who have provided UK-wide police investigative capacity and with whom NSPCC has a secondment.
13. Our experience from sport in particular supplemented by case experience in NI is that the internet and social media have huge benefits for children and young people and are part and parcel of daily lives. They have, however, presented particular challenges to sporting and other bodies often due to a combination of a lack of insight and experience. These can be categorised as follows:

For children and young people

- Inappropriate access to, use or sharing of personal details
- Unwanted contact with children/ young people by adults with poor intent
- Text bullying by peers
- Being sent or sending offensive inappropriate materials (sexting²- sending inappropriate material to others is something we are starting to recognise and understand better and presents particular educative challenges to young people)
- Grooming for sexual abuse
- Direct contact and actual abuse

For adults

- Lack of understanding and awareness of communication through social media
- Misinterpretation of communication
- Potential investigation and disciplinary agencies

14. Internet safety is a responsibility of all government departments and we welcome the attention OFMDFM has recently given this in undertaking the current gapping and mapping exercise and a debate by members on 5th January in the Assembly on internet safety. Our view is that because of the complexity of this issue, the widespread impact of the internet on children and young people, the way it crosses reserved and devolved issues that a cross government strategy is needed in NI at departmental level.

However within the sports, arts and culture levels we would recommend that DCAL oversee the development of codes of conduct for communication with young people and development of an Acceptable Users' Policy.

CAL may consider the development of an overarching strategy for its remit which includes access to advice and guidance

15. Research undertaken on behalf of the Department of Education into the Nature and Extent of Pupil Bullying in Schools in the North of Ireland published in 2011 highlighted that bullying via the medium of technology was becoming more prevalent. 15.5% of Year 6 and 17.0% of Year 9 pupils indicated that they had experienced cyber-bullying in the past couple of months. Text messages, social networking sites and interactive games were amongst the common methods for Year 6 pupils subjected to and perpetrating cyber-bullying while social networking sites, text messaging and chatrooms were the top three methods for Year 9 pupils. Significantly the report also found that cyber-bullying was more likely to take place outside school hours.

2 Sexting has been defined as the “exchange of sexual messages or images” and “creating, sharing and forwarding sexually suggestive nude or nearly nude images

16. Almost one third of teaching and non-teaching staff in primary schools highlighted cyber-bullying as becoming a more prevalent type of bullying. Over three quarters of teaching staff and over one third of non-teaching staff in post primary school highlighted cyber-bullying as becoming more prevalent. As an emerging type of bullying, the staff members indicated that they were unsure of how to approach various aspects of cyber-bullying and expressed a need for training specifically on how to deal with cyber-bullying, while around half of these staff members also indicated they required training to develop ICT skills. Given the emergence of cyber-bullying and the fact that it will frequently originate and continue outside school hours and school premises, it was concluded that staff, pupils and parents need to be reminded of what constitutes cyber-bullying, the potential impact of cyber-bullying, how it will be addressed and the role that everyone has to play in addressing this form of bullying. Calls about bullying to UK ChildLine bases represent 10% of all calls by children and of this 8% relate to cyber bullying.
17. Some of the key issues emerging from research into cyber-bullying are the need for education (particularly of parents and teachers) about online safety issues, guidance on being safe on the internet as well as risk management policies for schools and indeed other organisations. It is important that teachers and parents gain a better understanding of the online world and how new technology can be used by children to bully and harm others. Training needs to be provided about the spaces children use on the internet, security settings and how children can manipulate the technology. Children and young people also need to be educated in a way which is appropriate for their age and gender, to improve their online safety practices.
18. The NSPCC Safeguarding in Education Service in Northern Ireland published research in 2011 demonstrating the importance and need for preventative education programmes within schools to teach keeping safe messages about all forms of abuse. During the research teachers identified a need for further training to give them the confidence and competence to teach children about sensitive issues such as sexual abuse and domestic abuse. The research made recommendations around the need to develop a comprehensive package of training, development and support and evidence informed resources for the whole school community, including school leaders, teachers and support staff to enable them to discharge their safeguarding responsibilities and teach “keeping safe” messages through preventative education. The Safeguarding in Education Service continues to work collaboratively with the Department of Education to promote a shared commitment across government departments to working effectively to develop a programme of preventative education in schools within a wider public health approach to keeping children safe.

Other structural and System Improvements

19. The CPSU model has in our view been instrumental in driving up standards in the sporting sector resulting in real safeguarding improvements for young people and their families. We have been impressed by what has happened in a range of other settings to promote safeguarding for example the commitment and staff time from the Arts Council. However this is a complex area and there is no substitute for infrastructure development, particularly in an area which is much less regulated and governed as sport. We have also seen some recent legislative and procedural developments around disclosure and barring arrangements with the implementation of the Safeguarding Vulnerable Groups (NI) Order 2007 3 with new statutory duties on employers and positions with regulated activity. These are fairly complex arrangements and in themselves need fairly specialised advice and guidance.
20. Access to training and consultancy on child protection for the CAL sector organisations is likely to be very important. Our experience from our trainer has been there was great interest from them in promoting their safeguarding training and policies and ensuring children were safe but organisations needed assurance and infrastructure support to develop this further. We are also facing some new challenges; safeguarding children and young people is an

ever changing world and internet safety needs to be paramount (included/addressed in any new policies and training. We see human trafficking and forced labour and children whose language is other than English as areas which DCAL will need to take into consideration in the development of safeguarding arrangements.

We would strongly suggest that government invest in similar structures and arrangements for the arts and culture sectors in particular as those already provided for the sports sector by the CPSU.

21. DCAL play a hugely important governance and leadership role in safe arrangements. We commend the attention which the department has brought to bear on this area and that it has been willing to ensure audit and inspection from the Education and Training Inspectorate (ETI). However we would strongly suggest the need to go beyond controls and systems of assurance and establish a standing group with officials from Arm's Length Bodies to take forward a strategic approach to a complex area across its functional groupings. One of the new developments in NI is the creation of the Safeguarding Board for Northern Ireland (SBNI) which seeks to provide improved co-ordination and cooperation between a range of operational bodies and agencies on safeguarding. It is likely that SBNI will take a wider view of prevention and DCAL will want to ensure linkages with SBNI on common issues.
22. It is also important for the Committee to consider the role of local government who play an important part in hiring facilities for groups and who have a considerable interface with community art and leisure services. Policy making and therefore responsibility for safeguarding lie with the Department for the Environment. In light of some of these developments:

We would suggest that DCAL oversee the creation of a strategic group, with the responsibility of ensuring that the agreed principles are implemented and co-ordinating all organisations so that each knows their role and that of others. This should comprise representation from Department of Culture Arts and Leisure (DCAL), ALBs, and establish a link to the Safeguarding Board for Northern Ireland and other significant stakeholders.

We would suggest that DCAL not only keep data and maintain information on the types of issues and cases being flagged up on safeguarding that come to the attention of ALBs and EAs but also of the proactive actions that have been taken to increase safeguarding standards within DCAL organisations.

The Committee could also consider how best to ensure local government play a role in safeguarding in this area and make recommendations.

23. NSPCC provide both a 24 hour Helpline in NI and ChildLine in Northern Ireland. The former is available to anyone to seek advice and guidance on child protection or to report concerns and in 2011-12 the Helpline dealt with 691 calls from NI resulting in 338 being dealt with by way of advice and 353 referrals to children's services and the police. A small number of these related to the arts culture and sports sectors (see Annex). We are at an early point in terms of considering further Helpline development here and have recently signed an MOU with the Health and Social Care Board.
24. The NSPCC also has 2 ChildLine bases in NI, Belfast and Foyle and offers a free on line and telephone service to children and young people that need to access help. 1.5 million contacts took place in 2011-12 with 1.85 million visits to the website and there will be a pro rata proportion of contacts here. The Savile case and Yewtree Inquiry has highlighted just how difficult it is for victims to come forward even with good systems in place. Providing adults and children with access to confidential advice and sources of help is crucial to ensuring they have opportunities to seek help. Examples of how sports organisations have proactively promoted these Helpline numbers include Ulster Rugby who plan to forward NSPCC helpline posters as part of the "Don't wait until your certain" campaign to all their clubs and have had the information and link on the front page of their news site. The IFA are running an article in

their next international match programme and distributing the Helpline cards as part of their resource pack to all level one coaches. These are only a few examples of how sport can be used to promote Helpline numbers and what might be done in other sectors.

Both Helpline and ChildLine offer independent sources of help to adult and child respectively. We would welcome further discussion with the Department about how we might embed further awareness of these services within the DCAL family

Colin Reid Policy and Public Affairs Manager NSPCC
Paul Stephenson Child Protection in Sport Unit
Irene McCready Consultant Trainer

Annex illustrative case examples

NI Helpline

Case of individual parent contacting helpline seeking advice as their child is attending a local community arts group where a voluntary leader is believed to be on sex offenders register. Number of parents had concerned as to what to do regarding their children attending the group, this parent rang to seek advice.

Volunteer coach in sports club noticing marks on a young athlete (possibly self-harm) and after having enquired with the child how they came about, the coach was not satisfied with the response as matching the marks and wanted advice on how best to deal with the issue. This happened outside of normal office hours for support and the volunteer coach wanted to discuss best way to take their concerns forward.

A community volunteer wanting advice regarding a family they visited where child was thought to be not looked after indicators such as light clothing in winter, looking for food from neighbours and emotional appearance of the child as possibly unhappy. They sought guidance from helpline as how to best deal with their concerns.

Additional cases aware to NSPCC teams

Earlier this year we had a request for consultation re: a child protection issue within a locally-based culture organisation working with children and young people. Upon meeting with them it transpired that the organisation had been aware of inappropriate interactions taking place between a young person in a position of trust within the organisation and another young person who was attending the organisation. This contact was via mobile and social network media. The organisation had been aware of the incidents for approximately 3 months when they approached us. They had not acted upon any of their child protection policies up until that point as they were unclear about how best to proceed given that the alleged inappropriate behaviour had been from a young person. They appeared to be conflicted about the potential implication to the young person of acting upon the information received. They did not appear to have fully thought through the potential implications upon the alleged victim and other young people if they continued to fail to act. Added to their difficulty was the fact that they had not carried out an Access NI check on this person in the position of trust when he came into post as he had been previously known and had an Access NI check done with another organisation. They were aware that this had been remiss of them.

Professional seeking information on guidelines for dance groups in the community of which he is a committee member around child protection practice, felt aside from child protection policy online could not find suitable information on how to apply this knowledge practically.

Community member concerned that a local arts performer who had allegedly been investigated for historical child sex offences (this did not result in a prosecution) may have inappropriate access to children. Concerns over this person's ability to join festivals/ children's events as a performer without any procedures for checking/vetting via ad hoc community festival events. Sought guidance on best practice to ensure children safe in future events and make their organisations procedures more robust for not only this adult but also other adults' roles.

Community arts project requested information on vetting procedures appropriate for their educational programmes for staff/volunteers. These are one of the most common the sort of enquiries that the NSPCC would respond to.

Parent of a young person contacted the NSPCC offices for advice as they were concerned that a teacher in a community activity (with a court injunction served on them to stay away from the child), continued to intimidate the child at a competition out of this jurisdiction.

Through their volunteering activities NSPCC staff are aware of gaps in safeguarding with regard to the policy and practice related to dance teachers, drama teachers and music tutors. Individuals who use church premises and who are affiliated to other groups e.g. G.A.A or scouting operate within their safeguarding policies and procedures. Those who do not, including dance, drama and music teachers do not appear to be affiliated to wider organisations and are therefore subject to the churches safeguarding arrangements including vetting, safeguarding training etc. If such teachers had any ill intent they would simple access other premises were they would not be subject to such safeguarding requirements.

Northern Ireland Association of Social Workers (NIASW)



NIASW Evidence to the Department of Culture Arts and Leisure on the Committee Investigation into Gaps in Child Protection Across the Culture Arts and Leisure Sectors

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11th February 2013

Background

The Northern Ireland Association of Social Workers (NIASW) is part of BASW, which is the largest professional association for social workers in the UK. The Association has over 14,000 members employed in frontline; management, academic and research positions in all social care settings.

Context

NIASW, as the professional association of social work in Northern Ireland, welcome this very timely investigation by the Committee into Child Protection and Safeguarding across the Culture, Leisure and Arts remit. Given the recent disclosures about J Savile and the on-going nature of "Operation Yew Tree" we are reminded that Child Protection is not the preserve of Social Workers and Social Services; everyone has a responsibility to ensure that children are safe and protected and all public bodies have a responsibility to ensure that:

1. They have systems and procedures in place to safeguard children.
2. That the systems are fit for purpose.

The Department of Culture, Arts and Leisure has responsibility for a large number of volunteer groups and museums where there would be substantial contact with children and as such it is essential to ensure that the proper governance arrangements are in place to protect children.

Looking at your terms of reference it is clear that the Department of Culture, Arts and Leisure seek to do that across the culture, arts and leisure remit and we support your efforts to that end; this inquiry can do much to safeguard children and it is important to take stock, explore existing structures and identify current gaps. It is also essential to learn from best practice across all sectors and as such NIASW has begun to consult with members to gather their experiences from practice so that we could share them with you in oral evidence if requested to attend the committee.

Best Practice

While there is often rightly a focus on child protection and children on the child protection register in reality these children who are dealt with by social services are only part of a wider population of children who experience harm. Research shows for example that children are often harmed outside of the family by people they know and are in position of trust. In police statistics¹ 44% of sexual offenders were known but not related to the victim, 29% were strangers and only 1 in 5 involved a family member. This encompasses a range of offending such as violence and in a range of different settings outside of the home, many likely to involve differing settings and contexts.

NIASW are aware of the significant work undertaken by the NSPCC in establishing the Child Protection in Sport Unit (CPSU) and the model has been recognised as a model of best practice. It is widely used in Northern Ireland, England, Wales, and Scotland and is referenced by the Irish Sports Council.

The CPSU has been involved on developing standards for child safeguarding, systems for reporting of concerns and training of staff. The Department of Culture, Arts and Leisure could explore this model to inform what systems and procedures it should put in place across its remit. We are aware that good work has taken place across a range of settings to build capacity and infrastructure. There are challenges for the spectrum of loose structural arrangements in arts and culture activities. There are also significant challenges for these groups in dealing with the new vetting requirements which apply to all groups that work with children. These are quite technical provisions that place new duties on providers to report those dismissed or moved from regulated activity to the Disclosure and Barring Service. New requirements will soon be placed on groups to have to carry out a vetting check.

NIASW would support totally improved resources for safeguarding being made available for the Arts and Leisure sectors.

Within the statutory systems there are robust child protection systems in place and the establishment of the Safeguarding Board for NI (SBNi) in 2012 the Department of Health, Social Services and Public Safety recognised:

“the fact that children are more likely to be protected when agencies work in an all-inclusive, coordinated and consistent way.” www.safeguardingni.org

The new Safeguarding Board NI arrangements will see improvements to the operation of local interagency arrangements for the protection of children and a more wider safeguarding agenda. We would like to see the Department of Culture, Arts and Leisure and its agencies develop a better linkage to Safeguarding Board NI. The Department of Culture, Arts and Leisure, like other government departments, are not a member agency of these arrangements but need to ensure improved linkages. The Safeguarding Board NI are developing their 3 Year Corporate Plan and there is a useful opportunity to improve collaboration.

NIASW would suggest the development of a Memorandum of Understanding between the Department of Culture, Arts and Leisure and Safeguarding Board NI to take forward strategic developments in this area.

Cyber-bullying and Social media

In relation to issues around “cyber-bullying”, BASW, of which NIASW is part, has produced the “BASW Social Media Policy” (www.basw.co.uk/resource/?id=1515). The purpose of this policy is to clarify what BASW considers to be the professional responsibilities of social workers and social work students, in relation to the increasing use of social media. As a

1 Sexual and Physical Violence against Children A statistical overview of Recorded crime 2008- 10 Dr Lisa Bunting NSPCC 2011

professional body across the UK, BASW has developed a policy to support members to use social media appropriately and ensure practice is based on the BASW Code of Ethics. BASW recognises the many positives and opportunities with the development and increased use of social media however we also note considerable challenges to child safeguarding. BASW Social Media Policy also provides some information which may be relevant to your investigation.

“EU Kids Online” is a research project which surveyed 25,000 children and their parents across Europe to understand the true online risks and opportunities. It defines the risks young people might be exposed to online under four key headings:

1. content
2. conduct
3. contact
4. commerce (reference¹).

The EU announced in 2012 a ‘new strategy for safer internet and better internet content for children and teenagers’ locating the process within a wider, rights based approach to children’s better internet use. (reference²)

The UK Council for Child Internet Safety (UKCCIS) has issued “Advice on child internet safety 1.0” (reference³). The Child Exploitation and Online Protection Centre (CEOP) has led on producing the advice and guidelines together with the Department for Education. An independent parliamentary inquiry found strong support for an Opt-In filter for adult material on the internet, which would offer the best protection for children online. (reference 4)

Bullying of children is the most preventative source of harm children experience and for children who have been abused there is often found to be an element of bullying and coercion in their experience. NIASW welcome this focus on cyber bullying; we would be of the view that the Department of Culture, Arts and Leisure could do much through its Arm’s Length Bodies to standardise and develop material for children and young people, parents and coaches on safe internet usage. All Arm’s Length Bodies should have guidance made available to expectations and standards.

We also see this issue as a wider area for the Executive and other government departments. NIASW notes the development by the Office of the First Minister and Deputy First Minister of an e-strategy and we would encourage the Committee to make recommendations to the Office of the First Minister and Deputy First Minister that deals with cyber bullying and social media sites.

Empowerment of children and young people

The Savile case illustrated again how difficult it is for both children and adults to seek help when they have been abused and despite system of assurances and good governance it may be very difficult to come forward. NIASW would support the Committee to make a recommendation in their report on the development by the Department of Culture Arts and Leisure of a strategy of empowerment and enablement through Arm’s Length Bodies. In particular, steps that are being taken to actively facilitate young people’s involvement and finding ways to ensure young people have access to independent sources of help such as ChildLine.

Conclusion

NIASW commend, support and encourage this investigation by the Department of Culture Arts and Leisure into Gaps in Child Protection Across the Culture Arts and Leisure Sectors.

Recommendations

1. The Department of Culture, Arts and Leisure should establish clear systems, structures and procedures to safeguard children and invest in infrastructure development.
2. The Department of Culture, Arts and Leisure should be informed by best practice models from within the UK and internationally.
3. The Department of Culture, Arts and Leisure should develop a Memorandum of Understanding with the Safeguarding Board NI and improved links around safeguarding .
4. The whole area of Cyber-bullying and use of social media to sexually exploit children warrants a comprehensive investigation as it crosses a number of departmental bodies. The Department of Culture, Arts and Leisure should ensure good practice guidance is developed on social networking and e-safety and run through all its Arm's Length Bodies.
5. The Department of Culture, Arts and Leisure should develop an empowerment strategy across its Arm's Length Bodies to look at best practice around inclusion and empowerment

References

1. Final Report of survey findings and recommendations (Sept 2011), EU Kids Online, [http://www2.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20I%20\(20069\)/EU%20Kids%20Online%20I%20Reports/EUKidsOnlineFinalReport.pdf](http://www2.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20I%20(20069)/EU%20Kids%20Online%20I%20Reports/EUKidsOnlineFinalReport.pdf)
2. Sonia Livingstone, Kjartan Ólafsson, Brian O'Neill and Verónica Donoso 'Towards a Better Internet for Children' (June 2012) www.eukidsonline.net available http://cdn.basw.co.uk/upload/basw_105133-2.pdf
3. UK Council for Child Internet Safety (UKCCIS) Universal guidelines for providers (2012)
4. Independent Parliamentary Inquiry into Online Child Protection Findings and Recommendations (April 2012)

Northern Ireland Local Government Association (NILGA)



Mr Peter Hall
Committee for Culture, Arts and Leisure
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11th February 2013

Dear Mr Hall,

Thank you for your letter received on 5th February 2013 regarding your Committee's Investigation into "Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit".

In your correspondence, you ask that the Association comments on each of the terms of reference for the above investigation, with respect to the policies and procedures which prevail at local government level.

NILGA considers the terms of reference – mapping existing structures within the CAL remit, seeking transferability of Sports sector and other exemplar policies into areas of potential weakness within the CAL remit, an examination of "cyber-bullying" / Social Media, and presenting a gap analysis report, with recommendations, to CAL and other statutory committees, to be reasonable and to have potential value across many elements of public sector intervention in regard to child protection and safeguarding.

All councils in Northern Ireland have contemporary and robust policies in respect of child protection and safeguarding, related to both the service delivery aspect of their multi-faceted roles, and the corporate policies and compliances of the local authorities.

These are manifested in clear and where relevant age specific policies and practices regarding customer safety, personnel interaction with customers, risk assessment and avoidance – even for potential employees, controls on access to children, controls on use of media in areas of risk, contractual compliances and indemnifications by third party organisations.

In many cases Risk Registers which capture all relevant policies and high risk factors are updated by specialist officers and senior managers on a rolling, prioritised, basis, highlighting through very dynamic, corporate decision making any key risks and mitigation work should a risk or incident require greater concentration of effort / policy adaptation. This thoroughness and responsiveness is widespread, however, the timescales presented in your correspondence do not enable a council by council collation exercise to be completed by NILGA.

We have none the less (in view of the importance of the issue and the potential benefits of this exercise as above mentioned) issued individual requests to each of the 26 councils, seeking summary information, and will provide this in single document form, once the totality of responses are received – sought by 31st March 2013.

Yours sincerely

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Chief Executive

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the voice of local government

Northern Ireland Museums Council (NIMC)



The Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit

Submission to the Culture, Arts and Leisure Committee by the Northern Ireland Museums Council

1. Background

- 1.1 The Northern Ireland Museums Council (NIMC) was established in 1993, by Ministerial order, with the overall aim of supporting local museums across Northern Ireland in maintaining and improving their standards of collections care and public service. For policy and administrative purposes, the Council is classified as an executive non-departmental body and is an arm's-length body of the Department of Culture, Arts and Leisure.
- 1.2 NIMC is constituted as a limited company (without share capital), has charitable status, and is managed by a Board comprising Ministerial nominees, representatives from District Councils, voluntary and independent museums, the Northern Ireland Museum Curators Group, the universities and National Museums Northern Ireland. Additional members of the Board are co-opted. Currently there are 15 Board members, who report to the Council's membership at the Annual General Meeting and on other occasions. As a membership organisation, NIMC is responsive to the sector, providing leadership and advocacy in order to advance its interests.
- 1.3 The Council is the advocate and service provider for all non-National museums, especially the 38 local museums in Northern Ireland which meet the UK Museum Accreditation Scheme. It distributes grant aid for the care and preservation of collections, for enhancing public access to museum collections, and to enable museums to acquire artefacts. NIMC provides training for those working in the sector, manages museum standards, and provides advice and information. In addition, the Council develops guidelines on various aspects of museum practice, commissions sectoral research and gathers data for policy development. NIMC also contributes to and co-ordinates various national and regional projects. The Council is the conduit through which Government supports the local museum sector, and as such, it is accountable to the Department of Culture, Arts and Leisure.
- 1.4 NIMC executes a vital role in protecting the material and non-material heritage of Northern Ireland for this and future generations. It plays a fundamental role in delivering the Northern Ireland Museum Policy, a 'building block' of Priority 4 of the current Programme for Government. Its current level of annual grant in aid from the Department is £264,000 (2012-13). Since 2003 NIMC has sought and secured just over £1.9 million of programme income through European and Lottery sources, in addition to the funding from the Department of Culture, Arts and Leisure. Further information on the Council's activities may be found at www.nimc.co.uk

2. Introduction

- 2.1 The Northern Ireland Museums Council welcomes and supports the Committee's intention to investigate whether any gaps exist in the safeguarding of children and vulnerable adults across the cultural sector.

2.2 By their very nature museums operate in the public interest and do so, in the main, with support from the public purse. It is essential therefore that they retain the public's confidence that they operate to the highest possible standards when working with and facilitating all sectors of our community.

2.3 The Northern Ireland Museums Council is committed to the principle that children and vulnerable adults who access museums should be safe and protected from harm, believing that their welfare is paramount, that they have the right to protection from harm irrespective of their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity. The Council believes that museums should ensure that their physical and virtual spaces are safe and secure and promote enjoyable and positive experiences. Additionally, it is of the view that all staff (whether permanent, temporary, freelancers, volunteers or contractors) working in museums, or engaged in outreach activities, should be aware of their responsibility to ensure the safeguarding of children, and, as employers, should have safe recruitment processes in place to ensure that their staff do not pose a risk of harm to children and others.

3. What does NIMC do in support of Protection and Safeguarding.

3.1 The Northern Ireland Museums Council wishes to ensure that everyone gains the best possible experience from engaging with museums, and that such engagement by children and vulnerable adults happens in a safe and secure environment. Also it wishes to contribute to parents' and carers' confidence that the people who work in our museums are trustworthy and responsible, and that they will ensure that those who participate in museum activities are kept safe from harm. This document sets out the Council's commitment to these aims and the steps it will take to assist museums to meet their statutory obligations in this regard.

3.2 To this end NIMC devised and broadcast the following statement in 2009 – *"The Northern Ireland Museums Council is committed to safeguarding the welfare of all children and vulnerable adults as they engage with museums. It recognises its responsibility to take appropriate and reasonable steps to establish and promote good practice in this regard by the Council and encourages the museums with which it works to do the same."*

3.3 Currently the work of NIMC does not require its Board or staff members to undertake or participate in any 'regulated' or 'controlled' activity on its behalf. Consequently staff members are not required to register with the Independent Safeguarding Authority under the vetting and barring arrangements. Nevertheless, in light of the Council's role in providing advice and guidance to the museum sector, NIMC will ensure that staff members are provided with training on good practice in safeguarding reporting procedures and in associated recruitment and employment procedures.

3.4 In 2010 the Council reviewed its statement, policy and procedures, and the guidelines issued to local museums. In so doing it commissioned the NSPCC to undertake the review, and welcomed the recommendations it made. These were subsequently incorporated into the Council's documents

3.5 All museums which are recognised under the Museum Accreditation Scheme, and hence eligible for funding from the Northern Ireland Museums Council, are required to have a Safeguarding Policy in place and associated procedures in operation. NIMC requires grant applicants to declare that they have adopted such a policy, to supply the Council with a copy of the version currently in operation. The Council strongly advises museums to regularly review and update policies and procedures in light of developments in practice and the legislation relating to protection issues.

3.5 Given the nature of their work, all local museums have responsibilities under the safeguarding children and vulnerable adults legislation. Each is required to have in place an associated policy and procedures. NIMC supports local museums by providing advice, guidance and training. A copy of NIMC's *Guidance to Museums on Safeguarding Children* has been circulated to each museum. A copy of this guidance is presented at Appendix I.

Appendix I

Northern Ireland Museums Council

Guidance to Museums on Safeguarding Children and Vulnerable Adults

Background

The Northern Ireland Museums Council wishes to ensure that everyone gains the best possible experience from engaging with museums, and that such engagement by children and vulnerable adults happens in a safe and secure environment. Also, it wishes to contribute to parents' and carers' confidence that the people who work in our museums are trustworthy and responsible and will ensure that those who participate in museum activities are kept safe from harm.

In pursuit of these aims the Council has adopted a Safeguarding Children and Vulnerable Adults Policy Statement. Within that statement is our commitment to provide guidance to local museums by way of assisting them to meet their statutory obligations and promoting good practice across the sector.

This document provides guidance to local museums in building an associated policy and code of conduct, and developing procedures for the protection of children and vulnerable adults. It sets out the legal context, provides advice about what to do if child abuse or neglect is suspected, outlines issues to be considered during staff recruitment, and stresses the need to assess the risks associated with various museum activities.

Such is the diversity of scale and focus amongst our museums that it is not appropriate or feasible for the Northern Ireland Museums Council to produce a sample policy that only requires formal approval by local museums. The policy and procedures around safeguarding do need to be understood, agreed and owned by each museum, but based on the principles set out in this document and elsewhere. As it is likely that museums may have unique circumstances or concerns regarding safeguarding, we have also provided a range of contacts for organisations that can provide further information and expert advice.

Northern Ireland Museums Council Policy Statement

The Northern Ireland Museums Council is committed to safeguarding the welfare of all children and vulnerable adults as they engage with museums. It recognises its responsibility to take appropriate and reasonable steps to establish and promote good practice in this regard by the Council and encourages the museums with which it works to do the same.

Safeguarding Children and Vulnerable Adults Policy

All local museums need to have a Safeguarding Policy in place. The content of such policies will vary depending upon the size of the organisation as well as the type and range of contacts with children and vulnerable adults. Nevertheless, there are some features which should be standard to all policies.

A Safeguarding Policy should begin with a statement of intent that sets out your commitment to safeguarding children and vulnerable adults¹ from harm when partaking in the activities, services and events you organise.

It is recommended that a safeguarding policy should include:

- Statements to the effect that
 - the welfare of children and vulnerable adults is paramount;

1 Further guidance on the definition of a child and a vulnerable adult is available at http://www.nspcc.org.uk/Inform/research/questions/definition_of_a_child_wda59396.html#Definition_of_a_child_in_child_protection_guidance
<http://www.crb.homeoffice.gov.uk/faqs/definitions.aspx>

- everyone, without exception, has the right to protection from abuse regardless of gender, ethnicity, religion, disability, sexuality or beliefs;
- the policy is approved and endorsed by the senior management team, and by the Board, Committee and/or Council (as appropriate);
- Clear guidance on who the policy applies to (i.e. all members, trustees, permanent and temporary staff, volunteers, and those people contracted in for specific tasks);
- A commitment to provide training for your staff and volunteers, appropriate to their degree of contact with children and vulnerable adults;
- A commitment to inform children, parents, carers and other interested parties about the policy and procedures;
- An undertaking that all concerns, and allegations of abuse will be taken seriously by management, staff and volunteers and responded to appropriately;
- A commitment to safe recruitment, selection and vetting;
- Reference to the legislation and guidance that underpin the policy (See Appendix I of this document);
- The arrangements for reviewing policy and procedures;
- Pointers to all associated policies and procedures in your organisation which promote safeguarding.

Many museums have published their safeguarding policies on the web, some of which may serve as useful models. In assessing such policies it is important that you bear in mind the relative scale of your museum, whether there is compatibility in the governance instruments and structures, and the status of the museums in respect of the Museum Accreditation scheme.

Code of Conduct

A written Code of Conduct, or Code of Behaviour, within a museum is recommended as it broadly establishes acceptable and non-acceptable behaviour, and provides guidance and 'rules' that can protect staff against misunderstandings as well as protecting children and vulnerable adults. The provision of such clear direction allows staff and volunteers to build positive working relationships and to interact with museum visitors and users with greater confidence.

Obviously you should bear in mind the degree and type of contact your staff have with children and the nature of the activities and events your museum puts on when drawing up a Code.

It is suggested that a Code of Conduct for staff should include:

1. A reiteration of the Policy Statements on safeguarding.
2. A section that sets out the underlying principles, including;
 - Putting the welfare of the child, young person or vulnerable adult first
 - The commitment of the museum to promote best working practices regarding safeguarding and to ensure, as far as is possible, that its staff understand their associated responsibilities through the provision of training
 - The expectation that all staff demonstrate exemplary behaviour when working with young and vulnerable people
 - The requirement of staff to be aware of behaviour that may give rise for concern and to take prompt appropriate action.

3. A statement to the effect that observing the Code of Conduct is a mandatory condition of service and that there are stipulated consequences of breaching the Code.
4. The provision of guidance for staff through stating what is acceptable and unacceptable, that may include, under Do's:
 - Plan and organise your work and workspaces so as to minimize risks
 - Avoid private or unobserved situations or spending undue time alone with a child or vulnerable visitor
 - Avoid physical contact except in response to a child's or person's need, in an emergency, to prevent damage to property or museum artefacts, or to prevent an offence.
 - Maintain an appropriate distance from children and young people
 - Treat all concerned with respect
 - Keep a written record of any incident and the actions taken in response
 - Attend the relevant training on safeguarding provided

And under Don't's

- Engage in any behaviour that might be read as inappropriate (such as horseplay) or that may be deemed as physical or emotional assault
 - Make any comments, even in jest, which might be construed as inappropriate, or which could be interpreted as belittling or demeaning
 - Do things of a personal nature which the child, young person or vulnerable adult can do for themselves, or which their supervising adult can do for them.
 - Meet or contact (especially via the internet) a child or vulnerable adult outside the work context
 - Allow allegations or incidents to go unrecorded or unactioned.
5. Some museums have extended their code to include statements on the expectations on the behaviour of those using their services, especially children, and have included such rules as:
 - The expectation that they will treat their peers with respect and dignity;
 - That bullying, in whatever form, will not be tolerated;
 - That the use of defamatory or inappropriate language will not be tolerated.
 6. The Code could also move to extend staff knowledge and awareness of safeguarding and abuse through the inclusion of definitions and associated terms (see Appendix III).

Safeguarding Procedures

Having established the parameters of conduct through a Code, a museum should move to put in place a set of reporting procedures that clarify the roles and responsibilities of staff, and that provide clear, **step-by-step guidance on what to do in different circumstances**. It is recommended that museums introduce systems for recording information and dealing with complaints as part of their implementation process.

A museum's reporting procedures should include:

- A named person (and deputy) with a clearly defined role and responsibilities in relation to safeguarding, appropriate to the level at which s/he operates. S/he is sometimes referred to as the Designated Officer (See Appendix II);
- Procedures for responding to incidents of child abuse (see, Responding to a Disclosure of Abuse, below)

- Recognition that young people with disabilities may require especial consideration and provision depending on their particular needs (see Appendix IV)
- Relevant contact details for statutory services, police, health and NSPCC helplines should be available, for instance, http://www.nspcc.org.uk/help-and-advice/worried-about-a-child/are-you-worried-hub_wdh72939.html
- A process for recording incidents, concerns and referrals and storing these securely in compliance with data protection legislation (There are numerous examples of child protection incident report forms available on the web);
- Guidance on confidentiality and information sharing, which clearly states that the protection of the vulnerable individual is the most important consideration;
- An open and well-publicised complaints procedure through which adults and children can voice concerns about unacceptable and/or abusive behaviour;
- A process for dealing with allegations against a staff member or volunteer, or indeed another visitor to the museum;
- How to respond to historical cases;

You need to agree upon who within your organisation will deal with allegations, suspicions of abuse or poor practice, and ensure they get proper safeguarding training. They should be the first point of contact for staff, volunteers, members of the governing body, and the public. Their contact details should be easily available and communicated to all concerned. This person will appropriately record any allegation or reported incident. They will be responsible for contacting the statutory agencies such as the local Health and Social Care Trust or the Police Service Northern Ireland (PSNI) if necessary, and they will be responsible for ensuring that the policy and procedures are implemented.

Covering All Museum Users and Activities

It is important that each museum's safeguarding procedures (as with the Code of Conduct) take into account the needs of children and vulnerable adults generally, but also cover those who are particularly vulnerable; for example, young people with a disability, and babies and toddlers are perceived to be at increased risk of abuse due to their age and dependence on adults.

Your procedures will need to cover all of the various types of contact that your organisation has with children and vulnerable adults; for instance, school visits, workshops, clubs, day courses, residentials, over-night stays. And you will need to assess if any specific rules need to be included which relate to your buildings (or the buildings you might use for your outreach and community programmes) and the resources at your disposal.

Museum may also wish to ensure that external organisations using their facilities have up-to-date- safeguarding policies and procedures in place, or formally agree to abide by the museum's policies and procedures.

The Museums, Libraries and Archives Council (MLA) published its *Safeguarding Guidance for Museums, Libraries and Archives* in 2010. Section 8 of this document provides advice on procedures relating to a range of activities and scenarios which museums deliver or are likely to face, including;

- The safe use of ICT
- Risk management in activity planning
- Unaccompanied or lost children
- Photographing and filming children
- Surveying and consulting children

- Outreach visits

This document can be accessed at http://www.mla.gov.uk/what/~media/Files/pdf/2008/Safeguarding_v5_Updated_2.ashx

Responding to Disclosure of Abuse

Direct disclosures of incidents of abuse to museum staff or volunteers are not common, but should they occur it is important that the recipient responds appropriately. The following general guidelines may prove useful:

Always

- Record what has been said immediately or as soon as possible;
- Remain sensitive and calm;
- Reassure the person that they
 - are safe
 - were right to tell
 - are not to blame
 - are being taken seriously;
- Let the person talk - it is very important that you don't interview them or ask intrusive questions. That is a matter for the specially trained police and social services staff;
- Listen & hear, give the person time to say what they want;
- Ensure a positive experience;
- Explain that you must report, but will maintain confidentiality;
- Tell the person what will happen next, in a supportive manner;
- Involve and formally report to appropriate individuals immediately;
- Stay calm; and
- Reassure them that they have done the right thing in telling and that it will be dealt with appropriately.

Never

- Question unless for clarification;
- Make promises you cannot keep;
- Rush into actions that may be inappropriate;
- Make or pass a judgment on the person making the disclosure or on the alleged abuser; and
- Take sole responsibility. Instead, consult the Designated Officer so you can begin to protect the person and gain support for yourself.

Whistle Blowing

Most museums, if not all, will have a policy in place which allows staff members to report on other staff members' behaviour about which they have concerns. This is commonly called a 'whistle blowing' policy and is usually associated with breeches of adopted codes, or personnel matters such as harassment, and financial irregularities. Such policies not only set out the procedures for reporting concerns, but emphasise the duty of staff to report malpractice, and stress that their confidentiality will be protected. On this last point The Public Interest Disclosure (NI) Order 1998 is commonly cited.

It is recommended that such a policy is purposeful and specific in stating that it encompasses matters relating to the protection of children and vulnerable adults.

Safeguarding and Recruitment

Robust recruitment processes are seen as a primary means of enhancing the protection of children and vulnerable adults. In pursuit of this it is recommended that your museum:

- Provides job descriptions for posts giving details of the role to be undertaken, and the experience, qualifications and other requirements of the post;
- Ensure that any person applying for a post working with children or vulnerable adults completes an application form;
- Interview the individual either formally or informally by two senior management/Board/Committee members for the purpose of assessing the individual's experience of working with children and knowledge of safeguarding issues, their commitment to promoting good practice and their ability to communicate with others;
- Verify qualifications, experience and any gaps in employment;
- Obtain at least two references in writing for the person you wish to appoint, perhaps asking the referee to make comment on the applicant's suitability bearing in mind the needs of your safeguarding policy;
- Obtain assurances on the identification of the person recruited, which may include asking recruits to provide a written declaration on whether or not they have previous convictions;
- Obtain an Access NI check on all new recruits working or volunteering in regulated positions/care positions (see Appendix V).
- From October 2009 new recruits are required to register with the Independent Safeguarding Authority under new vetting and barring arrangements in place across England, Wales and Northern Ireland.
- Set a probationary period (usually 3 - 6 months);
- Ensure all new staff members and volunteers go through an induction process as soon as possible so that they are familiar with your policies and procedures and the responsibilities of the post;
- Ask each new staff member and volunteer to sign your Safeguarding Code of Conduct and give an indication as to when they will receive associated training.

Communication, Monitoring and Keeping Up to Date

It is highly advisable that you formally communicate your museum's Safeguarding Policy, the Code of Conduct and the associated Procedures to all of your staff, volunteers and Board members. This may be done as part of the recruitment and induction processes, within the context of staff training generally or as part of an individual's Continuous Professional Development or annual appraisal. You might want to consider publishing these documents on your web site, or taking specific steps to ensure that the policy is communicated directly to the public, particularly parents, children, young people and carers.

Similarly, it is recommended that the associated policy and procedures are reviewed at appropriate intervals by the museum's governing body, or at such times when adjustments are required due to changes in legislation and general guidance.

Keeping up to date can be difficult, but the following web sites will help you keep abreast of changes in the law and in associated protection practice.

<http://www.statutelaw.gov.uk/NewLegislation.aspx>

http://www.nspcc.org.uk/Inform/policyandpublicaffairs/NorthernIreland/guidance/guidance_wda61700.html

<http://www.dhsspsni.gov.uk/index/hss/svg.htm>

Museums receiving grant assistance from NIMC

All museums which are recognised under the Museum Accreditation Scheme, and hence eligible for funding from the Northern Ireland Museums Council, are required to have a Safeguarding Policy in place and associated procedures in operation. NIMC requires grant applicants to declare that they have adopted such a policy, to supply the Council with a copy of the version currently in operation. The Council strongly advises that your museum regularly reviews and updates policies and procedures in light of developments in practice and the legislation relating to protection issues.

Further Advice and Guidance

There are a range of organisations focused upon the protection of children and vulnerable adults which are more than willing to provide advice and guidance. A sample list of such bodies and their contact details is provided at Appendix VI

In addition, the following three sites provide a useful overview of the full range of matters linked to the protection and safeguarding of children and vulnerable adult

- The Children's NI Order 1995 www.opsi.gov.uk/si/si1995/UKsi_19950755_en_1.htm#tcon
- The policy for child protection contained in the Co-operating to Safeguard Children DHSSPS May 2003

www.dhsspsni.gov.uk/show_publications?txtid=14022

- The Standards for Child Protection Services 2008

www.dhsspsni.gov.uk/standards_for_child_protection_services.pdf

Legislation and Guidance

Legislation

There is a range of conventions, statutes and strategies concerned with the safeguarding of children and vulnerable adults. This appendix outlines the most significant of these, but a good overview of all of the associated legislation can be found at www.dhsspsni.gov.uk/child-care-law-roughguide.pdf

United Nations Convention on the Right's of the Child

The UN Convention on the Rights of the Child was adopted in 1989 and ratified by the United Kingdom in 1991, and in the Republic of Ireland in 1992. It contains over 40 articles that state the values concerning the treatment of children. Of particular significance are:

Article 2	the equality of all children
Article 3	the best interests' principle
Article 6	the child's right to survival and development
Article 12	requires that children have a right to express their views and for those views to be respected
Article 19	the right to protection

Since its adoption, this Convention underpins all of the associated United Kingdom legislation including the Children (NI) Order 1995.

Children (NI) Order 1995

This statute has had a wide ranging impact on the relationship of children to their families, and the relationship of children to the State in terms of services and child protection.

The Order establishes five cornerstone principles of good practice:

- **Paramountcy** - The welfare of the child shall be the paramount consideration in any decision made.
- **Parental Responsibility** - Parents have responsibilities towards their children rather than rights over them. A wider range of people can now have parental responsibility.
- **Prevention** - Preventing children from being abused and supporting them to promote their health and welfare.
- **Partnership** - The best way of meeting children's needs is to work with parents and carers, and for agencies to work together.
- **Protection** - Duty to investigate where a child is at risk of significant harm because of a lack of care or actual abuse.

The Order redefines what were previously called 'parental rights' over children. It widens the scope of this responsibility so that carers (such as grandparents, aunts, or local social services) are now able to acquire the equivalent of parental responsibility. And it sets the legal context for the state to intervene to protect children from significant harm.

The Criminal Law Act (NI) 1967

Section 5 of the Act outlines the responsibility of any citizen to report to the police an arrestable offence, the scope of which includes child abuse.

Sexual Offences Act 2003

Part 2 of the Act applies to Northern Ireland and, as amended, sets out the notification requirements for sex offenders. These are augmented by new public protection arrangements as set out in the Secretary of State's guidance given under article 50 of the Criminal Justice Order. The Public Protection Arrangements (Northern Ireland) were established on 1st October 2008 are supplemented by guidance published by the DHSSPS under HSC Circular 3/96 (revised) Sharing to Safeguard. See http://www.dhsspsni.gov.uk/circ_3_96_sharing_to_safeguard_final_version.pdf

The Protection of Children and Vulnerable Adults (NI) Order 2003

The Protection of Children and Vulnerable Adults (NI) Order (POCVA) came into force in April 2005. It substantially strengthens the safeguards for children and vulnerable adults by preventing unsuitable people working with them in a paid or voluntary capacity. Organisations are required to refer (to the DHSSPS) individuals who harm or have placed a child or vulnerable adult at risk of harm for consideration for inclusion on the DHSSPS disqualification lists. Listed individuals are disqualified from working with children and/or vulnerable adults and any such individuals will be deemed to have committed an offence if they apply for, offer to do, accept or do any work, either paid or unpaid, in a childcare position or care position with vulnerable adults. Anyone who knowingly offers, employs, or procures work for a disqualified person in such caring positions or fails to remove them from such positions will also be deemed to have committed an offence. Disqualified individuals have the right of appeal to the independent Care Tribunal.

Under POCVA, the positions for those wishing to work with children that require vetting checks include children's homes, children's hospitals, schools, further education centres, as well as sports clubs, faith organisations and the like. In short it covers all organisations that employ individuals to care for, train, advise, counsel, supervise or are in sole charge of children, and includes the supervisors/managers of such individuals.

Within this statute a vulnerable adult is defined as an adult to whom accommodation and nursing or personal care are provided in a residential care home/nursing home or where personal care is provided in the adult's own home. Those employing individuals to work with children and/or vulnerable adults are required to ascertain whether they are included in the DHSSPS disqualification lists. Requests to vet also include a PSNI criminal records check. POCVA complements each agency's own child protection measures and all agencies entrusted with the care of children need to have robust recruitment and staff selection procedures, which are enhanced after appointment by appropriate training, supervision and appraisal processes.

Sexual Offences (NI) Order 2008

The Sexual Offences Order which came into effect in January 2009 creates a number of new offences and increased tariffs for those who harm children.

Safeguarding Vulnerable Groups (NI) Order 2008

A new vetting and barring scheme (VBS) will be established under this Order and through equivalent legislation in England and Wales (The Safeguarding Vulnerable Groups Act 2006). The aim of the VBS, which started in October 2009, is to reduce the risk of unsuitable individuals getting access to children and vulnerable adults through employment of taking up voluntary positions.

Guidance

Our Duty to Care

The original DHSSPS 'Our Duty to Care' guidelines were produced in 1995. They have been well-received by a wide range of voluntary and community organisations, and are recognised as a good basis for developing child protection policies, procedures and good practice.

www.dhsspsni.gov.uk/safer_orgs_children.pdf

This revised edition was in response to changes in legislation and to developments in good practice up to 2007. It provides information and more detailed guidelines to ensure that those organisations working with children and young people continue to meet three very important objectives:

- Ensuring that children's safety is paramount;
- Creating the right atmosphere for rewarding and enjoyable experiences;
- Increasing the peace of mind for all concerned.

Getting It Right: Standards of Practice for the protection of Children and Young People

This document, available through the Volunteer Development Agency, builds on the guidance for Our Duty to Care and is intended to help organisations to meet recognised and agreed minimum standards for child protection and will guide organisations towards improving their practice where necessary. The standards are:

- Recruitment
- Effective Management of Staff and Volunteers
- Reporting Concerns;
- Code of Behaviour;
- Sharing Information;
- General Safety and Management of Activities;

[www.volunteering-ni.org/what_we__do/publications/#Child Protection](http://www.volunteering-ni.org/what_we__do/publications/#Child%20Protection)

The 10 Year Strategy for Children and Young People

In June 2006, the Office of the First and Deputy First Ministers' Children and Young People's Unit published the cross-departmental 10 year strategy for children and young people in Northern Ireland. This aims to ensure that all children and young people are "fulfilling their potential" by 2016 and that "...all children and young people living in Northern Ireland will thrive and look forward with confidence to the future"

Copies of this strategy, and the associated action plan, are available at

<http://www.ofmdfmni.gov.uk/index/equality/children-young-people/children-and-young-people-strategy.htm>

Appendix II

Roles and Responsibilities of a Designated Officer

The Designated Officer is responsible for acting as a source of advice and guidance on child protection matters, for coordinating action within the organisation and liaising with the DHSSPS and other agencies such as the police, about suspected or actual cases of abuse.

- The role of the Designated Officer is to:
- Promote awareness of the child protection policy
- Advise staff on best practice regarding the policy
- Advise on and co-ordinate the training within the organisation
- Act as the contact point for the relevant authorities
- Agree the procedures on reporting incidents
- Keep records of incidents and reports, together with other relevant information
- Report incidents to the statutory authorities
- Ensure that full records are kept of each individual case reported
- Keep the governing body and senior management informed of all actions undertaken

The Designated Officer should not be responsible for investigating or validating any protection matters and has no counselling role.

Appendix III

Recognition of Abuse

What is Abuse?

Child Abuse is defined in *Co-operating to Safeguard Children* (published by the DHSSPS) as falling into the following four categories:

Physical: Physical abuse is the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

Neglect: Neglect is the persistent failure to meet a child's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive (faltering growth).

Sexual: Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or the production of pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Emotional: Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Smothering a child's development through over-protection can also be a form of abuse. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose children to emotional abuse.

It is recognised that abuse may be peer to peer, and two elements are worthy of note in this regard:

Bullying - This has been defined as deliberately hurtful behaviour usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or sectarian remarks, threats, name-calling) and emotional (e.g. isolating an individual from the activities and social acceptance of his peer group). The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm).

Young People who display Sexually harmful Behaviour - It is estimated that children and young people are responsible for about 1/3 of all sexual abuse against children (Grubin 1998, The Research Team 1990). This may be an under estimate due to low rates of reporting and even lower prosecution rates. Any effort to prevent child sexual abuse must address the problem of young people who display sexually harmful behaviour.

Appendix IV

Protecting young people with disabilities

The safeguards put in place for those with disability should be the same as those for other children. However, not every child with a disability is vulnerable in every situation and certain factors may mean that children with a disability are more vulnerable and could therefore be more open to abuse. The following list examines some of the reasons why children with a disability may be more vulnerable:

Historically, children with a disability have been encouraged to comply with other people's wishes, for example, in residential homes and hospitals; this has meant they are more vulnerable to be bribed and manipulated.

Limited life experiences and social contacts may mean that many young people with disabilities have not had the same opportunities to acquire the social skills that non-disabled peers have had to assess the behaviour and attitudes of other people. This could also lead to them being unable to understand what appropriate or inappropriate adult or peer behaviour is.

Individuals with dependency and support needs may have found that it is easier to be pleasing and compliant than challenge those caring for them because of the consequences. Any challenge or complaint could lead to more abusive practice or retribution.

Continuing dependency on others may make some people feel powerless.

Communication difficulties, including the inability to speak or not having the vocabulary to describe what has occurred, may make it harder for some to complain or be understood.

Individuals requiring intimate care could be in an increased vulnerable situation, especially if they have to rely on a number of different carers to support their needs.

The general thought that a young person with a disability are not abused may make it difficult for them to be believed if they report an incident.

Intrusion into body space for physical and medical care can lead to young people with a disability never developing ownership of their own bodies.

Some disabilities may mean that an adult's emotional and developmental age is less than their chronological age.

Appendix V

Guidance on vetting systems

AccessNI

AccessNI is a joint programme between the Northern Ireland Office, the Department of Health, Social Services and Public Safety, the Department of Education and the Police Service of Northern Ireland. It enables organisations in Northern Ireland to make more informed recruitment decisions by providing criminal history information about anyone seeking paid or unpaid work in certain defined areas, such as working with children or vulnerable adults.

As such it should be used as part of an organisations overall recruitment policy. While it offers a centralised means of checking the suitability of an individual seeking work with children, and probably has a deterrent effect, it is not a foolproof guarantee of suitability. Consequently, AccessNI should be used to complement an organisation's own safeguarding measures and all bodies entrusted with the care or training of children need to have robust recruitment and staff/volunteer selection procedures, which are enhanced after appointment by appropriate training, supervision and appraisal processes.

There are three levels of disclosure under AccessNI:

Basic Disclosure - An individual may apply for their own criminal record certificate which will disclose any unspent convictions recorded on police systems.

Standard Disclosure - An employer seeking to employ a person in the occupations listed in the Exceptions Order to the Rehabilitation of Offenders (NI) Order 1978, is eligible for a standard disclosure which contains details of both spent and unspent convictions.

Enhanced Disclosure - All 'regulated' (see below) positions under the Protection of Children and Vulnerable Adults (NI) Order 2003 will be subject to an enhanced disclosure. An enhanced disclosure provides the full criminal history and any relevant non-conviction information. All positions of those working or managing those working with children or vulnerable adults should be required to undertake an Enhanced check.

For further details on all of its services are available at www.accessni.gov.uk

Vetting and Barring Scheme

Following the Bichard Inquiry, the Safeguarding Vulnerable Groups Act 2006 and the Safeguarding Vulnerable Groups (NI) Order 2007 established a single agency to determine if individuals who want to work or volunteer with children, young people and vulnerable adults are suitable to do so. This is known as the Independent Safeguarding Authority (ISA).

From October 2009 a Vetting and Barring Scheme was introduced, delivered through the ISA. In Northern Ireland applications to the Scheme are processed through AccessNI.

Every person who wants to work or volunteer with children, young people or vulnerable adults must be registered with the ISA.

The ISA will hold a list of all those who are barred from working with children and young people and a separate list of those barred from working with vulnerable adults. These are called the Barred Lists and will replace the existing Disqualification from Working with Children (DWC) List, the Unsuitable Persons List (UP List) and the Disqualification from Working with Vulnerable Adults (DWVA) List, as well as the current system of Disqualification Orders established under POCVA.

If ISA registration is withdrawn as a result of barring, any employer/organisation that has registered an interest in the individual will be informed immediately. Organisations will also be able to carry out free on-line checks of ISA registration on those they are intending to employ/involve in volunteering.

Costs

The cost for registering with the ISA Scheme will be £58 per person (this includes the cost of enhanced disclosure).

This fee covers: the

- the application and registration processes;
- the online checking system; and
- the continuous monitoring and updating of individuals' status.

However, there is no charge in respect of qualifying volunteers. AccessNI has defined a volunteer as anyone who gives their time in a position in a non-profit organisation, free of charge, doing something for the good of the community or a voluntary group (for which they may get travelling and other out-of-pocket expenses) and which is not for their own benefit or for the benefit of a close relative.

Exclusions to this policy i.e. volunteers who must be paid for:

- where the person is volunteering directly for a Statutory organisation; or
- where the person is volunteering for a non-profit organisation in a position which delivers statutory services under contract or in a specific project, for which that organisation has received funding from the government which includes provision covering the costs of disclosures for volunteers.

Implementation

On 26th July 2010 the Independent Safeguarding Authority registration phase of the Vetting and Barring Scheme was due to go 'live'. However, this has been halted whilst the coalition government undertakes a review of the scheme. As a result, no one will be able to register with the ISA until further notice from the government.

Organisations are still legally obliged to refer information to the ISA if they have removed an individual from 'regulated' activity because they have harmed or there is a risk of harm to a member of a vulnerable group.

An organisation must not *knowingly* employ a barred person in a regulated activity.

The two new barred lists will continue to be administered by the ISA and can be checked through an enhanced AccessNI disclosure. Indeed the existing AccessNI requirements and eligibility criteria remain current.

A new AccessNI Application Form is now available through its web site, although the sections relating to the ISA are no longer a mandatory requirement. This form has been in use since 26th July 2010, with applications on the older form now no longer being accepted by AccessNI.

Further information on the Vetting and Barring Scheme, including the definitions of 'regulated' and 'controlled' activity is available at http://www.accessni.gov.uk/vbs_guidance_ed1_2010_1_.pdf

Appendix VI

Useful Contact Details

ACE (Advisory Centre for Education) Advice on bullying	www.ace-ed.org.uk Helpline 0808 800 5793
Anti-bullying Alliance	www.antibullyingalliance.org
Behaviour Management	www.parenting-ed.org
Bullying Good advice for children on bullying is outlined here - how to recognise it, and what to do if you are the victim or know of someone who is. For those unwilling to tell anybody, help is available on the site via email.	www.bullying.co.uk
Child Exploitation Online Protection	www.ceop.gov.uk
Child Protection in Sport Unit (CPSU) Newsletter email "subscribe" to cpsu@nspcc.org.uk	pstephenson@nspcc.org.uk www.thecpsu.org.uk 028 90351135
Childline Northern Ireland Got a problem? Childline has helped hundreds of thousands of children in trouble or danger. If you feel you can't face ringing them, check out their website. There are fact sheets on many subjects including bullying.	www.childline.org.uk Helpline 0800 11 11 1st Floor, Queens House , 14 Queen Street, Belfast BT1 6ED. Tel: 0870 336 2945
Children's Law Centre	www.childrenslawacentre.org Philips House, York St, Belfast, BT15 1AB CHALKY Helpline 0808 808 5678
Counselling for young people	www.contactyouth.org
Department Of Culture Arts and Leisure	www.dcalni.gov.uk
Domestic Violence	www.womensaid.org.uk
Drugs and alcohol	www.contactyouth.org
Health	www.kidsallergies.co.uk
Health and Social Care Trust Gateway Teams Belfast HSC Trust Gateway Team Northern HSC Trust Gateway Team South-Eastern HSC Trust Gateway Team Southern HSC Trust Gateway Team Western HSC Trust Gateway Team Out of Hours Contact There will be a recorded message at each of the above numbers which will provide Emergency Out of Hours numbers.	028 90507000 0300 1234333 0300 1000300 08007837745 028 71314090
Internet Safety	www.iwf.org.uk

Kidscape Open Monday to Friday between 10am and 4pm. Nearly everyone is bullied at some time in their lives according to this charity. It offers information and support to young people and their parents.	www.kidscape.org.uk 020 7730 3300
National Children's Bureau	www.ncb.org.uk
NI Anti-Bullying Forum	www.niabf.org.uk
NI Commissioner for Children & Young People	www.niccy.org
NSPCC Child Protection Helpline	www.nspcc.org.uk Helpline 0808 800 5000
Parentline Plus Advice for parents on supporting a child who is being bullied.	www.parentlineplus.org.uk Freephone 0808 800 2222
Parents Advice Centre Parenting Education Project, Parenting Forum NI and The Men's Project -	www.parentsadvicecentre.org Freephone 0808 8010 722
Parents Centre	www.parentscentre.gov.uk
Special Education Needs	www.throughtheroof.org
Sport Northern Ireland	www.sportni.net Tel: 028 90381222
Suicide and self-harm	www.pipsproject.com www.samaritans.org
Volunteer Now 028 90236100	For further information on developing Safeguarding policy and procedures are provided in the documents Our Duty to Care and Getting it Right available at www.volunteernow.co.uk

Northern Ireland Office of the Commissioner for Children and Young People (NICCY)



patricia lewsley-mooney
commissioner

Safeguarding Children Unit
Department of Education
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT
London

11 July 2012
Our ref: 12/PD/PLM/064

Dear Sir / Madam

Consultation on statutory guidance in relation to supervision

The Northern Ireland Office of the Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland. Vetting and barring regimes are a key part of arrangements to protect children and young people from abuse by seeking to ensure that adults who pose a risk to children are not placed in roles, paid or voluntary, which enable them to establish relationships of trust which may be exploited.

The UK Government as a signatory to the United Nations Convention on the Rights of the Child should ensure that the general principles of the Convention, including the child's best interests and right to life and fullest level of development, are reflected in the provisions of the guidance. It is also important that Government remains mindful of its particular obligation under article 19 of the Convention to take all legislative, administrative, social and educational measures to protect children and young people from all forms of violence, abuse, maltreatment or exploitation.

NICCY's enclosed May 2011 submission to the Public Bill Committee on the Protection of Freedoms Bill highlighted a number of areas where proposals would dilute protections afforded to children and young people. For example, the paper notes concern that the new arrangements remove activities, such as the provision of legal advice, from the scope and will in practice distinguish between paid and unpaid work with those in unpaid roles being subject to a lower standard of disclosure and barring.



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Therefore while the development of statutory guidance is welcome, NICCY remains concerned that this will not provide effective safeguards against the limitations of the legislation. For instance, NICCY is not aware of evidence which demonstrates that children are less likely to be at risk from volunteers than paid staff. Consequently, the guidance must ensure the highest standard of practice in the recruitment and management of staff and volunteers who are placed in positions of trust with children and young people.

Comments on the draft statutory guidance

The introductory sections of the document should set out that the starting point of the guidance is to protect the rights and best interests of children and young people. These sections should reflect a balanced tone and note the importance of guidance reflecting an evidence based approach to vetting and barring arrangements which draws on appropriate research and expertise.

The duty that supervision must be reasonable and take place on a regular basis should be accompanied by further detail and direction. The document should provide a robust definition of supervision, as advocated by organisations from the Sport and Recreation Alliance and Child Protection in Sport Unit and the NSPCC which state that supervision should be close and constant and regular and direct.¹

In noting that the level of supervision may vary on a case by case basis, the guidance must acknowledge that the circumstances listed as influencing this, such as the age of children, do not in themselves simply provide a basis for lowering the protection offered. For example, NICCY had considerable concern at the original intention of the UK Government to exclude 16 and 17 year olds from the scope of arrangements who, as demonstrated in recent research and legal proceedings in connection with sexual exploitation, remain vulnerable to abuse.² The guidance should support organisations and employers to undertake structured and evidence based decision making in determining appropriate levels of supervision.

NICCY is not of the view that allowing but not requiring an enhanced check for supervised volunteers is appropriate and remains concerned that barred list checks for such positions will not be permitted. It is important to also draw attention to concerns that while, as highlighted in one of the consultation examples, barred lists checks will

¹ <http://www.publications.parliament.uk/pa/cm201011/cmpublic/protection/memo/pf60.htm>

² http://www.barnardos.org.uk/13932_not_a_world_away_full_report.pdf

<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmhaff/uc182-i/uc18201.htm>

be required for unsupervised volunteers in regulated activity, enhanced criminal records checks will not. In seeking to ensure that vetting and barring arrangements operate effectively it is important that all relevant information, including information available to the Criminal Records Bureau or AccessNI and the Independent Safeguarding Authority and new Disclosure and Barring Service, can be shared by all agencies. This includes ensuring that enhanced criminal records and barred list status checks are required for regulated activity.

As noted in the enclosed submission to the Northern Ireland Department of Justice, NICCY has called on Northern Ireland Ministers to make sure that, where it is necessary to effectively protect children, arrangements in Northern Ireland operate to a higher standard than those required in England and Wales. The information booklet for Northern Ireland "Changes to disclosure and barring: What you need to know" states that enhanced checks for work outside regulated activity "do not generally include" barred list information. NICCY requests clarification as to the circumstances where AccessNI may provide this information for roles outside regulated activity.

Please do not hesitate to contact my office if you would like any further information.

Yours sincerely

A handwritten signature in black ink, reading "Patricia Lewsley-Mooney". The signature is written in a cursive, flowing style.

Patricia Lewsley-Mooney
Commissioner for Children and Young People
Encs



patricia lewsley-mooney
commissioner

Criminal Records Review Implementation Team
Causeway
6th Floor, Millennium House
Belfast
BT2 7AQ

10 August 2012

Dear Sir / Madam

Consultation on Part Two and Recommendations 9 and 10 from Part One of the Criminal Records Regime Review

The Northern Ireland office of the Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland. Vetting and barring arrangements, including the criminal records regime, are a key part of measures to protect children and young people from abuse by seeking to ensure that those who pose a risk to children are not placed in roles, paid or voluntary, which enable them to establish relationships of trust which may be exploited.

The UK Government as a signatory to the United Nations Convention on the Rights of the Child should ensure that the general principles of the Convention, including the child's best interests and right to life and fullest level of development, are reflected in the Review. It is also important that Government remains mindful of its particular obligation under article 19 of the Convention to take all legislative, administrative, social and educational measures to protect children and young people from all forms of violence, abuse, maltreatment or exploitation.

NICCY has engaged extensively in legislative and policy debates concerning the review of vetting and barring arrangements by the Northern Ireland Executive and the UK Government and our previous evidence papers and responses have been enclosed. Earlier submissions noted concerns that the fragmented nature of these developments in Northern Ireland does not support an integrated assessment of the implications of proposals. NICCY has also stated that the Department and the Executive should ensure that, where it is necessary to effectively protect children,



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arrangements in Northern Ireland should operate to a higher standard than that required by the Protection of Freedoms Act (2012).

This response is not intended to be comprehensive but instead highlights key concerns and should be considered in the conjunction with the previous papers enclosed.

Comments on recommendations not subject to consultation

It is helpful that the Department has produced an outcome paper on Part One of the Review. While acknowledging that the Executive is mindful of forthcoming changes associated with the Review and the Protection of Freedoms Act (2012), NICCY would note concern that no timeline has been given for conducting retrospective checks identified as necessary by Sunita Mason and requests further information on this.

In relation to the Part One consultation we welcome the commitment to ensuring that checks will not be issued after 60 days if they contain incomplete information due to the public protection implications of this.

NICCY welcomes the acceptance of the Mason recommendation that information from Northern Ireland will be routinely updated on the Police National Computer (PNC) and observes that this should be implemented as soon as possible.

We also welcome the acceptance, in principle, to enhance cross border working between PSNI and An Garda Síochána and information sharing on an EU wide basis and request details of work that is being undertaken in relation to this.

NICCY is concerned that the decision to review recordable and non recordable offences has been deferred. The Mason recommendation that criminal records should only contain details of recordable criminal offences where an individual has been convicted (or received a caution, informed warning or diversionary youth conference which has not yet been stepped down) is based on the principle that recordable offences will be reviewed to ensure that all public protection or safeguarding related offences are included. We request that the Department set out the timeline for the review of offences and the relationship between this and other developments such as the establishment of a filtering mechanism for old and minor offences.

Retention of data for 100 years

In considering the retention of data, a timeline of 100 years from an individual's date of birth appears to be reasonable. It is however important that the Department ensures

that significant information cannot be deleted over the lifetime of an individual and that consideration is given to whether the introduction of a timeline will impact adversely on related work such as historical inquiries and research.

Working definition of a criminal record; cautions, informed warnings and other diversionary disposals and filtering of old and minor convictions

As discussed in our previous submissions, NICCY is of the view that the disclosure of relevant non conviction information and police intelligence including cautions, informed warnings and diversionary youth conferences is an important aspect of criminal records checks for individuals who will be placed in positions of trust with children and young people. Indeed, we have expressed concern that from April 2011 AccessNI has not been disclosing details of non conviction information held on the Northern Ireland Criminal History Database although this information is provided where it is documented on the PNC. Sunita Mason assessed this change in practice as having public protection implications and noted that among the 31,000 cautions and other diversionary disposals in the Northern Ireland database around 4,000 cautions could be described as relating to sexual offences.¹

In raising this issue, NICCY would observe that we welcome the concern expressed in the consultation that care should be taken to ensure that the disclosure of non conviction information in relation to young people does not have a disproportionate impact on their access to employment and their wider life chances. The Review provides an opportunity to reinforce that safeguarding must remain the primary concern of the records regime while also making sure that the disclosure of non conviction information is proportionate. For example, criminal records checks and related guidance and information should differentiate between conviction and non conviction information and non conviction information should be disclosed where it is considered relevant to safeguarding and public protection concerns. Indeed, the development of a new statutory Code of Practice should further address these issues.

This approach to disclosure also reflects the ethos of the Council of Europe recommendation that while efforts should be made in relation to the non disclosure of young people's criminal records for employment purposes, exceptions should apply where required by the nature of employment.² It is important to recognise that

¹ Mason S. (2011) A Managed Approach, A Review of the Criminal Records Regime in Northern Ireland, (Belfast: Dal).

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safeguarding concerns will constitute exceptions in this case and in other areas, seen for instance in the processing of checks for young people under the age of 16 in relation to home based activities such as fostering, adoption and childminding. NICCY is of the view that the proportionate disclosure of relevant non conviction information regarding young people for safeguarding and public protection purposes is not incompatible with the principles set out in the Review of the Youth Justice System.

In commenting on the disclosure of non conviction information, it is of particular importance that young people are able to make informed choices when accepting diversionary disposals and are fully aware that the disposal, while being subject to the step down policy, may be disclosed on a criminal records check. While NICCY acknowledges that figures indicate that less than 0.08% of records checks are amended following challenges to information, the development of accessible information regarding the records regime and the process through which data can be challenged is welcome.

In relation to the disclosure of information we also note that consideration must be given to ensuring that, where it is required by professional and regulatory bodies such as the Nursing and Midwifery Council, appropriate and relevant information for registration and fitness to practice purposes should be available. This example also illustrates the importance of consistent arrangements operating across UK due to both the movement of students and professionals, such as teachers, nurses and sports coaches across jurisdictions and the UK wide remit of many professional bodies.

In considering the development of a filtering mechanism for old and minor offences it is important that this is examined alongside the current step down arrangements and application of the Rehabilitation of Offenders Order 1978 in relation to non conviction information. NICCY has previously noted support for the principle of filtering old and minor offences from disclosure where they are not relevant to the position the records check is concerned with. We note that the development of proposals must ensure that filtering operates in accordance with the legislative framework, the statutory Code of Practice as this develops and current provisions for the police to disclose relevant information. The proposals should give special consideration to the application of filtering offences in relation to disclosure of young people's criminal records for employment purposes and the application of filtering in relation to conflict related offences.

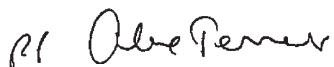
Proposals regarding the filtering of offences must contain robust safeguards to ensure that public protection concerns are not compromised and that effective processes are in place to respond to issues such as repeat offences. The arrangements should also recognise that there will be offences which due to their nature should always be disclosed.

NICCY acknowledges the sensitivity and complexity of these areas and notes that the Department may find it useful to engage in further dialogue with interested agencies to discuss in particular the disclosure of non conviction information and police intelligence, the filtering of old and minor offences and the review of recordable offences. It is important that an integrated and consistent approach is taken to considering these related areas and we request that the office is made aware of any further engagement on these matters.

Finally, NICCY would note that the Department must ensure that any additional measures that are put in place to secure the effectiveness of the criminal records regime do not result in inappropriate changes to the financial cost of records checks.

Please do not hesitate to contact my office if you would like any further information.

Yours sincerely



Patricia Lewsley-Mooney
Commissioner for Children and Young People

Encs



patricia lewsley-mooney
commissioner

Criminal Records Review Implementation Team
Causeway
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10 August 2012

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This approach to disclosure also reflects the ethos of the Council of Europe recommendation that while efforts should be made in relation to the non disclosure of young people's criminal records for employment purposes, exceptions should apply where required by the nature of employment.² It is important to recognise that

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Northern Ireland Theatre Association (NITA)



Investigation into Gaps in Child Protection and Safeguarding Across the CAL remit

Northern Ireland Theatre Association (NITA) Submission

1. Northern Ireland Theatre Association (NITA)

1.1 Who we are

1.1.1 NITA is the representative body for professional theatre in Northern Ireland.

1.1.2 NITA:

- Promotes Northern Irish theatre on a local, national and international scale on behalf of its members;
- Delivers tailored training;
- Collects and disseminates sector-specific information;
- Supports and facilitates networking amongst performing arts professionals;
- Facilitates informed lobbying and advocacy.

1.1.3 NITA's activities are designed to build capacity and strengthen professional theatre infrastructure across Northern Ireland.

1.1.4 NITA's extensive membership, drawn from across Northern Ireland, includes:

- **Independent theatre companies** such as Big Telly Theatre Company in Portstewart and Prime Cut in Belfast;
- **Regional venues** such as the Ardhoven in Enniskillen and the Market Place in Armagh as well as flagship theatres such as the Lyric and the Grand Opera House;
- **Northern Irish theatre festivals** such as the Belfast Children's Festival;
- **Individual members** including freelance designers and drama students from University of Ulster, Queens University Belfast and Belfast Metropolitan College.

2. Introduction to Child Protection and Safeguarding in the Performing Arts

2.1 Involving children (defined in law as anyone under 18) and vulnerable adults with the performing arts is generally recognised as rewarding and worthwhile.

2.2 Many NITA members:

- Bring children/ vulnerable adults into theatres
- Take drama to children/vulnerable adults in schools and in a host of other locations.
- Conduct drama workshops with children and vulnerable adults.
- Use child/ vulnerable adult performers.

- 2.3 Children and vulnerable adults are offered protection by the law in many areas, including interaction with performing arts companies. It is important for groups working with children, young people or vulnerable adults to ensure that they are aware of the responsibilities placed on them, both by specific legislation and the common law duty of care.
- 2.4 An organisation's Management Committee/ Trustees is ultimately responsible for ensuring that these obligations are met. They are expected to find out what the relevant law is, how it applies to their organisation, comply with it where appropriate, and adopt best practice as far as possible. The obligations placed on organisations are designed to ensure that they:
- a) recruit suitable people to care for vulnerable persons; and
 - b) operate on the basis of good practice policies and procedures in order to minimise the risk of harm to those in their care.
- 2.5 Policies and procedures used within the performing arts community in Northern Ireland are subject to variation, reflecting the work that an organisation conducts. For example, groups working directly with young people and vulnerable adults on a regular basis (e.g. Replay Theatre Company, Big Telly Theatre Company, The Lyric) have extremely detailed policies and procedures in place and work closely to best practice guidelines. Other companies, who work with children/ vulnerable adults in an irregular ad hoc basis, may have less detailed child protection and safeguarding policies and procedures.
- 2.6 For the purposes of this CAL investigation we will briefly outline the various organisations that provide information, advice and training in relation to child protection and safeguarding that many of our members use in relation to a performing arts context.

3. Information on Legal Requirements

- 3.1 Legislation in relation to child protection can be found on the HMSO website www.hmsso.gov.uk and the DHSSPSNI website <http://www.dhsspsni.gov.uk>. Such legalisation is also cited by organisations in the UK and NI who offer advice in relation to the creation and implementation of child protection and safeguarding policies and strategies.

4. Information, advice and training in relation to implementing legal requirements and best practice

- 4.1 Performing arts organisation can seek information, advice and training in relation to what their legal requirements are and how to fulfil their obligations from a number of different bodies, including:

- Arts Council of Northern Ireland www.artscouncil-ni.org
- Access NI www.accessni.gov.uk
- Department of Health, Social Services and Public Safety NI, www.dhsspsni.gov.uk
- NICVA www.nicva.org
- DIY Committee Guide www.diycommittee.org
- Volunteer Now www.volunteernow.co.uk
- The Charity Commission of Northern Ireland www.charitycommissionni.org.uk
- Disclosure and Barring Service www.homeoffice.gov.uk/agencies-public-bodies/dbs/
- Independent Theatre Council (ITC), www.itc-arts.org
- NSPCC www.nspcc.org.uk

4.2 Arts Council of Northern Ireland

- 4.2.1 The Arts Council of Northern Ireland (ACNI) is the lead development agency for the arts in Northern Ireland. ACNI, with the support of The Volunteer Development Agency, has developed

overarching child protection guidelines for use by organisations within the arts sector in Northern Ireland, outlining legislative and good practice guidelines for working with children.

4.2.2 Arts organisations are encouraged to take these guidelines and adapt them to suit their specific activities and organisational structure.

4.2.3 It is a requirement of ACNI funding conditions that an organisation intending to work with children and young people commits to a Child Protection Policy, namely that Arts Organisations:

“are committed to practice which protects children from harm. Staff, volunteers and artists in this organisation accept and recognise their responsibilities under the Children (NI) Order 1995, about safeguarding children, and will endeavour to carry these out by ”:

- Having an awareness of the issues which cause children harm;
- Adopting child protection guidelines for staff, leaders, volunteers and artists;
- Providing information about child protection and good practice to children, parents, staff, volunteers and artists;
- Sharing information about concerns with children, parents and others who need to know
- following carefully the procedures and recruitment and selection of helpers (staff, volunteers, artists) and the management of the group;
- Undertaking appropriate training;
- Keeping child protection policies under regular review; and
- Providing information as required to management committees/funders.

4.2.4 The Arts Council insists that all those in receipt of funding submit a copy of their Child Protection Policy (if applicable).

4.2.5 ACNI review their policy and guidelines at regular intervals, at least every three years, gaining further advice and information wherever possible and ensuring that those in the Arts sector review and update their policies and procedures in line with best practice and legislation relating to protection issues.

4.2.6 ACNI can advise organisations in relations to the creation of their children protection policies and advertises training events to clients who work with children and vulnerable adults.

4.2.7 The main documentation available in relation to Child protection and Safeguarding can be found below:

- Safeguarding Policy (PDF)
- Child Protection Best Practice Guidelines (PDF)
- Safeguarding Checklist (Word , Rich Text, PDF)

4.3 **AccessNI**

4.3.1 AccessNI is a Criminal History Disclosure Service within the Department of Justice in Northern Ireland. It's services can be used by individuals or organisations in situations where an employer requires a job applicant to supply criminal history information.

4.4 **Department of Health, Social Services and Public Safety NI**

4.4.1 The Department of Health, Social Services and Public Safety is one of 11 Northern Ireland Departments. Its mission is to improve the health and social well-being of the -people of Northern Ireland. On its website it has information for groups/organisations involved in working with children and vulnerable adults to help them make informed choices and guiding organisations to put proper child protection structures in place.

4.5 **NICVA**

- 4.5.1 NICVA, the Northern Ireland Council for Voluntary Action, is a membership and representative umbrella body for the voluntary and community sector in Northern Ireland. NICVA offers a range of services including advice in relation to governance, under which Child protection Policies and procedures fall. NIVA also signposts organisations that can provide more information of these areas through its website.

4.6 **DIY Committee Guide**

- 4.6.1 This site was originally developed in 2005 by the Volunteer Development Agency (now Volunteer Now) in partnership with 14 other organisations. It provides a central point of access to a wide range of practical, user-friendly resources developed by groups across the sector and beyond. This includes a help sheet on the protection of children and vulnerable Adults and sign pos ts to more information.

4.7 **Volunteer Now**

- 4.7.1 Volunteer Now provide training, information, guidance and support to volunteer-involving organisations on issues of good practice and policy regarding child protection and safeguarding vulnerable adults.

4.7.2 **Information**

Getting It Right - Standards of Practice for the Protection of Children and Young People

- 4.7.3 Getting It Right contains the minimum standards of good practice in safeguarding children and young people. These standards are recognised and endorsed by the Department of Health, Social Services and Public Safety as a tool for organisations to measure their practice and to support organisations to continually improve and update their safeguarding practice.
- 4.7.4 Getting It Right outlines 7 minimum standards, the key information needed to meet each standard, and signposting information on all areas of good practice in child protection and safeguarding.

Safeguarding Vulnerable Adults, A Shared Responsibility - Standards and Guidance for Good Practice in Safeguarding Vulnerable Adults

- 4.7.5 This publication contains the new standards and guidance for good practice in working with vulnerable adults. All organisations have a responsibility to ensure that their vulnerable service users are protected and this new publication helps organisations to do this through 8 sections each containing a standard and supporting guidance.

4.7.6 **Training**

- Keeping Children Safe
- Keeping Adults Safe
- Getting It Right - Standards for Child Protection
- Safeguarding Vulnerable Adults A Shared Responsibility
- SAaRIH (Safeguarding Adults at Risk Information Hub)

4.8 **The Charity Commission of Northern Ireland (CCNI)**

- 4.8.1 Although CCNI does not administer child protection legislation, it aims to increase public trust and confidence in charities and, as part of the registration process, it will always ask organisations working with children for:
- (a) information about the policies and procedures which they have in place for keeping children safe

and

- (b) disclosure of Access NI certificates in respect of trustees where the charity is legally entitled to obtain these

4.8.2 CCNI sign posts organisations to information in relation to child protection.

4.9 **Disclosure and Barring Service**

4.9.1 The primary role of the Disclosure and Barring Service (DBS) is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children. It offers information and advice in relation to this. The DBS was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

4.10 **Independent Theatre Council (ITC)**

4.10.1 The Independent Theatre Council is the management association and industry lead body for performing arts organisations and individuals working in the field of drama, dance, opera and music theatre, mime and physical theatre, circus, puppetry, street arts and mixed media.

4.10.2 ITC have advice and information on their website in relation to working with children in the performing arts. Documents include information on:

- Child Performers
- CRB Guidance: Best practice
- CRB Guidance: Identity checking
- CRB Guidance: Policies
- CRB Guidance: The process
- Drafting a Child Protection Policy

4.10.3 ITC also provides personal advice and guide to their members through their legal and Industrial Relations Manager.

4.11 **NSPCC**

4.11.1 The NSPCC provide information, research, advice and training in relation to child protection policies and procedures.

5. Conclusion

5.1 Many funding and support or regulatory bodies (e.g. Arts Council of Northern Ireland, Regional Councils, the Charity Commission of Northern Ireland) now insist that organisations they are funding/supporting have a written policy and procedures to ensure that all staff are aware of issues about protection of children and safeguarding and how to deal with these issues.

5.2 Organisations working with children and vulnerable adults in the performing arts sector, whether required to comply with funder/support body requirements or not, are aware of their responsibilities to have in place appropriate policies and procedures and to implement them accordingly. As we have listed, multiple sources of information and advice are available to organisations for developing such policies and procedures.

5.3 NITA members follow ACNI/Council and Access NI procedures for Child Protection and Safeguarding. Council funded venues use policies as developed by their council. ACNI, as our sector body, would be most other organisations first port of call for seeking information and advice in relation to developing such policies and procedures.

- 5.4 Organisations working directly with children and vulnerable adults on a regular basis normally have more advanced policies and procedures in place and will have consulted with a broader range of organisations and resources in developing these documents. This has led to organisations known for their work with children and vulnerable adults being asked to share their policies with other organisations within the sector, thus increasing levels of best practice.
- 5.5 Variation in policies and procedures is to be expected due to the different degrees that organisations work with children and vulnerable adults and due to the different forms of activities conducted with children and vulnerable adults.
- 5.6 NITA would be happy to provide case studies from within our membership of policies and procedures currently in operation in our sector.

Please find below links to two organisations policies from within our membership.

- Replay Theatre Company:
<http://www.replaytheatreco.org/perch/resources/2009-policy.pdf>
- The Lyric:
<http://www.lyrictheatre.co.uk/media/Child%20Protection%20Policy%20and%20Procedures%202011.pdf>

Police Service of Northern Ireland (PSNI)

Investigation into Consistency in Child Protection across the CAL Remit

PSNI Briefing

March 2013

Can I firstly thank you for the opportunity to provide evidence to this Committee re the extensive measures PSNI have in place to ensure that children and other vulnerable people are protected from those in society that would wish to do them harm.

Protecting and safeguarding our children is everyone's responsibility, however it is also one of the most important priorities of the police service. We robustly investigate all reports of abuse, either in person or as is more common now, in the online or virtual world where our children conduct so much of their lives. We carry out very detailed and complex enhanced checks for accessNI to ensure people who might do harm to children and other vulnerable persons do not gain access to them. Through PPANI we work with our partners to strictly manage registered sex and violent offenders living in the community and work to ensure they are unable to continue their offending either in person or online. Where they fail to comply with conditions imposed on them by the Courts we enforce these conditions and on many occasions they are returned to prison to serve the remainder of their sentences. Lastly and perhaps most importantly we work closely with our partners in other official agencies, private companies and the third sector to ensure that the threat posed to our children is reduced and our children and their carers know how they can protect themselves from these threats.

Whilst I appreciate your inquiry is specific to issues in relation to children in the sporting, arts and culture arena, we do not distinguish between sectors and I believe a general outline of the extensive child protection measures we provide may be of assistance. I will then attempt to deal with some of the more specific issues raised in the Terms of Reference.

We have established eight Public Protection Units (PPU's), one in each of our eight policing districts. A PPU is made up of 4 elements namely (1) the Child Abuse Investigation Unit, staffed by trained child abuse Detectives; (2) Missing and Vulnerable Persons Officers; (3) Domestic Abuse Officers; and finally (4) Management of Offenders officers. The PPU's deal with the vast majority of child protection related offences and protection issues. They have a heavy workload which is increasing partly due to the heightened awareness of child abuse through the Jimmy Saville abuse inquiry and more locally through historic cases being revealed through the ongoing Historical Institutional Abuse Inquiry. The nature of abuse is also changing and the increased use of technology by our children from very young ages opens up many positive opportunities for them to learn and communicate with their friends but it also makes them more vulnerable to abuse ranging from bullying through to serious online sexual abuse.

Serious sexual crimes such as sexual assault and rape committed against children by strangers, of which there are few, are dealt with by our Rape Crime Unit; major human exploitation of children is dealt with by our Organised Crime Branch; and major investigations of abusive images of children by our Child Protection Internet Team. We are also working with our partners to open a world leading Sexual assault referral centre SARC, which will ensure our investigations are to the highest standard but also that the facilities are conducive to minimising the trauma the medical examinations of these victims can induce.

We also have a Crime Prevention Branch which works closely with our partners to ensure that the best prevention advice is provided regarding all crimes including child protection issues. I know you have had a briefing from CEOP and they are world leaders in this field and the

resources that they have developed are excellent and freely available and I would commend their resources including the extensive “Think you know” website.

However, it is important to emphasise that child protection is not solely the role of our specialist units but rather it is a fundamental part of all police officers and police staff duties. Our local Community and Response Police officers play an important role from dealing with complaints of bullying to helping to manage offenders in the community and by providing information re online threats to school children.

It is also important to mention some of the more strategic partnerships we are engaged in to tackle these issues. One of the most significant strategic developments in promoting safeguarding in recent times has been the establishment of the Safeguarding Board for Northern Ireland (SBNI). This has brought together the expertise from a variety of bodies, including the police service, to co-ordinate efforts and adopt a common purpose to protect children. Assistant Chief Constable, Service Improvement Department, has leadership within PSNI for child protection issues and has taken up the PSNI's membership of the Safeguarding Board. We are working with SBNI at present to help address all aspects of child abuse but particularly the growing online threats.

The Public Protection arrangements Northern Ireland (PPANI) are also critical to our work and through this body we work with our partners, both official agencies and third sector bodies to manage the risk around sexual and violent offenders. We have a dedicated full time Public Protection Team comprising PSNI officers, Probation Board officials and Trust Social Workers. This team protects children and other vulnerable people by managing the highest risk offenders living in the community.

A vital strand in the protection of children is to ensure that potential offenders do not have access to children in circumstances where they can befriend them and build relationships that can then be abused.

As you will be aware PSNI Criminal Records Office works closely with accessNI to ensure effective vetting by providing enhanced checks.

AccessNI provides three levels of check;

- **Basic** - includes information on criminal convictions except those regarded as spent under the Rehabilitation of Offenders (NI) Order 1978;
- **Standard** - includes information on all criminal convictions including those regarded as spent under the Rehabilitation of Offenders (NI) Order 1978; and
- **Enhanced** - as for Standard plus any non-conviction information held by police that might be relevant and ought to be disclosed.

In the case of potential disclosure of information we have a complex and difficult process to follow which balances the rights of the applicant against the rights of the vulnerable persons they might be working with. Because of the high impact of these disclosures on individuals this is an area subject to regular Judicial Review and we continually develop our procedures to ensure an effective but fair process is in place.

Online child abuse has developed both in volume and nature over the past few years and we work closely with our colleagues in CEOP to ensure we can deal with the international aspects of this crime and that we are aware of the trends in this type of abuse and we are effective in dealing with what has become a global threat to children, carried out by criminals who reside in countries many thousands of miles away from their victims. We combat this threat through thorough investigation and promoting prevention messages.

There remains a gap in the knowledge of the victims of online abuse and as importantly in the knowledge of the carers of the victims. This is an issue we are actively addressing with our partners.

The Child Internet Protection Team have had 102 cases reported to them in the 2012/2013 financial year- predominately from CEOP and other UK wide services. This is an increase of 40% from the same period last year.

At present CIPT undertake all major internet sexual offending cases. This also includes live cases of grooming. Colleagues in PPU and Districts continue to investigate the less complex cases e.g. school age children taking photographs of themselves and incidents where indecent images have been found during investigation of other offences if they are of a less serious nature.

Our crime prevention unit are also proactive in providing support to the vulnerable. We recently worked in partnership with the Get safe online campaign and we recently brought the campaign and their promotional bus to Belfast. We are also working closely with CEOP and other organisations to ensure the growing online threat is addressed. However I am sure there is more that could be done to help our children protect themselves.

Bullying is also an important aspect of child protection as it can in extreme cases lead to very serious consequences for the victim. All reports of bullying against children and young people will in the first instance viewed as a potential criminal offence, and will be recorded and investigated accordingly. Full consideration will be given to a partnership response to the incident, involving other relevant and appropriate agencies who may be able to provide other support and intervention in respect of the victim and the situation, e.g. education, social services, youth services, or a voluntary or community based organisation. Police may become aware of instances of bullying from a variety of sources including schools, clubs and residential settings.

Bullying, including 'cyber bullying', may be defined as deliberately hurtful behaviour usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or sectarian remarks, threats, name-calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group). The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm).

Again the rapid developments in technology ensures this is a fluid situation where opportunities for learning also provide opportunities for abuse. Education re these issues is of paramount importance.

Finally if I can mention a scheme called 'Leisurewatch' which has been in place in Northern Ireland since 2005 and empowers responsible groups in the community, in particular the leisure industry, to contribute towards public protection and help prevent anyone, but particularly children and vulnerable adults, becoming a victim of sexual offending. The Derwent Initiative has worked in partnership with the PSNI, to roll the scheme out across Northern Ireland, so far to 21 local councils, 102 leisure sites (as well as Castle Court shopping centre). Funding support was provided by the PSNI and the Department for Justice, and more recently local councils.

The Leisurewatch scheme is implemented in three parts:

1. Site audit - Audits of sites and settings to assess vulnerability to misuse by sex offenders are carried out and comments and recommendations are reported back.
2. Training - At least 80% of all staff who have contact with the public and particularly children and vulnerable adults receive a three hour "standard" training course to increase their understanding of sexual offending and give them skills to assess and manage risk in this area. Managers receive an additional 1 hour session as they are the main points of contact between the site and police and are key to the successful implementation of the scheme.

Following the training, clear and distinct on site signage and branding is provided to show that the site is a member of the scheme, help deter potential offenders and re-assure customers.

3. Information sharing - Safe and effective information sharing arrangements are put in place with local police Public Protection Units for the reporting of relevant information about any concerning behaviour which is observed.

In conclusion we will continue to protect the vulnerable by investigating all complaints thoroughly, working with our partners where appropriate. We will support an effective vetting scheme to prevent those intent on causing harm gaining access to children, we will work with partners to manage registered offenders that reside in the community and finally we will continue to work with our partners to help fill the gap in knowledge and help to educate potential victims and their carers regarding the threat and what measures they can take to protect themselves from those wishing to do them harm be that low level bullying or the highest level of sexual abuse.

Alan Skelton

Detective Superintendent, Head of Public Branch, PSNI

Safeguarding Board for Northern Ireland (SBNI)

Presentation to the Committee for Culture Arts and Leisure relating to an Investigation into the gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Sector

Date of Submission: 25th February 2013

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1. Foreword

The Safeguarding Board for Northern Ireland (SBNI) would like to thank the Committee for the invitation to give evidence regarding the gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure sector.

2. Introduction

The evidence to the Committee is being provided by Mr Hugh Connor, Chair of the SBNI and Ms Sharon Beattie, Director of Operations for the SBNI. Hugh qualified as a social worker in 1973 and has worked at every level within Social Services. He was a Director of Social Services in both a Trust in Belfast and in the Eastern Health and Social Services Board. Hugh retired from the Board in 2009. Since then, he has worked in Bulgaria and Ukraine for Northern Ireland Cooperation Overseas (NICO) and in the South of Ireland for the Health Service Executive. Hugh was appointed as inaugural Chair of the SBNI in July 2011.

Sharon is a Registered Psychologist by profession and has worked in a range of settings, both Public and Private, since qualifying in 1991. Sharon worked with the Police Service of Northern Ireland (PSNI) for 12 years and undertook a number of different roles including Head of Health Care/Reducing Offending. Her current position as Director of Operations for the SBNI involves the day to day management responsibility for the operation of the SBNI.

3. Role and Function of the Safeguarding Board for Northern Ireland

The SBNI was established by the Safeguarding Board (NI) Act 2011. Further prescription of membership, function and procedures is provided for in the Safeguarding Board for NI Regulations 2012. The SBNI was formally launched on 18th September 2012 by three Ministers, the Health and Social Care Minister, Mr Edwin Poots, the Education Minister, Mr John O'Dowd and the Justice Minister, Mr David Ford.

The Assembly decided to create the SBNI because it believed that more could, and should be done by organisations and professionals to protect vulnerable children. The decision to proceed followed recommendations by Lord Laming in both the Victoria Climbié and Baby Peter cases within England, that multi-agency Area Child Protection Committees (ACPCs),

which had been a feature of child protection for a decade or more, needed to be revamped and modernised.

In England, as here, the ACPCs were historically a loose alliance of professionals and organisations. Attendance was not mandatory; there was no legal requirement for agencies to work together; there was no clarity about the level at which organisations were to be represented on the ACPCs; there was no public accountability and no independent or accountable leadership and therefore no governance. Lord Laming recommended change, which can be illustrated in the following quotes:

“It is not to the handful of hapless, if sometimes inexperienced, front-line staff that I direct most criticism for the events leading up to Victoria’s death. While the standard of work done by those with direct contact with her was generally of very poor quality, the greatest failure rests with the managers and senior members of the authorities whose task it was to ensure that services for children, like Victoria, were properly financed, staffed, and able to deliver good quality support to children and families.”

“The single most important change in the future must be the clear line of accountability from top to bottom, without doubt or ambiguity, about who is responsible at every level for the well-being of vulnerable children.” (Lord Laming Inquiry into the death of Victoria Climbié).

Lord Laming concluded that senior staff within those organisations, which had a responsibility to safeguard and promote the welfare of children, were too distant from the experience of frontline staff and service users. His judgement was that services would only improve if the senior leadership of these organisations demonstrated, both individually and collectively, the commitment and drive to improve child protection practice and standards. In coming to his conclusions, he recommended the creation of Local Safeguarding Boards in England & Wales, populated by senior staff in organisations, and chaired by someone who is independent of the system.

The SBNI was established within Northern Ireland in 2012, in recognition of the fact that children are more likely to be protected when agencies work in a comprehensive, coordinated and consistent fashion. The Chair of the SBNI is directly accountable to the Minister of Health, Social Services and Public Safety and is subject to the scrutiny of the Health Committee. There is a legal duty on all the Members of the SBNI and the SBNI itself, to cooperate with each other.

Specific organisations have been cited in the statute. Only very senior personnel, as prescribed in the legislation, can represent the agency.

Members of the SBNI include the following:

- Mr Hugh Connor, Independent Chair appointed by the DHSSPS;
- 3 Independent Lay Members appointed by the DHSSPS;
- 5 x Directors of Children’s Services in each of the 5 Health and Social Care Trusts;
- Director of Social Services from the Health and Social Care Board;
- Director of Nursing and Allied Health Professionals;
- Director of Public Health;
- Assistant Chief Constable;
- Chief Executive of Probation Board;
- Chief Executive of the Youth Justice Agency;
- Chief Executive of an Education and Library Board;
- 2 x Chief Executives of District Councils;

- National Head of Services – NSPCC;
- 5 x Representatives from the Voluntary Sector: Barnardo's NI, Children's Law Centre (CLC), Children in Northern Ireland (CINI), Include Youth and Action for Children;
- Safeguarding Nurse;
- Safeguarding Paediatrician (Vacant);
- GP who is a member of the BMA;
- Director of Programme and Development, Northern Ireland Prison Service;
- A Senior Academic who also chairs the Independent CMR Panel Chair.

The SBNI is supported by a Team consisting of:

- A Director of Operations;
- A Professional Officer;
- Administrative Staff.

The objective of the SBNI is to coordinate and ensure the effectiveness of what is done by its Members to safeguard and promote the welfare of children in Northern Ireland.

The functions of the SBNI are to:

- Take into account children and young people's views on the effectiveness of arrangements to safeguard and promote the welfare of children;
- Take into account the importance of the role of parents and other carers in safeguarding and promoting the welfare of children;
- Develop policies and procedures to safeguard and promote the welfare of children;
- Promote an awareness of the need to safeguard children and protect their welfare;
- Keep under review the effectiveness of what is done by each person or body represented on the Board;
- Undertake Case Management Reviews (CMRs) in order to learn lessons in cases where children have died or have been seriously injured;
- Review such information as may be prescribed in relation to the deaths of children in NI (to become operational later this year);
- Advise the Regional Health and Social Care Board and Local Commissioning Groups in relation to safeguarding and promoting the welfare of children;
- Promote communication between the SBNI and children and young people.

Section 12 of the Safeguarding Board Act 2011 places a legal duty on Member Agencies to make arrangements to safeguard and promote the welfare of children in the exercise of their functions and any services which are provided by others in the exercise of the Member Agency's function. There is also a statutory duty on Member Agencies to supply information to the SBNI under certain conditions.

The SBNI has established a number of Committees. The Committees prescribed by legislation include:

- Safeguarding Panels (of which there are 5);
- A Case Management Review Panel (CMR); and
- A Child Death Overview Panel (CDOP).

In addition, the SBNI has established other Committees in order to facilitate its work. These are as follows:

- Policy and Procedures;
- Engagement and Communication;
- Education and Training;
- Effectiveness and Governance.

In order to deliver its legislative functions, the SBNI will rely heavily on these Committees, to deliver its Strategic and Business Plan. The Committees will act as 'programme boards' to drive the work of the SBNI forward.

The Child Protection System has improved a great deal during the past four decades. Research shows that the United Kingdom has one of the lowest non-accidental child death rates in the developed world, and that three quarters of children on the child protection register experience a positive outcome. However there is no room for complacency, one child abused is one to many. The creation of the SBNI symbolises a central tenet of the child protection service, that child protection is everyone's concern. Children will only be kept safe through the combined efforts of communities, neighbours, extended families, voluntary organisations and professionals.

The unique role of the SBNI is its capacity to tackle issues on a strategic, coordinated and multi-agency basis, to create a culture across organisations, which will lead to continuous improvement in terms of safeguarding and protecting children. The task is about planning, learning, working and reviewing together, working with organisations, professions and the wider community, who are concerned about the protection, wellbeing and positive outcomes for children and to ensure that Children's voices must be at the centre of all that is done by the organisations and professionals who together make up the Safeguarding System

The SBNI can facilitate, coordinate, challenge and provide leadership but it is not operationally accountable for the work of the Member Agencies. It can challenge its Members vigorously, but it cannot operationally direct them as the responsibility to deliver on statutory duties remains with the Member Agencies. There are other organisations that have a regulatory function to audit and inspect the work of the Member Agencies which make up the SBNI. The SBNI will use their functions to inform its work and challenge function.

At a time of considerable pressure on public services, every organisation will have its own priorities, agreed with its parent body. The task of the SBNI is to ensure that the issues of safeguarding and child protection continue to receive a high profile matched by an on-going commitment from the Member Agencies to continuous improvement. The key to the success of the SBNI lies in engaging and securing the commitment of the Member Agencies to:

- Collaborate;
- Share information and resources;
- Develop new ways of working or new approaches; and
- Deliver on the commitments they make when signing up to the SBNI's strategic and annual business plans.

The SBNI Strategic Plan for the years 2013 - 2016 defines four corporate objectives:

1. Protect and safeguard children by responding to new and emerging concerns;
2. Drive improvements in the current child protection system;
3. Provide leadership and setting direction;
4. Work in partnership to ensure children and young people are living in safety and with stability.

The three year Strategic and Business Plan is in the process of being developed and will shortly be issued for consultation.

4. Comments on the Areas to be addressed by the Investigation

The Culture, Arts and Leisure Sector comes into contact with a vast number of children and young people. Children and young people's engagement in sport, arts and leisure activities can have the potential to make a significant positive impact on their well-being and development, providing them with opportunities to grow socially, emotionally, physically and spiritually. Engagement in activities in the Culture, Arts and Leisure arena can play a significant role in the building of self-esteem, the personal confidence to overcome new challenges and the development of trust in others. It is a paradox that it is often this same sense of self-esteem, trust and confidence which is shattered when children are abused. It is therefore extremely important that any gaps in the protection and safeguarding of children and young people be considered and the Committee is to be commended for undertaking this investigation.

Increasingly, our society has recognised and affirmed that organisations and individuals who have contact with children have a duty to protect and safeguard them so that children and young people can enjoy their chosen activity free from harm. Involvement in culture, arts and leisure should be an enjoyable and positive experience for all involved, for the children and young people, paid employees and volunteers. Whilst the SBNI's focus is on safeguarding children, we recognise that there is a balance to be struck between having a robust system that protects children and a system which is so bureaucratic and overly regulated that volunteers become disenchanted or that the opportunities for children to grow and develop are stifled in a web of regulations. However, allowing for this balance means that safeguarding must become embedded in the philosophy, values and 'soul' of organisations so that protecting and safeguarding children and young people and being a good role model is recognised by all as an integral part of that contact. Important as standards, policies and procedures are in providing the framework for keeping children safe and protected, experience repeatedly shows that it is only through education and awareness raising that these standards, policies and procedures will be adhered to and robustly implemented.

Individuals and organisations involved in providing activities for children and young people have a duty of care to ensure that they are safe and protected. Experience tells us that there are a number of building blocks which need to be put in place to keep children safe. The development of clear and unambiguous guidelines and policy and procedures relating to the following are needed:-

- Recruitment and Selection;
- Effective Management of staff/volunteers;
- Reporting of concerns;
- Code of Behaviour;
- Sharing of Information;
- General Safety and Management of Activities

For large organisations like Sports NI, it is important that through policy "building blocks", these individual tasks are brought together to form a governance framework so that the issue of safeguarding is periodically and systemically reviewed. Obviously, this is a lot more difficult to achieve in the context where there is no overarching sponsor or governing body.

We are aware that Sports NI, in conjunction with the Child Protection in Sports Unit (CPSU), has set clear guidelines and standards for sporting organisations which are linked to funding. This has resulted in clear systems being in place for reporting and responding to concerns, which in turn has led to an increase in sporting organisations:

- seeking advice from CPSU;
- implementing Policy and Procedures; and
- ensuring safeguarding training is provided to staff and volunteers.

Sporting organisations are encouraged to review their Policy and Procedures and a 'Clubmark' scheme has been established to encourage engagement and participation in adopting and implementing them.

The Culture, Arts and Leisure sector within NI is characterised by diversity and variation. The large number of providers and stakeholders makes the establishment of a robust safeguarding/child protection system complex and more difficult to achieve. The Arts Council has provided leadership with the publishing of their Child Protection Guidelines for those organisations who receive funding. These are the same policy building blocks as outlined above. In addition a number of Cultural Bodies have developed policy and procedures in relation to Child Protection. However, there does not appear to be an overarching governance framework in place to ensure the implementation and effectiveness of these.

Also some activities are organised for children and young people by individuals or a group of individuals who have no links with any organisation but use facilities owned by District Councils, Education or Faith groups. The SBNI believe that a more consistent approach by the Councils, Education and Faith groups to checking the credentials of such individuals would afford an extra level of protection.

There appears to be widespread safeguarding training programmes provided by number of different providers. However, there appears to be variation in the levels of training provided, and lack of agreement of what minimum standards are required.

Currently the Vetting and Barring legislation places requirements on organisations to ensure that individuals employed by the organisation have an AccessNI check and that anyone who has been barred does not come into contact with children. However within the current Vetting and Barring Scheme, there are areas which still leave children and young people vulnerable. For example, where a child receives music tutoring, whilst a 'regulated' activity, there is no requirement for an AccessNI check to be carried out. In these circumstances, it is left to the discretion of the individual tutor to apply for a check to be undertaken or the parent to insist that a check is undertaken. Even then, the individual tutor does not have to comply and it is left to each parent to decide whether to proceed or not in the absence of an AccessNI check being undertaken. This gap will hopefully be addressed sometime in the future.

5. Building Relationships

The SBNI has no legislative remit within the Culture, Arts and Leisure sector. However, it is important for the SBNI to develop links and collaboration with this sector to offer advice, support and where possible, assist with training. SBNI, since its launch, has been in contact with Faith Organisations who are in a similar position to establish links and communication. This is an on-going process.

Given that Education and District Councils are legislative Members of the SBNI (represented by two District Councils – Ards and Banbridge) the SBNI can ensure through its quality assurance programme that their child protection/safeguarding processes are in place.

The SBNI recognises the importance of this task and is happy to help in any way it can, by linking this sector to the work of Member Agencies. However, we believe that for change to be sustained and built into the fabric of organisations, a dedicated support service such as CPSU is needed to drive improvements.

6. **'Cyber-bullying' and Social Media**

With the increasing use of digital communication technology the benefits and risks for children using this has grown. Most children now use this technology on a daily basis so the online world has become firmly integrated into the lives of young people with most making little distinction between their online lives and their offline lives. It is no longer enough to consider child safety in a purely 'real world' focus.

The SBNI recognises that one of the biggest challenges we face is the convergence of these technologies, with devices such as mobile phones and game consoles now offering access to the online world as standard. More than ever, it is paramount that we educate our young people (and their parents and carers) to ensure that they develop an informed approach to their use of technology, and become responsible citizens both offline and online.

E-Safety risks and issues can be roughly classified into three areas: content, contact and commerce. The following are basic examples of the types of e-safety risk and issues that could fall under each category:

Content:

- exposure to age-inappropriate material;
- exposure to inaccurate or misleading information;
- exposure to social unacceptable material such as that inciting violence, hate or intolerance;
- exposure to illegal material, such as images of child abuse.

Contact:

- grooming using ICT, leading to sexual assault and / or child prostitution;
- bullies using ICT (email, mobile phones, chat rooms etc.) as a way to torment their victims;
- child and young people self-publishing information (sometimes inappropriate), about themselves and therefore putting themselves at risk.

Commerce:

- exposure to inappropriate commercial advertising;
- exposure to online gambling services;
- commercial and financial scams.

We all have a duty of care, as technology increasingly permeates into every aspect of our lives and from an ever younger age, to deal with potential e-safety issues and to promote safe and responsible behaviour.

Child internet safety is therefore a real concern for the SBNI and as such, SBNI has been working closely with the Junior Ministers and their Officials within OFMDFM to discuss the on-line risks in greater detail and the need for a Strategic overarching approach to address the issues. It is for these reasons that the SBNI has identified this area as one of its strategic priorities. Specifically the SBNI will undertake the following:

- To coordinate effective member agency approach to help children at risk of:
 - Becoming criminalised through on-line activity;
 - Bullying through cyber activity;
 - Sexual abuse (through 'sexting' and on-line exploitation).

7. Conclusion and Recommendations

Policy and procedures in themselves do not protect children; it is how these are robustly implemented on a consistent and on-going basis that really makes the difference. As stated previously, sustaining improvement is about ensuring that safeguarding and protecting children is embedded throughout the system so that it truly does become 'everyone's business' to safeguard and protect. We commend and support the Department of Culture, Arts and Leisure's position in taking forward this review.

To enhance the process we would suggest that:

- The gaps/weaknesses in the system be identified;
- There are building blocks in place in relation to policy and procedures (as outlined above);
- Attention is given to the establishment of a governance framework;
- Assist organisations which are isolated by making available a support and training framework similar to that provided by the Child Protection in Sport Unit which will also help to establish links with similar bodies both within and outside the sector, including the SBNI itself.

Sport Northern Ireland

Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit

Issue Date: 11 February 2013

This document is available in other accessible formats on request and on-line at www.sportni.net

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1. About Sport Northern Ireland

- 1.1 Sport Northern Ireland (Sport NI) is a Non-Departmental Body of the Department of Culture, Arts and Leisure and is charged with the development of sport in Northern Ireland.
- 1.2 Sport NI's objectives are:
- to increase participation in sport and physical activity;
 - to improve performance in sport; and
 - to improve the efficiency and effectiveness of sport.
- 1.3 Sport NI's business is designed to provide people in Northern Ireland with opportunities, options and pathways for lifelong enjoyment and success in sport.
- 1.4 Sport NI recognises that there is no clear dividing line between 'health related physical recreation' and sport. Participation in sport and physical recreation at all levels has a positive impact on physical and mental health, and wellbeing.

2. Introduction

- 2.1 Sport NI is grateful for the Committee's invitation to demonstrate how Sport NI is proactively engaged with sporting organisations in promoting safeguarding sport in Northern Ireland.
- 2.2 Sport NI takes its responsibilities to safeguard children very seriously. Sport NI can evidence progress has been made over the last number of years in partnership with the NSPCC's Child Protection in Sport Unit (CPSU) and governing bodies of sport. However, there is no room for complacency and in this regard Sport NI posits some suggestions for improvement which the Committee may wish to examine further.

- 2.3 Sport NI has been working with the NSPCC¹ for over 10 years across all sectors of sport to ensure robust child protection measures are in place. The single most effective change has been the development of safeguarding standards for sport and ensuring that these standards have been introduced as part of wider investment and governance requirements.
- 2.4 The CPSU regularly presents to Sport NI on general progress or difficulties with safeguarding measures across all sports. Sport NI holds individual meetings between the CPSU and each sport providing feedback on further embedding good practice for which they are responsible. CPSU expertise is fully integrated into Sport NI's 100 day review meetings with all funded sports.
- 2.5 This partnership with CPSU, using its expertise in the area of safeguarding, has worked well for those involved in the development and delivery of sport. The partnership promotes a positive approach to engaging with young people through sport to ensure children and young people experience sport in a fun and safe environment.

3. Key Safeguarding Improvements in the Sports Sector

- 3.1 Sport NI works with the CPSU to ensure attainment of comprehensive standards for safeguarding children. Assessments of the standard for each sport is linked to investment in a sport.
- 3.2 All Sport NI funded governing bodies of sport working with children are required to have:
- effective systems and structures for reporting and responding to concerns about children's welfare and protection;
 - systems for preventing unsuitable people from working with children (i.e. vetting procedures);
 - appropriate safeguarding training requirements for those working with children; and
 - a designated safeguarding children officer at governing body level.
- 3.3 A network of trained tutors (14) has been established and is delivering safeguarding training tailored to sports coaches and volunteers. Sport NI offer two workshops which directly impact upon safeguarding practices in the sports sector. These workshops are targeted at all types of coaches, officials and volunteers working within sports clubs to support them to be effective in their role.
- 3.4 The development of Sport NI's Clubmark NI club development and accreditation programme, which includes safeguarding children and young people as a key element, has resulted in better standards of practice within sports clubs across Northern Ireland. To gain accreditation through the programme clubs are required to evidence a club safeguarding policy being in place, trained designated officers, all coaches and volunteers in contact with children and young people attending the awareness workshop and subject to safe recruitment procedures including Access NI checks.
- 3.5 Most governing bodies of sport make it compulsory for aspiring coaches who will work with children to attend safeguarding training.

4. Areas for Future Work and Development

- 4.1 Sport NI's current work on achieving and retaining a satisfactory rating with funded governing bodies will continue. Sport NI will also:

1 In 2001, Sport NI established a partnership with the NSPCC to develop a Child Protection in Sport Unit (CPSU) within Northern Ireland. The overall aim was to increase awareness of child protection issues within our sector and have a single source for expert advice for those who required it. This was following the publication of the Murphy Report into sexual abuse within sport and a joint project with the Irish Sports Council to produce an all-Ireland document known as the Code of Ethics and Good Practice for Children's Sport.

- encourage sports governing bodies to focus on a children's rights approach to sport participation, where attention will be paid to creating a positive sporting ethos where children and young people are respected, and where their voices are heard and used to shape sporting experience, welfare, and performance;
- deliver the Coaching the Whole Child workshop, which builds on the social and emotional needs of a young person when involved in sport and promotes the importance of a positive sporting and coaching ethos;
- extend the linking of safeguarding standards to non-funded governing bodies in an appropriate way;
- examine what other areas of Sport NI funding could be linked to attaining safeguarding standards when relevant; and
- continue to ensure that the two sporting organisations that support vulnerable adults and people with disabilities (Special Olympics and Disability Sports NI) are involved in the safeguarding auditing process and are required to provide evidence of their procedures.

5. Priorities for Action (PFA)

5.1 **PFA 1: Sport NI will work to ensure that all funded sports introduce an Acceptable Users' Policy, a code of conduct for communication by young people and adults through any form of social media with guidelines about when and how to communicate appropriately with young people.**

5.2 The CPSU has made Sport NI aware that a number of case advice enquiries have been related to the internet and social media. For children and young people some of the safeguarding risks associated with what is commonly known as social media include:

- inappropriate access to, use or sharing of personal details (e.g. names, mobile phone numbers);
- unwanted contact with children/young people by adults with poor intent;
- text bullying by peers;
- being sent offensive or otherwise inappropriate materials;
- grooming for sexual abuse;
- sexting; and
- direct contact and actual abuse.

For adults involved risks include:

- lack of understanding of how communication through social media works;
- misinterpretation of their communication with young people;
- potential investigation (internal or by statutory agencies); and
- potential disciplinary action.

5.3 **PFA 2: Sport NI, using the opportunities that sport provides, will use 'sport' to raise awareness of two issues facing children, young people and adults - self-harm and suicide.**

5.4 Through meetings with the CPSU and media reporting, Sport NI is increasingly aware of both these issues. Sport NI is currently working with governing bodies of sports to promote helpline numbers such as Childline and Lifeline for those who may be in distress and needing help.

5.5 Self-harm and suicide among young people is a serious public health challenge that everyone in contact with young people must rise to - including sports coaches. Sport can play an important part in the promotion of good mental health and exercise promotes general well-being. As such, sport and participation in sport should play an important role the Choose

Life Suicide Prevention Strategy. Sport NI has been promoting the importance of raising awareness of self-harm and suicide through numerous different sports forums and the theme is integrated within both of the safeguarding related workshops that it delivers.

- 5.6 Sport NI would also suggest that by encouraging sports clubs to have a culture of listening to young people and responding appropriately sports coaches and volunteers will increase the confidence young people have in turning to those around them when they need support. It will also have the additional benefit of encouraging adult volunteers to talk about the issues and be aware of the risk factors for their colleagues.
- 5.7 **PFA 3: Sport NI will work to ensure that governing bodies of sport recognise the importance of safeguarding high performance athletes.**
- 5.8 As outlined earlier, all funded sports governing bodies of sport already ensure that the majority of young people involved in their sport only participate in age-appropriate levels of competition with correct safeguards in place. Sport NI will aim to ensure that our best and most talented athletes and teams are offered the same level of protection.
- 5.9 There is particular vulnerability for young people who are participating at the highest levels in their sport. At times the potentially strenuous training young people may have to experience, has to have regard to potential negative impacts on a child's development. This is one of the reasons why Sport NI is developing the Coaching the Whole Child course to create a culture within sport that values and understands the importance of the developmental needs of the young athlete.
- 5.10 Rhind (2010)² argues that due to the culture of sport, an authority system may be created which facilitates power, obedience, and potentially the rationalisation of abuse, which could be more prevalent at elite level. There have been a number of people convicted of child sexual abuse who were in positions of responsibility at an elite level within sport. The persons were able to continue to abuse for many years in part due to the culture of dependence and position of trust a person was in.
- 5.11 **PFA 4: Sport NI will continue to support governing bodies of sport to maintain and embed safeguarding practice.**
- 5.12 Sport NI is restructuring its management relationships with governing bodies of sport through its new Performance Focus Investment Programme. Under the governance investment stream Sport NI plans to make it a compulsory requirement for all sports governing bodies to develop an implementation plan to ensure their safeguarding message is imbedded at club level.
- 5.13 Currently the CPSU and Sport NI work in partnership with governing bodies of sports and other key partners to ensure that they continue to meet their moral and legal requirements in relation to safeguarding. It is essential to ensure continuous improvement by embedding of safeguarding practice at grass roots level so that all young people can have truly positive experiences of sport.

6. Concluding Remarks

- 6.1 The learning from the recent Metropolitan Police and NSPCC report Giving Victims a Voice³ drew many parallels with the vulnerabilities of children and young people identified in the Murphy report into abuse in sport in the late 1990s.
- 6.2 Sport NI has been working in partnership with the CPSU and its stakeholders to raise awareness of child protection issues. Particular focus has been on the need for organisations

2 Rhind, D (2010), in Elite Child Athlete Welfare, Brunel University Press Chapter 12, pg. 101-108

3 Giving Victims a Voice: Joint report into sexual abuse allegations made against Jimmy Saville – David Gray Detective Superintendent MPS & Peter Watt NSPCC

to have a culture of vigilance, codes of conduct, and good recruitment practice with proper vetting procedures and systems to ensure children are listened to and concerns acted upon.

- 6.3 The provision of a dedicated sports specific service through the CPSU that works exclusively in sport has enabled the sports sector to have trust in the expert advice on not only child protection concerns but on training, safe recruitment decisions, legislation changes and most importantly how best to create a culture of change in the hearts and minds of those involved in sport.

7. Further Information

- 7.1 For further information on Sport NI's Children's Safeguarding in Sport Services please contact:

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Swim Ireland

Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure remit

Swim Ireland submission to Assembly Culture, Arts and Leisure Committee

February 2013

Introduction

1. Swim Ireland appreciates this opportunity to provide information to the Assembly CAL Committee (Committee) as evidence in their investigation into child protection and safeguarding across the associated sectors. The evidence provided in this submission will concentrate on the Leisure sector as Swim Ireland is the Governing Body for Aquatic Disciplines, however Swim Ireland will endeavour to indicate the systems and practices that may transfer across all sectors.
2. Swim Ireland functions as a National Governing Body throughout the Island of Ireland, covering all 32 counties, supporting directly all our clubs and the aquatic activities within the four provinces, Connacht, Munster, Leinster and Ulster. Swim Ulster operates as the regional body for the aquatics in Ulster whilst all the systems and policies for safeguarding are the responsibility of Swim Ireland.
3. Given Swim Ireland's operation throughout the four provinces, we are well placed to comment on managing the different structures and requirements for sporting bodies and for those working with children from external authorities, i.e. government, legislation, sports councils, local authorities (use of facilities especially).
4. Swim Ireland's membership is made up of Club and Associate members. Club members are individuals within a Club which is affiliated to Swim Ireland and Associate members are individual coaches or teachers with a recognised qualification. We are fairly unique in that all members are required to submit an individual membership application form directly to Swim Ireland.
5. Swim Ireland employs a full time National Children's Officer with responsibility across the organisation for safeguarding policy and implementation. The National Children's Officer (NCO) has safeguarding expertise within sport and working with young people gained through experience and academically (MSc in Child Protection and Welfare). Swim Ulster employs a full time Development Officer whose role includes assisting in the implementation of safeguarding policy and practices and providing support throughout the aquatic clubs in Ulster. The Development Officer's role is not limited to this area; the role also includes working in performance, education, club development and coaching – areas across which our safeguarding policy is engrained within.
6. All other safeguarding roles are provided by volunteers within the organisation either working at the national, regional and/or at Club level. The roles include a regional representative appointed to the national Child Welfare

Committee whose function is to “*ensure a child centred approach and that children will be kept safe and have fun ... under the auspices of Swim Ireland*” (CWC Terms of Reference, Swim Ireland, 2008) and to support and aid the National Children’s Officer in the implementation of agreed aims. Additionally every Club is mandated to appoint at least one Club Children’s Officer and a Designated Person, with specific and distinct roles: to act as an advocate and support for young people in the clubs, and to liaise and report to the statutory authorities where there is a concern about a child, respectively.

7. Swim Ireland works closely with the Irish Sports Council through the Participation Unit and with Sport NI through the Child Protection in Sport Unit (CPSU) NSPCC to ensure policy and implementation are in line with recommended best practices and at the required standards to ensure a safe, fun and healthy environment for young people to participate in sport.

Layout of this report

8. Swim Ireland acknowledges the support and guidance received from both Sports Councils, and particularly in Ulster, the CPSU. The co-operation between Swim Ireland and CPSU has benefited from sport specific guidance whilst utilising expertise from the NSPCC gained in other areas of child protection. For the purposes of this report the evidence presented will concentrate on safeguarding within Swim Ireland, as one organisation working within this sphere. In keeping to the terms of reference set out by the Committee the evidence shall concentrate on the following key areas:

- Practices in place
- Standards by which practices are measured
- Social Media practices
- Other areas of particular note

Where particular safeguards have worked well we have suggested these may be transferred to other sectors and how these might work.

Practices in place

9. The main guiding documents for sports organisations in developing safeguarding policy are the *Code of Ethics and Good Practices for Children’s Sports* (Sports Councils, 2006) and the *Club framework for safeguarding standards in sport* (CPSU and Sports Councils, 2010) which is based on the standards set out in *Getting it Right* (Volunteer Development Agency, 2009). From these documents Swim Ireland has developed the aquatic specific guidance, *Swim Ireland Safeguarding Children Policies and Procedures 2010* (Swim Ireland, 2010), which gives information, direction and support for clubs and individual members to create a child-centred environment in their area of work.
10. The overall Swim Ireland policy documents whilst based on the above documentation have been developed specifically for the aquatics and members of Swim Ireland and are referenced as forming part of the organisation’s rules. The categorical nature of the policy document has the additional advantage of, as an organisation together with the expertise of the NCO, being able to respond and react to both external changes (e.g. legislative requirements) and to internal variations effectively (e.g. predominance of a particular issue/concern). Swim Ireland ensure their

policy documentation is 'live' and up to date whilst also taking care that policy is not continually undergoing change and thus becoming confusing.

11. Every club and member is required to sign a declaration on the membership application form that includes an awareness of the policy document; for clubs, this documentation also forms part of their club handbook and induction process. We require members to sign up to the codes of conduct annually; this is the responsibility of individual clubs for Club members and of Swim Ireland for Associate members.
12. Since 2004 Swim Ireland has examined the various roles operating within the organisation, at national, regional and club level, to assess the role's involvement with young people and any risks attached. This has led to Swim Ireland imposing a number of mandatory requirements for certain roles. These requirements include ensuring safe recruitment practices, child protection training (basic and advanced courses), supervision and the vetting of individuals. These mandatory requirements are detailed in the documentation and a summary table is included in Appendix A.
13. Every club in Ulster has access to the support of the NCO and Club Development Officer for advice and guidance on practices and procedures. As an organisation we recognise that individuals working within clubs are volunteers and whilst selected for skill sets that assist in their roles there will be a requirement for safeguarding support and guidance from the expertise of the NCO.
14. **Benefits for other sectors:** Evaluation of roles and interaction with young people together with the risk assessment process was invaluable to determine areas of greatest risks for young people and to then identify areas within the club requiring safeguarding guidance. There were some roles that were not immediately obvious as to their potential impact on or as a risk area for young people, especially some roles associated with governance.

Standards by which practices are measured

15. Swim Ireland has in place a system for measuring the implementation of safeguarding policy in Clubs whereby the Club activities are audited and checked against best practices. There are a number of elements to this system
16. Each Club is required to affiliate annually directly to Swim Ireland with the required roles and officers in place for best practice in governance. These roles are checked on application and followed up where not in place. There is provision in the Swim Ireland complaints and disciplinary procedures for such breach of rules.
17. The Club is responsible for ensuring the mandatory requirements for each role are fulfilled. These are checked through various means. The NCO conducts 40% unannounced visits to clubs across the organisation where the mandatory requirements (see Appendix A) in each Club are checked and followed up where any fail to meet the standards. Clubs are encouraged to sign up to Club Mark – a quality assessment programme for sports clubs awarded by Sport NI where certain standards across a number of areas have been met, including safeguarding, education, governance, safety.
18. The NCO also includes a programme of arranged visits where issues or concerns have arisen in specific clubs or there has been a concern indicated

through external monitoring, e.g. drop or movement of members in or out of a club.

19. Swim Ireland checks the mandatory requirements are met for each Associate member on application – again this is a yearly process. Applicants not complying with the basic requirements will not be affiliated.
20. Swim Ireland use the *Club framework for safeguarding standards in sport* (CPSU and Sports Councils, 2010) as a formal measuring tool for reporting progress and status to Sport NI and CPSU, whilst the elements within the framework form part of the previously described on-going audit process.
21. Swim Ireland's governance incorporates the jurisdiction of both the Irish Sports Council and Sport NI and therefore is required to meet the standards of each Sport Council for reporting purposes. Whilst expected best practice standards would be similar across jurisdictions, the requirement to report on such standards can be vastly different. Swim Ireland has adopted the highest best practice approach and requires this for all members across all provinces – irrespective of the expected reporting standard required by the Sport Council in that jurisdiction.
22. **Benefits for other sectors:** ensure a uniform level of best practice is adopted across all sectors – so expectations for young people moving through the different spheres of their lives e.g. leisure, social, education, can expect the same best practices and child centred environments.

Social Media practices

23. Swim Ireland has recognised the extensive type of communications available for young people today and the dangers that these can encompass. The challenges for any sport organisation is that this communication crosses the boundaries between every activity a young person is involved in - sport, home, school, other leisure pursuits - and the need for an awareness that in fact there are no boundaries.
24. Swim Ireland are clear on the advice and guidance for adults working with young people as to what is deemed accepted practice recognising where vulnerability lies. It is more challenging for clubs to impart this message to young people who may not see their social networking as a club activity despite the club possibly being a considerable part of a young person's social capital.
25. There is still a need for greater awareness amongst both adults and young people that the global access to information posted on line changes the complexity of safeguarding children in these environments and that this is everyone's responsibility, in and out of Clubs. In other areas of club activities the boundary of responsibility can be clearly defined and communicated to adults, parents and young people.
26. Organisations need to be aware of the changes in communication practices preferred by young people today. Many sports have online programmes for monitoring an athlete's exercise and daily activity, encouraging young people to record their personal information. Messaging through such programmes can replace the one-to-one open conversation that might take place between a coach and athlete on a pool side or pitch; on such monitoring sites this has become a closed private conversation that needs to consider the safety and vulnerability of young people involved.

27. **Benefits for other sectors:** with the lack of boundaries of social networking activities this could be an activity that connects all sectors of children's lives by working together to raise awareness of the risks and potential dangers that exist.

Other Comments

28. A benefit of the implementation of safeguarding policy within our sport is that there is a monitoring of issues and concerns that result from different interpretation of policy and standards. This enables sports to respond to gaps or, for example, changes in legislation quickly and effectively for the benefit of the young members.
29. Each sport will have a focal point and structure for reporting or seeking advice, and this has proved beneficial by being independent of any board or committee and thus can maintain an impartial approach, whilst being an advocate for the young members of the organisation.
30. An important emphasis within Swim Ireland for the next strategic cycle is consultation with young people and providing effective mechanisms for gathering their feedback and implementing changes that recognise their needs rather than those assumed by adults for young people within clubs and sport. The current structure for feedback includes the Club Children's Officer in each club, however research shows this does not reflect the best method for young people¹. This research aims to act as a springboard to build a network of support chosen by the young people within the organisation.

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Swim Ireland
February 2013

1 Hills, K. 2011, *An exploratory study of young people's views regarding their welfare in an Irish swimming club context*, MSc. Thesis; Trinity College Library, Dublin

Appendix A – Requirements for Clubs (extract from Swim Ireland Safeguarding Children Policies and Procedures 2010 (Swim Ireland, 2010))

Club requirements (Table 1)

Requirement	Mandatory	Recommended	Source of information (Swim Ireland)
Club Children's Officer	One CCO per Club – must not be on committee	Two CCO's per Club	Safeguarding Children 2010 Club Development Officers NCO
Coaches/Teachers Team Managers Officials	Numbers as required with appropriate qualifications and licensed (if relevant)		Safeguarding Children 2010 Club Development Officers Education department
Committee	Chairman Treasurer Secretary 5 other members	Other subcommittees as required	Safeguarding Children 2010 Club Development Officers
Designated Person	One per Club – must be on the committee (can hold other role)	Nominated person in case of absence of appointed DP	Safeguarding Children 2010 Club Development Officers NCO
Club information	Noticeboard for CCO/DP contact Supervision rota Selection criteria Event information	Other communications as required by Club	Safeguarding Children 2010 Club Development Officers NCO
Constitution	Required	See template constitution	Club Development Officers
Safety Statement and Risk Assessment	For all activities and facilities	See template safety statement	Safeguarding Children 2010 Club Development Officers NCO
Supervision of sessions	Coaching and teaching sessions (pool and dry land) All club events		Safeguarding Children 2010 Club Development Officers NCO

Requirements for members and their roles (Table 2)*

Recruitment & Selection – see Policy Section	Codes of Conduct – see People Section	Garda Vetting / Access NI – see Policy Section	Licensing – contact Education Dept
Committees Club Children's Officer Designated Person Coaches Teachers Team Managers Chaperones/Helpers Officials	Children/Athletes Parents Committee Leaders including: Club Children's Officer Designated Person Coaches Teachers Team Managers Chaperones/Helpers Officials Associate members	Committee Club Children's Officer Designated Person Coaches Teachers Team Managers Chaperones/Helpers Officials Associate members Licensed members	Associate members (by end June 2011) Club Coaches Team Managers Officials

*Bold type = mandatory requirement

Child protection training requirements (Table 3)*

Child protection training – Basic approved course	Club Children's Officer course/Designated Person Course (this is a follow on from the basic course)
Committees (by end 2011) Club Children's Officer Designated Person Coaches Teachers Team Managers (by end 2010) Officials (by end 2011) Associate members Chaperones/Helpers Parents	Club Children's Officers (one per Club by end 2010) Designated Person Committee Coaches Teachers Parents

*Bold type = mandatory requirement

Ulster GAA



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Submission to Committee Investigation into Gaps in Child Protection and Safeguarding Across the Culture, Arts and Leisure Remit.

February 2013

Introduction & Background Information:

1. Ulster GAA is the Provincial Council and Governing Body for the GAA in Ulster. The GAA is the world's largest amateur sporting, cultural and community organisation. Ulster GAA oversees the work of nine County Committees and almost 600 GAA Clubs as well as GAA activity in over 1,500 schools and Colleges. Some 250,000 volunteer members are actively involved in the GAA in Ulster.
2. Ulster GAA is very aware of how it has to do its work within the frameworks set by others. That reality is made very clear in our new strategic vision and action plan 2009-15, "Teaghlach agus Pobail: An Fabraic an CLG" ("Family and Community: The Fabric of the GAA"), launched in March 2009. But the Council also holds firmly that it has a role in inputting to and influencing those frameworks. The GAA is above all else community-based: therefore what happens in or is planned for those communities is of pivotal concern to the GAA.
3. Ulster GAA welcomes the opportunity to respond to the Committee Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure Remit.

Ulster GAA & Safeguarding Children and Vulnerable Adults:

4. The GAA as the Governing Body for Sport has recognised the importance and sensitivity of the area of Child Protection and Child Awareness Training and as such have employed a number of staff to assist the volunteers on the ground with regard to the matters relevant to the same. These include;
 - National Children's Officer employed by Central Level
 - Ulster GAA employs a Children's Officer and a Child Protection Administrator.

-
- Every County and Club have a voluntary Children's Officer and a Designated Officer who are selected by the Club/County rather than Elected.
5. All of these officers have a role to play in the Safeguarding of Children and Vulnerable Adults within the GAA and are committed to creating and maintaining the safest possible environment for all Children and Vulnerable Adults who participate or engage in our Games and Cultural Activities. We take this opportunity to highlight the fact that no Economic support is provided for these roles, other than where Access NI checks are free for Volunteers.
 6. Ulster GAA is a Registered Umbrella Body with Access NI who carry out vetting of staff and Volunteers for all sports within the GAA Family in Ulster; Gaelic Football, Hurling, Camogie, Ladies Football, Rounders and Handball. We operate on a cross jurisdictional basis, which requires us to comply with legislation in both Northern and Southern Ireland, and as such we are also Registered with the Garda Central Vetting Unit to carry out Garda Vetting Checks for Cavan, Monaghan and Donegal.
 7. The Ulster GAA has produced documents on Child Protection including Vetting Policies and Procedures. To date we have in excess of 11,000 members processed through POVCA, Access NI and Garda Vetting. As part of the process, we have a role in assessing if these applicants are fit to work with Children and Vulnerable Adults when their Certificates have been issued to us. This work is currently undertaken by a dedicated team with the GAA who risk assess each return, record the decision and inform the individual of that decision. This is a very complex process, involving highly sensitive information and one we treat with the utmost confidentiality. However, as a result of recent developments in the application of the relevant legislation, further changes will be coming into effect soon. The risk assessment and critical decision making requirement of the Vetting Process will now be undertaken by Volunteers on the ground rather than the current knowledgeable specialist team. This change is causing grave concern to us and we would welcome further discussion from the committee on this issue.
 8. Ulster GAA have highlighted concerns about recent developments in the application of the relevant legislation and have noted these below:
 - The impact that proposed changes to the definition of regulated activity will have on the voluntary sector; i.e. those in supervised roles not being required to be checked. This has potential to leave gaps in system; i.e. where people who maybe are not checked as they are supervised, however, if the volunteer supervisor is sick or is unable to attend, then those that would be supervised are left in a situation that they have not been checked and are now without the supervision of a vetted supervisor.
 - Those that would have previously qualified under the definition will still qualify to be vetted, however they would not be checked against the barred list. – surely the purpose for a check is to prevent those who shouldn't have access to children or vulnerable adults having access – how can this be guaranteed if the barred list isn't checked.
 - Portability of a check – certificate only being valid in one work force i.e. children or vulnerable adults but not both. This has potential to cause issue particularly in the voluntary sector – take the scenario that someone brings their certificate to their local club and shows it, but the club maybe don't pick up on the fact that it only covers the person working in the vulnerable adult sector not for working with children. We would make the point that each person only has one birth certificate so why should they potentially have two different types of criminal record issued.
 - Any filtering of information needs to be carefully decided. e.g. if old driving offences are removed from being released, but then a person has recent offences for driving, then we cannot expect a club to make an accurate risk assessment of that individual if they do not the whole picture, - how can they see that that person may not be suitable for driving the club mini bus or transporting the team in their car to matches or events etc.
-

- The Certificate is based on the post applied for and is consequently assessed against the relative criteria for the appointed post. It is important that in making certificates portable, that the relevant information is disclosed, due to the fact that the original certificate was issued on applied criteria and not on the transferred appointment.
- Portability of certificates on the basis of the position applied for, comes into question if filtering happens. The scenario is that information may not have been released at the time the certificate was issued. At that point in time the certificate could be conjunctive to the appointment of the individual to the post applied for, which could subsequently be affected by the consequent updated information. The access to the information by the use of the individuals identification/certification number would ensure that the certificate is always as up to date as possible and not as at present, a snap shot in time.

9. As part of our ongoing Child Protection and Awareness programmes, we currently have a pool of Tutors who are trained to deliver our Safeguarding Children and Young People training across the Island of Ireland, and in Britain as required. These courses are delivered regularly to Club Officials, Players, Parents and Supporters of all the games within the GAA and its affiliated bodies. To date we have over 27,000 volunteers who have been Child Awareness trained, and all participants receive a certificate to confirm their completion of the course. The Course covers the following areas:

- Legislative Frameworks that exist around Safeguarding, Protecting and Promoting the Welfare of Children
- Background information on Child Abuse
- Awareness of the Risk of Self Harm or Suicide
- Safeguarding Children in Sport
- Importance of Code of Behaviour, including the Do's and Dont's in Sport and Parent/Spectator behaviour
- Other policy areas, including, Photography, Transport, Physical Contact, Recruitment and Social Media
- Child Abuse, Signs, Concerns and Making Judgements
- Dealing with Allegations of Abuse in line with GAA Guidelines
- Best Practice and Contact Information for help.

It is a mandatory requirement for our Coaching Awards that all coaches must have Child Protection Awareness Certificate as part of the overall award.

10. Ulster GAA work closely with a number of Government Departments, Statutory bodies and other Agencies to ensure that our Policies and Procedures are kept in line with current guidelines and legislation. As part of the wider role of Safeguarding Children and Vulnerable Adults, Ulster GAA as a Stakeholder are invited from time to time to respond and participate in consultation processes. Most recently the Sunita Mason Review of Criminal Records Regime in Northern Ireland, carried out on behalf of the Department of Justice. Through this process, we were able to highlight areas of concern in relation to some of the proposals that were being put forward. Following publication of the reports findings and recommendations, policies that are changing will have a major impact on how our Organisation and Members will carry out our Child Protection functions. In particular this will have serious implications for the Voluntary involvement of people in various Child Centred work of our Clubs and other Constituent Units. To that end we are concerned that the current structures we have in place for Risk Assessing individuals may require our Volunteers to receive more specialised training, in order to carry out their decision making roles within the legal framework that exists. We would welcome assistance and guidance on how to take these matters forward.

11. Ulster GAA operate within six best practice standards for Safeguarding children and vulnerable adults in the GAA and audited by Sport NI under the following standards.

1. Recruitment Good Practice
2. Effective Management of Volunteers and Staff
3. Reporting
4. Codes of Behaviour
5. Sharing Information
6. General Safety & Management

Bullying & Social Media

12. Ulster GAA strive to protect children from Bullying and abuse through social media and we do this through education in our Safeguarding Children and Vulnerable Adults Courses, and other methods to expand the knowledge of our members about issues that arise which include:

- Ulster GAA Website
- Club Maith - Club Maith is a GAA Club Development and Volunteer Support Programme which promotes good governance in clubs It includes: a website, a tool-kit which is a resource manual that contains relevant information for Club Officials and covers all aspects of Club Activity, and finally the accreditation scheme, which allows Clubs to bench-mark themselves against best practice. The aim of this process is to encourage excellence in the core areas of our Club Activity including, Governance, Duty of Care, Community Outreach, Coaching and Games and Culture. Clubs are then awarded an accreditation which is a quality mark for them based from Bronze to Platinum.
- A follow on from the Club Development and Volunteer Support Programme is the Club Officer Training Days, which take place at the beginning of each year. We invite all club officers to attend their County Day wherein specific workshops are delivered for each role within the club in order to train the officers and members to enable them to carry out all of their duties to best effect. This includes the roles of Children's Officer and Designated Officer. There is a dedicated workshop that provides these members with information in relation to their responsibilities, policies and best practice in the area of Safeguarding Children and Vulnerable Adults.
- Newsletter – our newsletter is issued Monthly and is received by approximately 7000 people.
- Match Programs for Championship games also carry messages and campaigns which target a wide audience and are an important tool to highlight issues of relevance to those operating at Club, County and Provincial Level.
- Respect Campaign – Ulster GAA put this campaign in place in 2009 to encourage all our members to respect one another in all GAA activities, whether participating, mentoring or supporting. This was a highly successful initiative and one which we continue to strongly promote.

These resources assist our clubs in ensuring they are compliant with policies and procedures as recommended by Ulster GAA.

13. We encourage all our Clubs to introduce and implement a Child Protection, Anti-Bullying and Child Centred policies and advocate 'a whole club approach' based on zero tolerance to Child Protection matters. This is also an area that Ulster GAA will be developing in the future, with the Launch of the National Antibullying campaign due to take place in March. Tutors will then be trained to deliver a specific course on Anti Bullying after the National Launch. (See Appendix 1 GAA Anti-Bullying Poster distributed to Clubs)

14. Social Media is a highly topical point at this time, and as such we are actively promoting safe surfing to all our members and issuing specific guidance as to how to ensure this is done in line with GAA Policies and Procedures. There are also specific guidelines available to clubs in relation to Social Media Setup and for those who use these tools in any Official GAA Capacity.
15. While the Department for Culture, Arts and Leisure have overall responsibility for Sport and its development in its remit, Child Protection is a cross departmental issue and involves the Department of Health, the Department of Justice, the Department of Education and the Department of Employment and Learning. To this end, a single review needs to be mindful that elements being advocated by one department may create issues for other departments.
16. The Terms of Reference are very general and we would ask that they should reflect specific reasons why the Department for Culture, Arts and Leisure are pursuing this matter and what the intended outcomes in Child Protection are envisaged.
17. We welcome anyone taking an interest in the application of regulations in the Protection of Children and Vulnerable Adults. We, through engagement with Access NI, Sport NI, and the PSNI are satisfied that structures are in place in relation to the reconfiguration needed to demonstrate processes that will enhance the enjoyment of Children and Vulnerable Adults in sport, while at the same time ensure absolute compliance with the legal requirements as set out in various legal acts as they are applied at this present time.
18. Finally, we would welcome the opportunity to meet with the Committee should you wish to discuss this further.

GAA Tackling Bullying

The GAA aims to create a supportive environment where any form of bullying is unacceptable.

We adopt a whole organisational approach to addressing bullying and are committed to implementing structures and relevant training to deal with allegations of bullying. Incidents of bullying are regarded as serious breaches of our Code of Best Practice in Youth Sport.

We are committed to achieving an ethos of respect so as to maximise the potential of all of our members when playing or participating in our Gaelic Games.

What is Bullying?

We define Bullying as 'repeated aggression be it verbal, psychological or physical, conducted by an individual or group against others'.

Bullying can take many different forms:

- **Verbal:** threatening consequences, spreading rumours, name calling, teasing, making sexual/racist/sectarian remarks, highlighting physical appearances or sporting ability.
- **Physical:** kicking, punching, hitting, spitting, biting, tripping, theft or destruction of property and kit.
- **Emotional:** ignoring, excluding, getting people into trouble, leaving them out of games, talking behind their backs, writing unpleasant notes/letters/graffiti, writing letters/text messages/emails or comments on social network sites.

In our games and at our activities different people may be involved in bullying incidences. These may include players/coaches/mentors/parents/spectators/bystanders.



If you have a concern or if you believe that you or somebody else may be the target, recipient or victim of Bullying within the Club you should contact the Club's Children's Officer who will deal with your concern.

Your Club's Children's Officer

.....

Preventing Bullying

It is the responsibility of everybody in the Club to prevent or if need be to deal with incidents of bullying if ever they occur. Our approach is to create a supportive environment where it is not acceptable to bully and where the ethos of the Association is that it is 'ok to tell' if you know about incidents of bullying.

GAA players, coaches, spectators and clubs should:

- ✓ Respect every person's right to play and participate in an environment which is safe and secure and also offers praise and recognition
- ✓ Ensure that every person is treated with respect, dignity and sensitivity
- ✓ Recognise that everyone is important and that our differences make each of us special
- ✓ Challenge all forms of prejudice and promote equality
- ✓ Model fair play, respectful behaviour and leadership
- ✓ Discourage people from colluding with bullying

The Children's Officer in each Club has a responsibility to promote an 'anti bullying ethos' and ensure that the club adheres to the GAA Code of Best Practice in Youth Sport.

Dealing with Bullying

How do you know if it's Bullying?

Ask yourself the following questions:

Targeted

Is the behaviour targeted at a group or individual?

Duration

Has this behaviour been happening over a period of time?

Frequency

How frequent is the behaviour and is there a pattern occurring?

Intention

Is the intention of the behaviour to cause pain/harm/distress to an individual or group?

It is the responsibility of the club to ensure that:

- ✓ The target of the Bullying is made feel safe
- ✓ That the Bullying is stopped and the bully's behaviour is addressed
- ✓ Every person in membership of a GAA Club or attending our games or activities should be fully aware that Bullying is unacceptable in the GAA

GAA

Ulster-Scots Agency

Response to Committee Investigation into Gaps in Child Protection and

Safeguarding Across the Culture, Arts and Leisure Remit

1. Introduction

- 1.1 The Ulster-Scots Agency The Ulster-Scots Agency, or Tha Boord o Ulster Scotch as it is known in Ullans (another name for the Ulster-Scots language), has been given the legislative remit of the “promotion of greater awareness and use of Ullans and of Ulster-Scots cultural issues, both within Northern Ireland and throughout the island”.
- 1.2 The aims of the Ulster-Scots Agency are to promote the study, conservation, development and use of Ulster-Scots as a living language; to encourage and develop the full range of its attendant culture; and to promote an understanding of the history of the Ulster-Scots.
- 1.3 The Agency was established as a part of the North/South Language Body set up under the Belfast Agreement of 1998. The other part of the Language Body is Foras na Gaeilge which has responsibility for the development of the Irish (Gaelic) language. Each of these agencies has its own Board whose members together constitute the Board of the North/ South Language Body – otherwise known as Tha Boord o Leid in Ullans.
- 1.4 The Agency is jointly funded by the Department of Culture Arts and Leisure in Northern Ireland and the Department of Community, Equality and Gaeltacht Affairs in the Republic of Ireland and is responsible to the North/South Ministerial Council.
- 1.5 The Agency has its main office in Belfast with a regional office in Raphoe, Co. Donegal

2. Current Status

- 2.1 The Ulster-Scots Agency is committed to the delivery of a quality service that also promotes good practice and which protects children & young people from harm. The Agency also ensures that correct procedures are in place to safeguard staff and the organisation from any potential allegations of abuse.
- 2.2 The Ulster-Scots Agency has a joint child protection and safeguarding sub-committee with Foras Na Gaeilge. The committee consists of appointed designated officers and deputy designated officers from each organisation. Following procurement, the sub-committee appointed NSPCC to develop robust Safeguarding Policy and Procedures along with a Community Code of Practice. The initial policy was devised in November 2009 and reviewed by NSPCC in January 2011. The sub-committee meets bi-annually and as part of this meeting the policy is reviewed to ensure compliance with new legislation and best practice.
- 2.3 All Ulster-Scots Agency staff have attended a programme of training designed to raise awareness of safeguarding and child protection as well as specific training on the Agency's safeguarding policy and procedures. In addition, the Agency's designated and deputy designated child protection officers have already completed specific training for these posts that was also delivered by NSPCC.
- 2.4 The Ulster-Scots Agency carries out appropriate vetting procedures including ‘enhanced disclosure’ checks for all staff and service providers who have regular contact with children, young people and vulnerable adults. The recruitment and selection of staff is underpinned by a process that ensures that all new staff are fully compliant with safeguarding requirements for work in the Agency.

- 2.5 Community and voluntary groups applying for funding must provide evidence that their organisation is fully committed to safeguarding children and vulnerable adults and must submit a copy of their safeguarding and child protection policies. These policies must include names and contact numbers of two appointed designated and trained safeguarding officers. Failure to fully provide this information will result in a refusal of any further funding.
- 2.6 The Agency's current policy and procedures does include guidance on cyber bullying and social media however, given the recent legislation changes and upcoming recommendations from both the British and Irish parliaments, the joint sub-committee has agreed to seek guidance to review the current policy and procedures to ensure continued compliance and best practice.
- 2.7 The Agency's current policy reflects in a large part the current practice for safeguarding that is applied in the sports sector.

3. Recommendations

- 3.1 The Agency should continue to maintain and develop current operating practices in relation to safeguarding children and vulnerable adults, making use of expertise current in NSPCC and other relevant organisations.

Ulster-Scots Community Network



Child Protection/Safeguarding – written briefing to CAL Committee

Submitted 26th April 2013

Background

The Ulster-Scots Community Network (USCN) was established in 1995 to promote awareness and understanding of the Ulster-Scots tradition in history, language and culture and is an umbrella organisation for a wide range of groups who take part in a diverse range of Ulster-Scots activity. Through a continuing programme of projects we also highlight the significant contribution of the Ulster-Scots community to the development of life in Northern Ireland, the border counties of the Republic of Ireland, and the wider Ulster-Scots diaspora.

As a community umbrella organisation with over 500 individual member groups, we are committed to representing the interests of those who engage in a variety of Ulster-Scots activities.

As a strategic partner in the future development of Ulster-Scots, the USCN's role as a representative, community centred umbrella organisation is an invaluable link between community and government.

USCN continue to recognise that Community Development is critical to the future development of the sector. Improving the capacity, confidence and sustainability of community groups throughout our membership is a core primary objective of our organisation. Some of the organisation's main work areas include community workshops, school presentations, group advice clinics, funding assistance, responding to relevant consultations and the production of relevant educational literature.

USCN are currently Core Funded by the Ulster-Scots Agency and receive support from ACNI's ASOP scheme.

Child Protection/Safeguarding

USCN enforce a robust Child Protection policy. All staff members are subject to Access NI checks as a pre requisite of employment and relevant staff members are trained in Child Protection awareness.

As part of our remit in developing capacity within the community, guidance is often requested from groups who wish to improve their governance and accountability. Recognising the importance of Child Protection issues, USCN staff carried out extensive research when seeking a best practice example both in terms of policy creation and relevance to voluntary groups. Our staff identified the work carried out by Sport NI as a model which could be confidently recommended – enabling member groups to comply with their own requirements and those of potential funders.

USCN staff are not qualified to deliver training on Child Protection however we frequently signpost members who require such training to organisations such as Volunteer Now and NSPCC who are fully abreast of all current requirements.

USCN are a “Registered Body” and “Umbrella Organisation” within the Access NI scheme. Our regular contact with large numbers of groups in the sector allows us to easily facilitate Access NI applications, identification verification checks and processing for our members. This service is offered at no cost to groups providing the applicants are unpaid volunteers.

Issues –

There appears to be a lack of uniformity between the requirements of various funders on Child Protection issues. A uniform base line to which all groups receiving funding must comply would be helpful so long as these requirements were able to be communicated and summarised clearly and concisely. Levels of expected compliance should be realistic and attainable for small voluntary groups as well as larger more professional organisations.

There continues to be some ambiguity and confusion in the community around the definition of “regulated activity” within the Access NI system. Changes to the definition on 10th September 2012 have however partially addressed this however many individuals are being processed who may not need to be as organisations tend to air on the side of caution. Unnecessary checking of individuals may lead to privacy breaches and issues over data retention and security.

Modest investment in creating clear, scenario defined examples for the cultural sector would allow voluntary and community groups to better relate to potential risks and identify solutions to issues.

Access NI certificates provide only a “snapshot” of an individual’s criminal history at that time and the system makes no provision for “real time “ reporting of potential issues after the initial check. There exists no obvious clarity regarding if, or how often, repeat checks of staff/ volunteers should be carried out.

Volunteer Now



17 January 2013

Michelle McIlveen
Chairperson Culture, Arts and Leisure Committee
Room 310 Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

RECEIVED
ON 21 JAN 2013
CCL OFFICE

Dear Ms McIlveen

Re Child Protection Procedures

I read with interest that the Culture Arts and Leisure Committee plan to examine the safeguards that apply in arts groups.

Volunteer Now has been funded by the DHSSPS since 1996 to promote and develop principles of good practice for the protection of children and young people in the voluntary and community sector. These are outlined in the Our Duty to Care guidelines and the Getting It Right minimum standards, both endorsed by DHSSPS. The project supports groups working with children and young people to meet these standards by providing information and training on policies and procedures for keeping children safe. The project has become recognised as the market leader in the voluntary and community sectors in relation to the development of training and information around safeguarding children and young people (and recently this has extended to safeguarding vulnerable adults) and has been to the forefront in working with the Department on the various legislation and policy changes over the years.

The Our Duty to Care project is an important source of support for those working with vulnerable groups and we have worked with a range of organisations in the sector including sport and arts. As a result many of them, including the NSPCC Child Protection in Sport Unit and the Arts Council will have developed and disseminated policy and practice based on the DHSSPS endorsed standards that the Our Duty to Care project provided.

You have stated how important it is that Northern Ireland has the appropriate structures and guidance in place so that individuals and organisations working with children and young people are fully aware of their child protection responsibilities. I can confirm that those structures and guidance are in place in the form of the Our Duty to Care guidelines that are constantly updated to include topical issues such as social media. Many groups will be well developed in terms of their practice

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while others may need extra support to implement best practice. We carried out a comprehensive training, support and policy development project in 2006-2008 with groups funded through the Arts Council and feedback at that time was very positive with safeguarding practice being changed for the better.

You indicate that you want to look for gaps that exist within the arts sector and consider recommendations on how to close them. If Volunteer Now can be of any help in this process please get in touch. We have a good working relationship with the Arts Council and will provide support to them if required.

Yours sincerely



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cc Gavin O'Connor, The Arts Council of N Ireland



Volunteer Now's submission to the Assembly Committee on the Investigation into Gaps in Child Protection across the Culture, Arts and Leisure Sectors.

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Briefing from Volunteer Now to Assembly Culture, Arts and Leisure Committee in advance of oral evidence regarding terms of reference for the investigation into gaps in Child Protection and Safeguarding across the Culture Arts and Leisure Remit.

1. Executive Summary

Volunteer Now promotes volunteering and works with organisations that involve volunteers to help them engage in best practice. Our DHSS&PS funded Our Duty to Care project was established to promote the principles of best practice for the protection of children and young people in the voluntary and community sector. “Our Duty to Care” is a set of guidelines designed to meet the needs of all organisations in the voluntary and community sector in relation to developing good practice to safeguard and promote the welfare of children and young people. The guidelines are supported by a set of minimum standards for safeguarding practice “Getting it Right”. Volunteer Now provides training, information and support on the standards and guidance reaching on average 6500 people across the sector each year.

2. Introduction

Evidence is being provided by Sandra Adair, Director Policy and Capacity Building and Veronica Gray, Safeguarding Manager with Volunteer Now. Sandra has been involved in the volunteering sector for over 25 years, in particular developing training, information and standards that promote policy and best practice for the voluntary and community sector. She has had responsibility for the Our Duty to Care project in Volunteer Now that provides training and information on child protection for 17 years. Veronica has worked in the Our Duty To Care Project for almost 5 years taking up the role of Manager in 2011 and represents Volunteer Now on key strategic groups such as the DHSS&PS-led Voluntary, Community and Faith Sectors Safeguarding Vulnerable Groups Stakeholders Group, SBNI Training and Education Committee, and the Northern Ireland Adult Safeguarding Partnership (NIASP).

3. Role of Volunteer Now

Volunteer Now works to promote, enhance and support volunteering across

Northern Ireland. Volunteer Now is about **connecting** with individuals and organisations to **build** healthy communities and create positive **change**.

Volunteer Now enhances recognition for the contribution volunteers make, provides access to opportunities and encourages people to volunteer. It provides training, information, guidance and support to volunteer-involving organisations on issues of good practice and policy regarding volunteering, volunteer management, child protection, safeguarding vulnerable adults and governance.

We work with the full spectrum of organisations in the voluntary and community sector. This has included work with the culture, arts and leisure sector, providing training, support and information on involving volunteers and safeguarding those they work with. Key pieces of recent work include, working with Voluntary Arts Ireland to produce “Arts and Volunteering - A practical toolkit for arts organisations and groups seeking to involve volunteers” and we are currently involved in recruiting 3500 volunteers for the World Police and Fire Games to be held in Belfast in August.

Volunteer Now’s **Our Duty to Care (ODTC) project** was established in 1996 with funding from DHSS&PS to promote the principles of good practice for the protection of children and young people in the voluntary and community sector. The development of the project was a direct response to a case where a volunteer Martin Houston had abused children in several settings in the voluntary and community sector. A Social Services Inspectorate report had identified the need for good practice guidelines for the sector and the ODTC Project was set up by DHSS&PS to help groups implement the newly developed guidelines. These guidelines are known as **Our Duty To Care** and are designed to meet the needs of all organisations working with children and young people, in relation to developing good child protection practice. (While

developed for the voluntary/community sector, the publication is relevant to and in use within all sectors including Council, Government Departments, HSC Trusts etc).

It provides basic principles which apply across the board from which organisations can develop their own policy and procedures in light of their own activities, structures and circumstances. They have been reviewed and updated 6 times (6th edition to be published in 2013) since 1996 and form the supporting guidance for practice for the **Getting It Right standards** which have been endorsed by DHSS&PS as the minimum practices that any group should have in place to safeguard children and young people. Volunteer Now have written the standards in such a way that groups can use them to self-assess themselves and write their own child protection policy.

The guidance and standards address the following key areas:

- Development of a written policy promoting the organisation's commitment to safeguard the general welfare, health and full development of children and protect them from harm of all kinds
- Consistent application of a thorough and clearly defined method for recruiting staff and volunteers in line with legislative requirements and best practice
- Implementing procedures for the effective management, support, supervision and training of staff and volunteers
- Developing and implementing clearly defined procedures for raising awareness of, responding to, recording and reporting concerns about actual or suspected abuse
- Developing written guidelines outlining the behaviour expected of all involved within the organisation through a clear Code of Behaviour
- Ensuring relevant information is shared appropriately with parents, children, staff, volunteers and other agencies
- Promoting the general safety and effective management of activities through written guidelines.

4. Policy Framework

The policy framework within which the Our Duty to Care project operates has always placed emphasis on the welfare and well being of children and young people, and more recently, vulnerable adults. High profile abuse cases across all sectors have resulted in increased awareness of the need for robust safeguarding practices to be applied when working with *all* vulnerable groups and the recognition of a need to respond.

In Northern Ireland there have been a number of important safeguarding policy and legislative developments over the last decade, in particular the introduction of the Protection of Children and Vulnerable Adults (NI) Order (2003) (POCVA) in 2005, the subsequent Safeguarding Vulnerable Groups (NI) Order 2007 (SVG) and the recent amendments to the SVG Order through the Protection of Freedoms Act 2012. This has strengthened and developed existing policy in relation to safeguarding all vulnerable groups and as a consequence, many organisations offering services and activities to children, young people and vulnerable adults are increasingly 'safeguarding-aware' and there is a growing realisation that safeguarding extends beyond 'vetting' people before admitting them to work with vulnerable groups.

Volunteer Now has worked closely with DHSS&PS in taking forward new legislative and policy agendas. We worked closely with the then Northern Ireland Office to advise on implementation of the new Criminal History Disclosure Service for Northern Ireland, now Access NI, and supported the sector by providing information and training through the process of massive change and challenge associated with the establishment of Access NI. We still maintain a representative role on the Access NI Operations Board. It has represented the voluntary and community sector on the POCVA Awareness Group; facilitated

and delivered POCVA information sessions to organisations that work with both children and vulnerable adults across all sectors; facilitated and supported DHSS&PS to disseminate information about the Safeguarding Vulnerable Groups (NI) Order and the Vetting and Barring Scheme (VBS) it proposed to create. Since the implementation of the VBS was stopped, and throughout the subsequent review process, Volunteer Now continued to support the sector through disseminating information and consulting on the review recommendations, and providing the feedback to the DHSS&PS and Home Office on behalf of the sector. This places the Our Duty to Care project in a very strong position to work closely with organisations across all sectors on all the legislative and policy changes being implemented to increase the safeguards and protection for all vulnerable people.

We welcome the establishment of the Safeguarding Board for Northern Ireland (SBNI) as a key development in coordinating an effective and systemic approach to safeguarding all children and young people in Northern Ireland. In particular we are pleased to have the opportunity to support the development of a regional safeguarding training and education strategy through our membership of the SBNI Training and Education Committee, and our similar involvement through NIASP for the adult safeguarding training framework.

5. Child Protection Achievements

The ODTTC project has therefore become recognised as the market leader in the voluntary and community sectors in relation to the development of training and standards around safeguarding children and young people and is an important source of support for those involved with children and young people. The NSPCC Child Protection in Sport Unit used the guidance and the standards to develop Clubmark and we work very closely with them as they provide tailored support to the sport sector. The sector in ROI and also in England have taken the Our Duty to Care guidance and tailored it for their own country (eg legislation differences) – such is the value of the guidance held within the publication.

The sector is huge and diverse:

- 4,836 organisations in the voluntary and community sector
- 14% working with 'children and families'
- 6% working with young people
(*State of the Sector 2012*)

In a sample of 142 church and faith based groups surveyed:

- 78% offered volunteer opportunities to work with children
- 77% offered volunteer opportunities with young people
(*Volunteer Now 2010*)

The ODTTC project therefore realised early on in its development that it could not meet the demand for child protection training and support on its own. We developed a Trust based partnership model with local statutory (Health Trusts, Education and Council) and voluntary organisations who had a remit and responsibility for safeguarding children and young people, and a cascade training strategy was implemented whereby we trained a range of trainers from across all of the organisations and sectors represented in the partnership, who then go out and train organisations in their local areas in a programme called Keeping Children Safe. All training is provided free of charge to the local groups and remains accessible to all.

Trainers are subject to tight quality assurance mechanisms and are regularly updated on policy and legislation changes so as information going out to the sector remains consistent and of a high quality. Keeping Children Safe is now a recognised training programme and the model of delivery enables us to reach substantial numbers of individuals and organisations across all sectors:

As a result of the Keeping Children Safe capacity building programme in NI, in 2011-2012 we had:

- 69 registered Keeping Children Safe trainers
- 180 certificated Keeping Children Safe programmes delivered
- 3077 individuals participating in these programmes
- 60 tailored programmes (based on the Keeping Children Safe content)
- delivered 1110 participants attending these tailored courses

We also had:

- Over 1000 downloads of publications and information sheets relating to safeguarding children
- 271 safeguarding children queries dealt with by phone and email
- 88 safeguarding children training events delivered with 1306 participants with an average score of 4.5 on scale of 1 – 5 where 1 is poor and 5 is excellent.

6. Our Duty to Care and the Arts

Keeping Children Safe training is therefore making a huge impact and the ODC publication itself is freely available to all within the sector, including culture and arts groups. While we do not know how many from the culture or arts sectors download and use the guidance, we have worked with groups of all sizes on an individual basis and many attend our training. We appreciate that there are large numbers of groups that are well developed in terms of their practice, but acknowledge that many more need extra support to implement best practice. Given that funding is often dependent on having policies in place we have worked with many groups to help them get their policy and practice in place. The diversity of groups we have supported ranges from the small, entirely volunteer led community groups for example St Mary's Silver Band, to mid range groups who may have 1 employee for example Sherridan Stage School, right through to larger and more experienced or supported groups such as Ulster Orchestra, Wheelworks, Belfast Community Circus.

Between 2006 and 2009 we were commissioned by the Arts Council of Northern Ireland (ACNI) to carry out a comprehensive training, support and policy development project with groups funded through ACNI. Within the phased delivery strategy groups were provided with generic training, tailored training and information sessions on legislative changes in vetting practices. Feedback at that time was very positive with safeguarding practice being changed for the better, which led the project to examine the issue of safeguarding policy. We worked with groups such as Belfast Circus School, Kids in Control, Ulster Youth Choir, Belfast Philharmonic Orchestra, Sticky Fingers, Studio On, Community Arts Forum, NW Play Resource Centre, Waterside Theatre, Ulster Orchestra and The Nerve Centre and helped them to develop an overarching safeguarding policy tailored to the arts sector, and with 'art form specific' guidance, so that all practitioners could source appropriate guidance based on the nature of the activities they were providing with children and young people. Specific tailored issues included in the document were arts and crafts, dance, drama, literature, music and choral etc as well as generic good practice, some frequently asked questions, and signposting to a range of other organisations which can provide support.

ACNI made this available to all their groups including dissemination via their website where it is still available today. The final phase of the project was delivery of policy training to all arts organisations in receipt of Arts Council funding on this overarching child protection policy – just over 50 took up this training with another 50 attending information sessions on legislation changes. Volunteer Now wish to acknowledge the leadership demonstrated by the ACNI at that time in securing and providing the resources for groups to access local, sector specific training based on the Keeping Children Safe training content, and the best practice in ODC and Getting It Right.

Since this training took place, it is fair to say that there have been many changes in the safeguarding field. It is not just around legislation and policy, although most recent changes in pre employment vetting through the Protection of Freedoms Act are raising a huge need to inform the sector of the implications of the changes on their recruitment and selection and ongoing safeguarding practices. The development and increasing use of technology has meant there is a new arena where safeguarding and protection issues need to be addressed. ODTC has been reflective of this and we continue to provide up to date information to help groups change/adapt their safeguarding practice.

It is useful to note that the success of the project in promoting good safeguarding children practice, lead in 2009 to the DHSS&PS commissioning ODTC to produce the standards and guidance for good practice in **safeguarding vulnerable adults**. *Safeguarding Vulnerable Adults – A Shared Responsibility, Standards and Guidance for Good Practice in Safeguarding Vulnerable Adults* was launched in 2010 and training and support has since been developed and through another cascade delivery strategy, free, quality assured and consistent training programmes are being rolled out across the province to support groups in achieving the standards. Many groups within the DCAL remit work with vulnerable adults and creating safe environments for them is as important as children and young people.

7. Terms of Reference for Investigation into Gaps in Child Protection and Safeguarding across the Culture Arts and Leisure Remit

Volunteer Now welcomes the opportunity to provide support and evidence in this investigation into the safeguarding practices of groups across the CAL remit and would like to make some specific comments in respect of the terms of reference.

Additionally we would like to take this opportunity to highlight the safeguarding issues which arise for *all* vulnerable groups, as many groups within the CAL sector will provide services and activities to those over the age of 18, who are also in need of safeguarding and protection. The current reporting of the abusive activities of Jimmy Saville remind us that opportunistic offenders (one strand of Saville's offending profile) do not restrict their abusive activities to the under 18 age group - 27% of Saville's victims were over the age of 18 with a victim age range from 8 to 47 years old (Giving Victims A Voice January 2013). In addition we know that offenders will also seek and subsequently abuse a position of trust and respect to gain access to children or vulnerable adults, grooming those who are vulnerable (a second strand to Saville's offending) and using their power and status to ensure the silence of their victim.

a) The Committee will seek to map the existing structures for Child Protection and Safeguarding across the sectors in the CAL remit

The above background to Volunteer Now and the role of the ODTC project in providing guidance and support on safeguarding confirms that there are clear and Government endorsed structures (including training, standards, resources and support) in place for those working with children, young people and vulnerable adults including those within the CAL remit. Evidence of the reach of the Getting It Right standards within the sports sector is the tailoring, use and ongoing promotion of these standards in the form of the sports Clubmark which has been developed by the NSPCC Child Protection in Sport Unit exclusively for those working in sport.

Building on the standards and guidance there is a widespread range of safeguarding training programmes available to groups through a number of providers, with many child protection training providers delivering sector specific courses for example Sports Council training. There is some disparity however in terms of what some sectors consider as the minimum learning required for the different roles involved in working with children and/or vulnerable adults. Agreement about this would ensure there is consistency of practice across all sectors and agreement on 'portability' of training across sectors.

The former Regional Child Protection Committee had agreed and included in the regional child protection policy that basic awareness training in child protection should be a minimum of 4 hours. It is our view that learning outcomes and not course duration is a more appropriate baseline to set. Our work with both NIASP and SBNI Training and Education Committee currently involves developing a regional training framework and strategy for member agencies which can in turn be identified as the minimum standard, identifying the learning outcomes which should be achieved by staff and volunteers, depending on their role, responsibilities and interactions with vulnerable groups. Volunteer Now base our work on the evidence that for every 1 member of staff working with children and young people there are 3 volunteers engaged in the same or similar activities. The figure rises again in our adult safeguarding context, where for every 1 member of staff there are 8 volunteers.

We are mindful that frontline staff and volunteers working with children, young people and/or vulnerable adults have specific training needs which are different for example to those who have less involvement or indirect contact with service users, but who still have a need for some form of basic safeguarding awareness raising training. The training need changes again for those in organisations who take on further safeguarding responsibilities, for example, Designated Officers/Nominated Manager roles, and indeed those who have governance roles will need a different focus to the training they receive. Volunteer Now have been proactive in this area and have developed a suite of 'role specific' safeguarding training modules which address the training needs of all staff and volunteers.

The potential for a regional safeguarding training framework is a much anticipated development which will improve the overall standard of safeguarding practice. At a minimum Volunteer Now would recommend that all staff/volunteers regardless of role would receive basic training on recognising and responding to safeguarding concerns/allegations/disclosures (current and/or historical) so there can be no more missed opportunities to report concerns to the statutory authorities, and no ambiguity that safeguarding vulnerable groups is everyone's responsibility. Clear and unambiguous emphasis that all staff/volunteers have a key role to play in passing on concerns will provide reassurance to children, young people, parents, carers and vulnerable adults that they will be taken seriously and believed in all safeguarding matters, as unfortunately historical cases have shown that this has not always been the case.

- It is recommended that the newly reviewed ODTG publication is promoted to the culture and arts sectors and support with implementation offered.
- It is recommended that the Safeguarding Vulnerable Adults – A Shared Responsibility Standards and Guidance are promoted within the culture, sports and arts sectors and support with implementation offered
- It is recommended that future safeguarding training promoted/provided within the CAL remit meets the standard set by the SBNI and/or NIASP endorsed regional training strategy to improve safeguarding practice, and ensure consistency and relevancy for staff and volunteers.

b) Members will analyse the elements of the systems in place in the Sports sector to assess transferability to other sectors within the CAL remit

The systems in place in the sports sector have been developed using the ODTG guidance and standards so there is consistency across the standards of practice. The advantages for sport are that sports governing bodies have a dedicated worker to work with them on sport and child protection issues only and the infrastructure to support groups to achieve the minimum standards and the authority to put in place sanctions for poor or no attainment.

The "clubmark" is also a useful addition in that groups must meet certain criteria, including safeguarding practices to get the Award. This visible sign to children, parents, carers, and vulnerable adults that groups are "safeguarding aware" is a good idea and one that Volunteer Now supports. We welcomed the accreditation clause contained the Protection of Children

and Vulnerable Adults (NI) Order 2003 (POCVA) which proposed a voluntary system of 'accreditation' for non-child care organisations which would demonstrate their attainment of safeguarding practice. We subsequently worked with DHSS&PS to pilot a generic chartermark for all groups in the sector that meet the minimum standards in Getting it Right. However due to lack of resources to support it and changes in legislation, this never materialised. Linking attainment of standards to funding requirements is already used by many funders so having a recognized accreditation or chartermark could be helpful.

- It is recommended that resources are identified from across Departments to invest in the development of a chartermark to recognise best safeguarding practice in organisations working with vulnerable groups in all areas of the voluntary and community sector.

c) The Committee will identify exemplars and benchmark against which the sectors in the Cal remit can base their Child Protection and Safeguarding guidance and practices.

The exemplars and benchmarks already exist for all sectors including those within the DCAL remit in the form of ODTG and GIR. Through the ODTG guidance and Getting it Right standards, groups have the necessary and current information, easily and freely available, to put good practice in place. Given the changes lately in relation to Disclosure and Barring it may be timely to do some work with the groups to raise awareness of the impact of the new arrangements for their recruitment and selection of staff and volunteers. Reflecting on many former inquiries into cases of child and/or adult abuse, we see the lack of formal and robust recruitment and selection procedures highlighted again and again for example Winterbourne View, Jimmy Saville, Little Ted's Nursery, and we must remain conscious of the lessons learned and recommendations from Sir Michael Bichard following the Soham tragedies. The new developments in disclosure and barring arrangements reduce the scope of pre employment vetting to more proportionate and common sense levels, with a welcome reduction in bureaucracy and administration. However this development puts greater emphasis on the need for organisations to consistently and routinely implement the highest possible standards of practice in all areas of their work.

In addition it would be useful to find out what groups understand their safeguarding training needs to be, whether they are using the ODTG guidance, if they need support to implement the guidance, and whether they are up to date in relation to recent changes and therefore legally compliant. It may be the case that the Committee also needs to widen this to ensure use of the standards that exist for safeguarding vulnerable adults within the sector.

- It is recommended that ODTG is promoted as the exemplar and benchmark for child protection and that groups in the culture and arts sectors are asked about the kind of support they need to meet the benchmark.
- It is recommended that resources are made available to provide a tailored piece of work that will address all the gaps.

d) Members will examine the issues around "cyber-bullying" and Social Media, including education on safe and effective use of the internet for children and young people and their parents.

There has been substantial work done by a number of organisations e.g. Child Exploitation and Online Protection Centre (CEOP) in relation to child protection issues around social media and we welcome the fact that the SBNI has identified within the first strategic priority that it will work to keep children safer by responding to the changing context of child protection and safeguarding work and respond to new and emerging concerns. The SBNI will work "to coordinate and ensure the development of multi-agency strategies to tackle bullying and sexual behavior influenced/heightedened by the use of digital technology".

While ODTG have developed our resources to include elements of safe effective use of the internet and have delivered conferences and workshops around keeping children safe in social media, there is an ongoing need to ensure that this information is getting out to all

those involved including the young people themselves, with support provided to workers and indeed parents who may not be 'digital natives' but have responsibility to ensure the online as well as physical safety and wellbeing of children and young people. The fact that 1 in 12 children/young people go to meet someone who have they only met online (PSNI 2013) demonstrates that the message needs to be reiterated and the safety implications explored with all stakeholders. More education of young people is needed to highlight not only the dangers of posting information/pictures online, but how to be safe in the arena of online gaming, the potential consequences of illegal downloading of music or film, and the damaging consequences to the victim, perpetrator and bystander in the area of cyber bullying.

Organisations need to develop a risk management approach to the use of social media and while acknowledging the dangers and dangerous impacts of abusive online behavior on vulnerable groups, while accepting that technological advances are to be welcomed and are very much part of the every day life of children and young people. We would suggest that as a minimum, organisations should develop and implement policies which address bullying and social media and provide clear guidelines for staff, volunteers, children and parents which consider the acceptable use of technology to communicate with service users, and the behaviours and actions which are unacceptable.

- It is recommended that Government Departments work together to provide focused awareness raising campaigns to educate children, young people and vulnerable adults on the safe and effective use of technology.
- It is recommended that Government Departments work together to educate all those that work with vulnerable group about the safe and effective use of technology.
- It is recommended that Government Departments work together to educate and support parents and carers on the safe and effective use of technology.

e) The Committee will use its findings to present the Department with recommendations for managing and closing gaps in Child Protection and Safeguarding across its remit and, additionally the Committee will disseminate these recommendations to other Statutory Committees.

In order to provide the most comprehensive analysis to the Department, it would be useful first for the culture and arts sector to conduct a mapping exercise to determine the numbers and nature of groups within their field. Once the groups are identified, this should provide some evidence to ascertain why particular groups may be hard to reach, for example some groups may not be linked into a database of contacts from where information is disseminated because they may not be aware of this support. Groups like Arts Council for NI and Voluntary Arts Ireland could be supported to carry out this audit of groups and building on this, work can begin to identify the safeguarding gaps in their policy and practice. As stated above we are confident that the structures exist in the form of Our Duty to Care and Getting It Right to assist groups to self assess their practice and build on this to close any gaps.

- It is recommended that given the recent changes in relation to child protection policy, and also development of social media issues, it would be timely to provide a focused piece of work to address the issues, needs and challenges facing groups in the DCAL remit.

8. Conclusion

Finally we are mindful of the need for cooperation and inter departmental working in taking forward a more robust infrastructure for safeguarding vulnerable groups, which is responsive to regional developments for example SBNi, NIASP, and avoids duplication of effort and resources for organisations, and draws on the existing good practice already evident across the region.

Sandra Adair
Veronica Gray
February 2013



Northern Ireland
Assembly

Appendix 4

Research Papers

Table of Contents – Research Papers

RaISe Paper - Child Protection (26 April 2013)

RaISe Paper – Internet Safety for Children and Young People: Concerns and Policies
(1 September 2010)



Northern Ireland
Assembly

Research and Information Service Research Paper

Paper 000/00

26 April 2013

NIAR 259-13

Jane Campbell

Child Protection

Introduction

As part of its inquiry into child protection the Committee for Culture, Arts and Leisure has requested the following information:

- An overview of recent changes in child protection arrangements/legislation brought in by the UK Parliament and the Oireachtas and
- European child protection standards and the extent to which these have been incorporated into NI or UK legislation.

1 An overview of recent changes in child protection arrangements/ legislation brought in by the UK Parliament and the Oireachtas

1.1 The UK

Legislation and child protection arrangements vary throughout the countries of the UK. There is no single piece of legislation or guidance on child protection that applies throughout the countries, and those that exist are regularly amended and updated. The table on page 6 outlines the main developments in legislation and child protection arrangements in England, Wales, Scotland and Northern Ireland since 1989 starting with the most recent.

Focusing on the last two or three years, key UK developments relate to the Munro Review of child protection, establishment of the National Crime Agency and changes to the vetting and barring systems via the Protection of Freedoms Act. In 2011 the Northern Ireland Assembly enacted legislation establishing the Safeguarding Board.

These are briefly outlined below.

1.1.1 The Protection of Freedoms Act 2012

The Protection of Freedoms Act amended earlier legislation¹, making provision for a new disclosure & barring service². The Act will affect all individuals who have contact **with children and adults at risk** including those in sport and recreation organisations. The new legal requirements will come into force at various times starting from 10 September 2012.

The Sport and Recreation Alliance³ has considered the impact of the legislation on the sport and recreation sector, and identified three significant changes that organisations need to prepare for in relation to checking individuals that have contact with children and adults at risk in their environments. These changes are in relation to:

1. 'Regulated activity' and which individuals must be checked legally.
2. Single disclosures being sent to individuals only.
3. Continuous updating and portability arrangements – criminal records status check.

■ Regulated activity

The new definition of 'Regulated Activity' with children combines a former definition which was focused on the type of activity and the frequency or intensity of the contact, with a further requirement that the individual conducting the activity must be unsupervised. An individual is defined as being in Regulated Activity if the following requirements are met:

Activity which involves:

Teaching, training, instructing, caring for or supervising children;

OR

Providing guidance/advice on well-being;

OR

Driving a vehicle only for children

AND

Happens frequently (once a week or more often)

OR

Happens intensively (on 4 or more days in a 30 day period, or overnight)

AND

1 The Safeguarding Vulnerable Groups Act 2007 The Safeguarding Vulnerable Groups (NI) Order 2007

2 See Disclosure and Barring: What you need to know HM Government 2012 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97875/leaflet-england-wales.pdf

3 <http://www.sportandrecreation.org.uk/smart-sport/protection-freedoms-act>

The individual carrying out the activity of teaching, training or instructing is unsupervised.

■ **Single disclosure**

The Protection of Freedoms Act changes the current operation of Criminal Records Bureau (CRB) disclosures. Currently when an individual requests a CRB disclosure when taking up a role in an organisation, there are two disclosures released by CRB: one is sent to the individual and one is sent to the organisation. This allows the organisation to take a risk assessment on any information on the disclosure. The new Act states that only one copy of the disclosure will be released by the Disclosure and Barring Service and it will be sent **only to the individual**. The organisation will therefore be dependent on the individual to send the disclosure to them once they have received it from the Disclosure and Barring Service.

The organisation will be notified however, when a disclosure is issued and whether it is clear of information or not (but it will not reveal the content of the information). Where it is clear of information the organisation may still request the individual to send the disclosure to them.

Where there is content on the disclosure the organisation will request the disclosure from the individual to take a risk assessment and decide if they can take up a role based on the content disclosed.

In certain circumstances when certain criteria are met the organisation will be able to request a copy of the disclosure directly from the Disclosure and Barring Service.

■ **Continuous updating – criminal status**

Under the current system an individual holding several roles with different organisations that require a disclosure is required to have separate disclosures. Organisations have had to request new disclosures at regular intervals to ensure criminal history on individuals is up to date. The new legislation introduces a continuously updating and 'portable' disclosure. It will allow individuals to hold one disclosure for multiple roles. Each organisation will be able to log on to a portal and check that the disclosure they are being shown is current by using the individual's unique identification number.

1.12 Crime and Courts Bill 2012-13

In 2011 the Home Office published a paper setting out its proposals to establish a National Crime Agency to replace the Serious Organised Crime Agency (SOCA) and take in the work of CEOP – the Child Exploitation and Online Protection Centre. The Home Office states that the new Agency will:

Play a vital role in countering the threat to children and ensuring they are better protected. As well as building on CEOP's existing role as the national centre dedicated to working with others to protect children from sexual exploitation and sexual abuse, the NCA will also be subject to a new statutory duty which in essence is to safeguard and promote the welfare of children, across all of its functions and activities.⁴

1.13 The Munro Review of Child Protection 2010-11

In June 2010 the Secretary of State for Education commissioned Professor Eileen Munro of the London School of Economic and Political Science to carry out an independent review of the child protection system in England. Her analysis found that the system had become over-bureaucratised, gave undue importance to performance indicators, targets and recording and had too much emphasis on process rather than quality and effectiveness. As a result

4

Crime and Courts Bill Fact Sheet 11 The National Crime Agency: child protection Home Office January 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98452/fs-nca-child-protection.pdf

insufficient attention had been given to developing and supporting professional expertise in working effectively with children, young people and families.

The report highlighted how the system could be improved and reformed, for example:

- Statutory guidance should be revised, cutting out unnecessary or unhelpful prescription and focus only on the essential rules and principles for good practice.
- Taking a preventative approach through early intervention with children and families does more to reduce abuse and neglect than reactive services. Therefore a new statutory duty on local authorities and other agencies should be established to provide local early help services.
- Social workers should be enabled to exercise more professional judgement but effort must also be made to improve their expertise during their initial training and through continuing professional development.

The Government's response to the Munro Review was informed by an Implementation Working Group (IWG), drawing on expertise from local authority children's services, the social work profession, education, police and health services. It accepted all but one of the recommendations (wanting time to consider it further) and pledged to build a more child-centred system of child protection.

1.14 The Safeguarding Board (NI) Act 2011

The Act established a Regional Safeguarding Board for Northern Ireland (SBNI), sited within the Public Health Agency. It also created Safeguarding Panels in each HSC Trust area to support the work of the SBNI. It was an important reform given that the existing system of Area Child Protection Committees (ACPCs) in operation in NI and other parts of the UK had been the object of much criticism particularly on their capacity to deliver effective coordination and co-operation to ensure the safety of children and young people.⁵

Table 1 Key developments in child protection legislation, guidance and policy in the UK since 1989.

UK jurisdiction	date	Legislation/guidance/policy ⁱ	Relevance for child protection
England & Wales	2013	<i>Working Together to Safeguard Children</i> Updated Statutory Guidance ⁱⁱ replacing guidance from 2010 and 2000.	<ul style="list-style-type: none"> • The legislative requirements and expectations on individual services to safeguard and promote the welfare of children; • A framework for Local Safeguarding Children Boards (LSCBs) to monitor the effectiveness of local services
UK	2012-13	Crime and Courts Bill 2012-13 ⁱⁱⁱ and Home Office Policy Paper (2011): <i>National Crime Agency: a plan for the creation of a national crime-fighting capability</i> ^v	The Bill will set up a National Crime Agency which will replace the Serious Organised Crime Agency (SOCA) and take in the work of CEOP

5 See Safeguarding Board Bill RalSe Bill Paper 80/10 June 2010
<http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2010/health-social-services-public-safety/8010.pdf>

UK jurisdiction	date	Legislation/guidance/policyⁱ	Relevance for child protection
England, Wales, NI	2012	Protection of Freedoms Act 2012 ^v	Amends the Safeguarding Vulnerable Groups Act 2007 making provision for a new disclosure & barring service which will focus only on roles working most closely with vulnerable groups. Also amends the Safeguarding Vulnerable Groups (NI) Order 2007.
England	2011	<i>The Munro Review of Child Protection: Final Report.</i> ^{vi} and <i>A Child-centred System: the Government's Response to the Munro Review.</i> ^{vii}	Independent review of children's social work & child protection practice commissioned by coalition government. Called for a more child-focussed system of child protection & a reduction in prescriptive timescales & targets from central government. Accepted all but one of the Munro review's recommendations and laid out a programme of proposed changes to the child protection system.
Wales	2011	The Rights of Children and Young People (Wales) Measure 2011 ^{viii}	Requires the rights & duties in the UNCRC to be carefully considered by the First Minister & Welsh Ministers in exercising any of their functions. The UNCRC includes the right to protection from abuse.
Northern Ireland	2011	The Safeguarding Board (NI) Act 2011 ^{ix}	Established the Regional Safeguarding Board (SBNI), sited within the Public Health Agency. Also created Safeguarding Panels in each HSC Trust area to support the work of the SBNI
Scotland	2010	<i>The National Guidance for Child Protection in Scotland</i> ^x	Statutory Guidance.
England & Wales	2010	<i>Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children.</i> ^{xi}	Statutory guidance on inter-agency cooperation re child protection. Replaced in 2013.
Northern Ireland	2009	<i>Safeguarding Children</i> ^{xii} Policy statement.	Highlights key initiatives in relation to child protection including new Gateway teams established in each HSC Trust, new regional child protection standards, and the introduction of a regional assessment model Understanding the needs of Children in Northern Ireland.
Scotland	2009	The Sexual Offences (Scotland) Act 2009 ^{xiii}	Updated the legislation relating to offences against children.
Northern Ireland	2008	The Sexual Offences (NI) Order 2008 ^{xiv}	Updated the legislation relating to offences against children.

UK jurisdiction	date	Legislation/guidance/policy ⁱ	Relevance for child protection
Northern Ireland	2007	Safeguarding Vulnerable Groups (NI) Order 2007 ^{xv}	Sets up a vetting and barring system for people working with children.
Scotland	2007	The Protection of Vulnerable Groups (Scotland) Act 2007 ^{xvi}	Sets up a vetting and barring system for people working with children.
England & Wales	2006	The Safeguarding Vulnerable Groups Act 2006 ^{xvii}	Established a new centralised vetting & barring scheme for people working with children.
England & Wales	2006	The Childcare Act 2006 ^{xviii}	Legal requirement for local authorities to take into account the views of children
Wales	2006	<i>Safeguarding Children: working together under the Children Act 2004</i> ^{xix}	Statutory Guidance. Role and responsibilities of agencies and practitioners, joint working arrangements, child protection processes.
UK	2005	The Serious Organised Crime and Police Act 2005 ^{xx}	Set up the UK-wide Child Exploitation and Online Protection (CEOP) Centre. Also included provisions for improving the vetting system to stop adults who pose a risk from working with children.
England & Wales	2004	The Children Act 2004 ^{xxi}	Produced to strengthen the Children Act 1989, encourage partnerships between agencies and create more accountability. Founded Local Safeguarding Boards, placed a statutory duty to co-operate to improve the well-being of children. Established a children's commissioner for England.
Northern Ireland	2003	The Commissioner for Children and Young People (NI) Order 2003 ^{xxii}	Created a children's commissioner for Northern Ireland to safeguard and promote the best interests of children and young people.
Northern Ireland	2003	Co-operating to safeguard children ^{xxiii}	DHSSPS statutory guidance relating to child protection in NI.
Northern Ireland	2003	The Protection of Children and Vulnerable Adults (NI) Order 2003 ^{xxiv}	(Replaced in 2007 by the Safeguarding Vulnerable Groups (NI) Order 2007)
Scotland	2003	The Commissioner for Children and Young People (Scotland) Act 2003 ^{xxv}	Created a children's commissioner for Scotland.
England & Wales	2003	The Sexual Offences Act 2003 ^{xxvi}	Updated the legislation relating to offences against children.
Wales	2001	The Children's Commissioner for Wales Act 2001 ^{xxvii}	Created a children's commissioner for Wales to safeguard & promote the rights and welfare of children.

UK jurisdiction	date	Legislation/guidance/policy ⁱ	Relevance for child protection
England & Wales	2000	<i>Framework for the assessment of children in need and their families</i> ^{xxviii}	Non-statutory guidance for professionals. Replaced in 2013.
UK	1998	Human Rights Act 1998 ^{xxix}	Incorporated the ECHR into domestic law. Article 2 the right to life, Article 3 protection from torture or inhuman or degrading treatment or punishment.
Scotland	1995	The Children (Scotland) Act 1995 ^{xxx}	Parallel legislation to the Children Act 1989 for Scotland.
Northern Ireland	1995	The Children (NI) Order 1995 ^{xxxi}	Parallel legislation to the Children Act 1989 for NI. It is the primary legislation governing the delivery of child protection services in NI. It places a statutory duty on the key agencies. The HSC Trusts hold the primary statutory responsibility for safeguarding children & conducting any necessary investigations in this regard.
England & Wales	1989	The Children Act 1989 ^{xxxii}	The current child protection system in England & Wales is based on the Act. Sets out what local authorities and the courts should do to protect the welfare of children.

1.2 The Republic of Ireland⁶

Table 2 outlines the key developments in child protection legislation, guidance and policy in the Republic of Ireland since the formation of the State.

The Irish government's Thirty-First Amendment of the Constitution (Children) Bill of 2012 has implications for child protection policy and practice in the Republic of Ireland. The position of children under the Constitution has been the subject of debate and it is argued that the protections afforded do not always achieve the best interests of the child.

The Bill repeals Article 42.5 of the Constitution and inserts a new Article 42A. The reforms would allow the courts to make decisions on the child's best interests and recognise the child's right to be heard. The amendment is seen by many as a key development towards full implementation of the UNCRC. A Children's Rights Referendum on the reforms was held on 10 November 2012. The yes vote received 58% with a turnout of 33.5%. Enactment has been delayed by a legal challenge.⁷

Table 2 Key developments in child protection legislation, guidance and policy in the Republic of Ireland

date	Legislation/guidance/policy	Relevance for child protection
2012	The Children First Bill 2012 Legislation in preparation ^{xxxiii}	Will put the Children First Guidance of 2011 on a statutory basis.

6 See Child Protection Background Briefing RalSe and the Houses of the Oireachtas September 2012.
http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2012/north_south/19112.pdf

7 <http://www.independent.ie/irish-news/website-taken-down-as-court-rules-government-information-on-childrens-referendum-is-biased-28894052.html>

date	Legislation/guidance/policy	Relevance for child protection
2012	Thirty-First Amendment of the Constitution (Children) Bill 2012 ^{xxxiv} Passed by the Houses of the Oireachtas on 10 October 2012. Enactment delayed by legal challenge.	Repeals Article 42.5 of the Constitution and inserts a new Article 42A. The reforms to the Constitution would allow the courts to make decisions on the child's best interests and recognise the child's right to be heard. A Children's Rights Referendum on the reforms was held on 10 November 2012. Yes vote received 58%. Legal challenge has been raised in the High Court.
2012	The Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 ^{xxxv}	Strengthens the child protection legislative framework.
2012	The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 ^{xxxvi}	Makes provision for the protection of children & vulnerable persons & the establishment of a National Vetting Bureau (Children and Vulnerable Persons) Database System.
2011	<i>Revised Children First National Guidelines.</i> ^{xxxvii}	Set out protocols for frontline staff when dealing with suspected abuse of children.
2010	<i>Final Report of the Joint Committee on the Constitutional Amendment on Children</i> ^{xxxviii}	Proposed to recognise the right of the child to protection from harm.
2008	<i>Interim Report of the Joint Committee on the Constitutional Amendment on Children</i> ^{xxxix}	Recommended that government should prepare & publish legislation to establish a statutory scheme for the vetting of all persons involved in working in any capacity with children. Also for statutory regulation of how child protection & criminal records information is collated and exchanged between Garda and other agencies.
2002	The Ombudsman for Children Act 2002 ^{xl}	Creates the Office of the Ombudsman for Children to promote the rights and welfare of children.
2001	The Sex Offenders Act 2001 ^{xli}	Sets out the reporting obligations imposed upon persons convicted of certain sexual offences.
2001	The Children Act 2001 ^{xlii}	The main piece of legislation governing children within the criminal justice system. Focuses on preventing criminal behaviour, diversion from the criminal justice system and rehabilitation.
1999	Children First: the National Guidelines for the Protection and Welfare of Children ^{xliii} Revised 2011	Referred to child protection practices in various sectors including health, education, sports, youth work, leisure, community & voluntary organisations and the faith based sector.
1998	The Child Trafficking and Pornography Act 1998 ^{xliv}	Creates an offence to organise or knowingly facilitate the entry into, transit through, accommodate in or exit from the State of a child for the purpose of sexual exploitation.
1998	The Protection for Persons Reporting Child Abuse Act 1998 ^{xlv}	Provides immunity from civil liability to persons who report child abuse 'reasonably and in good faith' to designated officers of the HSE or any member of An Garda Síochána.

date	Legislation/guidance/policy	Relevance for child protection
1991	The Child Care Act 1991 ^{xlvi}	Established the child protection framework. Sets out the responsibilities of the HSE towards children. Requires that the child's welfare must be the first and paramount consideration but that it must happen with due deference to the Constitutional rights of parents.
1937	The Irish Constitution (Bunreacht na Éireann) ^{xlvii}	The Irish State derives its powers in relation to child protection from Article 42.5 of the Constitution which states: "In exceptional circumstances cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural imprescriptible rights of the child".

2 Details of European child protection standards, and the extent to which these have been incorporated into NI or UK legislation.

The recognition of children's rights including their right to protection is now a fundamental principle of social and legal policy in Europe. A number of human rights instruments have defined standards for child protection in many different settings. These instruments include the European Convention on Human Rights (ECHR) and the United Nations Convention on the Rights of the Child (UNCRC). This section of the paper briefly outlines the extent to which they have been incorporated into NI or UK legislation.

2.1 European Convention on Human Rights (ECHR) (1950)

The ECHR is an international treaty to protect human rights and fundamental freedoms in Europe. The Convention has been incorporated into UK domestic legislation through the Human Rights Act 1998 which came into force in 2000. New legislation in the UK must include a statement of compliance with the HRA. Although ECHR articles are not child-specific, it allows all individuals to protect their rights through the domestic courts and failing this, through the European Court of Human Rights in Strasbourg.

The European Court has recognised the importance of the UNCRC (see page 12) in its jurisprudence, stating that "[t]he human rights of children and the standards to which all States must aspire in realising these rights for all children are set out in the United Nations Convention on the Rights of the Child"

The ECHR has been applied in the UK in a number of legal cases concerning children and young people. In Northern Ireland, the Children's Commissioner NICCY has used her powers to intervene in a number of cases from a children's rights perspective: for example: physical punishment, the right to be protected from inhumane and degrading treatment under Article 3 of the ECHR, and the use of tasers.⁸

2.2 UNCRC: United Nations Convention on the Rights of the Child

The UNCRC⁹ is not a specifically European instrument; it has been ratified by every country in the world with the exception of the US and Somalia. It establishes the best interests of the child as the guiding principle which should inform all policy and practice in relation to children,

8 See page 128 The UN Convention on the Rights of the Child: a study of legal implementation in 12 countries Laura Lundy, Bronagh Byrne and Jason Kang UNICEF 2012
http://www.unicef.org.uk/Documents/Publications/UNICEFUK_2012CRCImplementationreport.pdf

9 <http://www.unicef.org/crc/>

including child protection. The child's right to be protected is enshrined in the UNCRC; Article 34 commits states to 'protect the child from all forms of sexual exploitation and sexual abuse...' and to take all appropriate national bilateral and multilateral measures to that end. Article 19 commits states to protect children from all forms of 'violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse'.

The UNCRC was ratified by the UK in 1991. Article 4 requires States Parties to take 'all appropriate legislative, administrative and other measures for implementation' of the Convention. The UK reported to the Convention's monitoring body (The UN Committee on the Rights of the Child) in 2008 on its progress in doing this.¹⁰ Although full incorporation into domestic law has not taken place, the government maintains that it meets its obligations under the UNCRC "through a mixture of legislative and policy initiatives"¹¹ which are evidenced by:

- A demonstrable rise in the status of children's policy in government
- The creation of Children's Commissioners in each of the four nations
- The passage of a substantial body of law
- The development of country-specific children's plans (Strategies)
- Greater investment in children's services

The UN Committee recommended that a British Bill of Rights would strengthen children's rights in the UK. The Coalition Government has initiated a consultation on a Bill asking whether such a Bill should cover children's rights and possibly lead to incorporation of the UNCRC in UK domestic law.¹²

The Equality and Human Rights Commission (EHRC) in GB and the Equality Commission for NI (ECNI), the four Children's Commissioners for the UK and the Westminster Joint Committee on Human Rights have all expressed a recommendation to the UK government that the UNCRC be fully incorporated into domestic law.

A number of recent research studies have examined the actual extent of incorporation of the Convention by the UK and other governments. Research commissioned by UNICEF UK¹³ observed that the Convention is being incorporated in two main ways—through the use of legal measures and non-legal measures.

Implementation in Law: legal measures of CRC incorporation include

- **Direct incorporation** – the Convention is fully transformed into domestic law at either legislative or constitutional level. The UN Committee favours this method of implementation.
- **Indirect incorporation** – through the use of other legal mechanisms. These are used to give the UNCRC some legal effect in the domestic legal order.
- **Sectoral incorporation** – where relevant provisions of the UNCRC are transposed into relevant sectoral laws, such as those relating to education or family.

10 The Consolidated 3rd and 4th Periodic Report to the UN Committee on the Rights of the Child UK Government <http://media.education.gov.uk/assets/files/pdf/u/uk%20government%20periodic%20report%20to%20the%20uncrc%20-%20july%202007.pdf>

11 House of Commons Hansard, vol. 532, col. 906W, 2011

12 Commission on a Bill of Rights, Second consultation, 2012
<http://www.justice.gov.uk/about/cbr/second-consultation>

13 The UN Convention on the Rights of the Child: a study of legal implementation in 12 countries. Laura Lundy, Ursula Kilkelly, Bronagh Byrne and Jason Kang Centre for Children's Rights, QUB November 2012
<http://www.qub.ac.uk/research-centres/CentreforChildrensRights/filestore/Filetoupload,368351,en.pdf>
See also Governance Fit for Children: to what extent have the general measures of implementation of the CRC been realised in the UK? Save the Children 2011
<http://www.savethechildren.org.uk/resources/online-library/governance-fit-children>

The UNICEF research found that Article 3 (best interests of the child) is the obligation most likely to be assimilated by governments - and most commonly in areas of child protection, alternative care and family law.¹⁴ **In England** for example, Section 1 of the Children Act 1989 makes the child's welfare paramount on decisions made by Family Courts. Section 55 of the Borders, Citizenship and Immigration Act 2009 requires the UK Border Agency to promote and safeguard the welfare of children. **In Scotland** Section 16 of the Children (Scotland) Act 1995 makes the welfare of the child paramount (Article 3) in any children's or court hearing and recognises the child right to be heard (Article 12). New legislation in preparation will shortly require all Scottish Ministers to give due regard to the UNCRC. **In Wales**, the Rights of Children and Young People (Wales) Measure 2011 includes a duty on the First Minister and Welsh Ministers to carefully consider the rights and duties in the UNCRC in exercising any of their functions. **In Northern Ireland** Section 3(1) of the Children (NI) Order 1995 makes the child's welfare paramount in court decisions. Article 3(7) of the Safeguarding Bill requires the Safeguarding Board to promote communication between it and children and young people.

Non-legal measures of implementation include:

- National strategies or action plans for children
- Child impact assessment processes to anticipate the impact of proposed laws, policies or budgetary allocations
- The establishment of children's commissioners or ombudspersons, either as distinct offices or as part of a human rights institution
- Child budgeting or the identification, allocation and monitoring of resources spent on children and children's services
- Children's rights training, awareness raising and capacity building for all those working with and on behalf of children
- The development and collection of data on children's lives

The UNICEF study authors found that in general, implementation of the Convention has been sectoral and piecemeal throughout the UK:

...The UK does not use the [UN]CRC as its overarching framework for the development of children's policy and, so has no clear strategy to ensure the full realisation of the principles, values and goals of the [UN]CRC, including in legislation.¹⁵

Their conclusions tally with those of the four Children's Commissioners in the UK. The Northern Ireland Commissioner for Children and Young People (NICCY) published research in 2011 which examined the barriers to effective delivery for children and young people in Northern Ireland¹⁶. It included a detailed assessment of the extent to which government had taken a child rights approach to policy and practice, including incorporation of the UNCRC. In her conclusions she stated:

While there is increasing reference to children's rights within strategies, policies and action plans, practice remains inconsistent and varies from policy to policy. Greater recognition is accorded to the [UN]CRC generally; however, more often than not, the targeted strategies, policies and action plans have not engaged with, or mainstreamed, [UN]CRC standards in a substantive manner. Designated actions under the targeted strategies, policies and action

14 The UN Convention on the Rights of the Child: a study of legal implementation in 12 countries Laura Lundy, Bronagh Byrne and Jason Kang UNICEF 2012
http://www.unicef.org.uk/Documents/Publications/UNICEFUK_2012CRCImplementationreport.pdf

15 page 117 The UN Convention on the Rights of the Child: a study of legal implementation in 12 countries Laura Lundy, Bronagh Byrne and Jason Kang UNICEF 2012
http://www.unicef.org.uk/Documents/Publications/UNICEFUK_2012CRCImplementationreport.pdf

16 Barriers to Effective Government Delivery for Children and Young People in Northern Ireland Bronagh Byrne Laura Lundy QUB & NICCY November 2011

plans are not routinely underpinned by, or explicitly assessed against, children's rights standards. Moreover, the high level rights outcome within the Ten Year Children and Young People's Strategy is the only outcome within the framework for which no scope has been provided for action planning and for which no indicators currently exist.

There is a general lack of understanding of the CRC and its implications for the development and subsequent implementation of strategies, policies and action plans. Systematic training on the CRC is not provided routinely to those who are directly involved in developing or implementing a strategy, policy or action plan.

Existing data is not always sufficiently disaggregated and insufficient data exists in respect of vulnerable and marginalised groups of children. There is a limited amount of qualitative research conducted on the experiences of children and young people. The lack of good quality baseline data in some instances can make meaningful assessment of progress against the strategies, policies and action plans particularly problematic.

Children are increasingly engaged in consultation processes. However, this level of engagement is not always reflected in the implementation phases and/or structures of the appropriate strategies, policies and action plans.

There is no formal or statutory system of child impact assessment in place to predict the impact of strategies, policies and action plans or budgetary allocations on children and the enjoyment of their rights. Nor is there a formal system of child impact evaluation in place to evaluate the actual impact of budgetary allocations or the implementation of strategies, policies and action plans on children and the enjoyment of their rights.

The ability to assess the extent to which Government is fulfilling its obligations under the CRC, to the maximum extent of available resources, can be compounded by the lack of detailed budgetary analysis with respect to expenditure on children and young people.

(Endnotes)

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- vii. <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00064-2011>
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Research and Information Service Briefing Note

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Dr Dan Hull

Internet Safety for Children and Young People: Concerns and Policies

‘Parents will want to help their children get the most from new technology while at the same time helping them to avoid potential pitfalls.’

Ofcom report. *Protecting Your Children in a Digital World*. 2009¹.

1 Safety Concerns

Even as long ago as 2003, a survey highlighted the fact that 87% of pupils in Northern Ireland have access to a personal computer, and 77% have access to the internet². Since that time, the range of content and opportunities for interaction on the internet has expanded rapidly, with online social networking becoming a common activity for many children. A survey published by Ofcom in 2008 found that 99% of children across the UK have access to the internet, while 86% have access at home³. Concerns associated with children using the internet can be summarised as: accessing inappropriate content, forming online relationships which may be exploitative, identity theft, and cyberbullying.

1 Ofcom. 2009. *Protecting Your Children in a Digital World*.

2 NISRA (2004) *Young Persons Behaviour and Attitude Survey* October 2003-November 2003. <http://www.csu.nisra.gov.uk/surveys/survey.asp?id=11&details=3>

3 Cited in Byron, T. 2008. *Safer Children in a Digital World: The Report of the Byron Review*:p102

General concerns

In 2009, the UK Department for Children, Schools and Families (DCSF) published a report on *Young People and Parents' Attitudes around Internet Safety* as part of the 'Every Child Matters: Change for Children' policy programme⁴. On the basis of a series of face-to-face interviews with 1,433 parents of children aged 0-17 across the UK and 833 children, the research found the following:

- Internet safety is apparently not a major concern for parents of children aged 5 to 17 until they are prompted to think about it. 'Dangers with using the internet' is a concern for 9% of parents unprompted, and 24% after prompting. 5% (unprompted) say they are concerned about cyberbullying/bullying on the internet'.
- Children aged 12 to 17 have fewer concerns in relation to internet safety than parents. Only 2% of children say 'dangers with using the internet' is a concern unprompted, and 7% say this is a concern after prompting.
- When parents and children focus specifically on internet safety, more say that they have concerns. **The level of parental concern about material on the internet appears to be significantly higher than the perceived risks around using the internet.** 74% of parents agree that they have concerns about the content and material on the internet, while 43% agree that their children are potentially at risk from inappropriate content on the internet, and 12% say that their children have seen or done something inappropriate online.
- 39% of parents say they are concerned about their children making some kind of inappropriate contact on the internet (39%).
- Parents are more controlling of children's internet use than children are aware of (or admit to). 67% of parents of children aged 12 to 17 say they have rules for their children about using the internet, compared with 50% of children aged 12 to 17 saying their parents have rules or controls in this area.
- Most parents (91%) say they would take action in the event of their children experiencing harmful content on the internet. Both parents and children say they would be confident in knowing what to do (80% of parents, 87% of children).
- Most parents and children would take 'personal action', ie talk to their children/parents, and/or limit or modify their children's/their internet activities. 'Outside' or 'official' actions are less likely to be taken (less than one fifth would report the experience to any kind of authority).
- Of the 18% of children who experienced inappropriate or harmful content on the internet, only 55% did 'something' about it. More specifically, 34% avoided or blocked the website themselves, 12% spoke to someone (mostly parents), and 4% reported it to an authority (police, website or Internet Service Provider).
- 75% of parents say they would seek help or advice if their child saw or did something inappropriate online. Family and friends are the most likely sources of advice in the event of a problem, although schools are important educators of safe internet use. 74% of parents and 82% of children say that their school has taught their children/them to use the internet safely.
- An estimated 25% of parents of children aged 5 to 11 and 22% of parents of children aged 12 to 17 would be likely to register for free official internet safety training if offered in their local area.

4

Synovate UK Ltd. 2009. *Staying Safe Survey 2009: Young People and Parents' Attitudes around Internet Safety*. Department for Children, Schools and Families: Research Report No DCSF-RR183.

The following table summarises the results of the research published by DCSF:

Table 1: Summary of DCSF survey, Young People and Parents' Attitudes around Internet Safety

	Parents of children aged 5-11	Parents of children aged 12-17	Children aged 12-17
Any concerns	86%	83%	61%
Inappropriate contact	44%	47%	30%
Being in contact with inappropriate people	38%	41%	18%
Giving details to inappropriate people	19%	25%	13%
People getting my personal details	-	-	14%
Inappropriate / harmful content	52%	42%	9%
Websites with sexual content	45%	36%	-
Websites with violent content	30%	25%	-
Websites showing abuse / cruelty	17%	15%	-
Websites / content with bad language	23%	13%	-
Websites about self-harm / suicide	12%	11%	-
Websites with extreme / racist content	10%	10%	-
Websites with inappropriate content	-	-	6%
(Getting caught) looking at websites	-	-	3%
Computer security	12%	14%	24%
Downloading viruses / harmful software	10%	10%	15%
People hacking into computer	8%	10%	13%
Illegal downloading / copyright material	7%	9%	3%
Cyber-bullying / being bullied online	14%	13%	8%

Social networking

Social networking websites such as Facebook and Bebo, where users create their own profiles, add photos, join groups and post frequent, short updates of their activities, have been a particular focus for concern in recent years. An Ofcom report of August 2010 shows that across the UK, 40% of adults live in a household that has used social networking sites, with 32% using them on a weekly basis.

Use of social networking sites has increased in Northern Ireland since 2009 (by nine percentage points) and is on a level similar to the UK as a whole (36% compared to the 40% UK average). Use of social networking sites is more common in Northern Ireland (36%) than in Scotland (27%) and is similar to Wales (37%). Use of social networking sites is slightly more common in the Belfast metropolitan area (39%) than in the rest of Northern Ireland (35%).

Facebook is the most popular social networking site, with Bebo, MySpace and others proving popular. All major social networking sites have now been optimised for mobile phones, and it is likely that this will be an area of future growth. This category can also include 'virtual worlds' like Habbo, World of Warcraft, Second Life and Stardoll.

In Northern Ireland, the 2009 Kids Life and Times Survey found that almost half (48%) of the participants aged 10 and 11 years said they are on social networking sites. Of those that said they were using the sites, 29% said they use them a lot. Approximately one third (35%) of the children that took part in the survey said they had friends that they talk to online but don't meet face-to-face.⁵

Concerns have been expressed that in Northern Ireland sites such as Bebo are being used to organise sectarian violence. A BBC report on this issue stated that 'the police say they don't monitor internet sites on a day-to-day basis but say they'll take action if they're made aware of a crime'⁶.

Cyberbullying has also been identified as an issue by news reports in recent years⁷, with fears expressed that social networking sites, instant messaging services and text messages could be used to communicate 24 hours a day, making victims feel trapped.

Nevertheless, a study in 2008 revealed that many young people who maintain cross-community relationships do so through texting and social networking websites which allow them to chat freely with friends from other areas. The study recommends that the friendship-building potential of this technology should be harnessed to promote integration⁸.

Social networking also holds the potential for a range of learning and personal development opportunities. Childnet International has highlighted some of the educational benefits of social networking⁹. It suggests that regular use of social networking and blogging sites can encourage young people to become active, vocal and articulate citizens with independent views, also helping them to build skills as writers, content managers and team players.

2 Legislation

The *Sexual Offences Act 2003* deals with the issue of grooming (section 15), and explicitly prevents an adult from communicating with a young person and subsequently meeting them to engage in a sexual act. For England and Wales, the act refers to those under the age of 16. For Northern Ireland, it applies to those under the age of 17. Section 46 deals specifically with the issue of indecent images of children.

Media and internet legislation is conducted at a UK-wide level and is not devolved. There is currently no legislation which deals specifically with the issue of internet safety for children. The *Digital Economy Act 2010*, for example, makes no specific reference to internet safety for young people, though the *Digital Britain* report which set out the intentions of the Act does make some statements about the opportunities presented by the internet for young people in terms of learning and enhancement, and the importance of equipping schools and families with the knowledge to guide young people in using the internet¹⁰.

5 Lloyd, K & Devine, P (2009) The Net Generation ARK Research Update No.62 October 2009 accessed at <http://www.ark.ac.uk>

6 BBC News website. 26.1.10. 'NI violence 'organised on social networking sites': <http://www.bbc.co.uk/newsbeat/10005113>; Belfast Telegraph. 3.8.09.

7 For example, see: 'Suicide fears over teenage websites': <http://www.belfasttelegraph.co.uk/news/local-national/suicide-fears-over-teenage-websites-14441706.html>; The Telegraph. 22.6.08. 'Teenager Sam Leeson hanged himself over 'Emo' taunts': <http://www.telegraph.co.uk/news/uknews/2176009/Teenager-Sam-Leeson-hanged-himself-over-Emo-taunts.html>

8 Queen's University Belfast press release. 25.6.08. 'Sectarianism still present in segregated communities': <http://www.qub.ac.uk/home/TheUniversity/GeneralServices/News/ArchivesPressReleases-CampusNews/2008PressReleases/06-2008PressReleases/#d.en.107666> Accessed 26.8.10

9 Childnet International. 2009. Young People and Social Networking Services: A Childnet International Research Report: <http://www.digizen.org/downloads/fullReport.pdf>

10 Digital Britain. 2009. Department for Business, Innovation and Skills.

In the United States, an *Internet Protection Act* was enacted in 2001 to address concerns about access to offensive content over the internet on school and library computers¹¹. Schools and libraries must certify that they have an internet safety policy which addresses:

- access by minors to inappropriate matter on the internet
- the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
- unauthorised access, including so-called 'hacking', and other unlawful activities by minors online
- unauthorised disclosure, use, and dissemination of personal information regarding minors
- measures restricting minors' access to materials harmful to them.

The Act also states that schools and libraries must use 'technology protection measures' to block or filter internet inappropriate content.

In 2008, the UK Department for Children, Schools and Families (DCSF) commissioned Professor Tanya Byron to review the risks to children from exposure to potentially harmful material on the internet and in video games, and to assess the effectiveness and adequacy of existing measures to help protect children from being exposed to such material.

The *Byron Review* did not recommend legislation as a method of tackling the risks posed to children using the internet, citing the likelihood of discouraging children and parents from taking an informed approach to managing their own risks, and lulling parents into a false sense of security. The review instead proposed the creation of,

*'...a shared culture of responsibility with families, industry, government and others in the public and third sectors all playing their part to reduce the availability of potentially harmful material, restrict access to it by children and to increase children's resilience.'*¹²

The review proposed that instead of legislation, the method of achieving this shared culture is a national strategy for child internet safety. This strategy is now in existence, and is described further under 'policies and guidance', below.

NI Safeguarding Board Bill

In Northern Ireland, a *Safeguarding Board Bill* has been proposed which is intended to improve interagency co-operation on child protection through the establishment of a regional Safeguarding Board for Northern Ireland¹³. This measure is designed to ensure co-operation at the highest level within government departments, the health and social care system, local government, and in the voluntary and community sectors.

The bill has completed its second stage and is at present being considered by the Health, Social Services and Safety Committee. Further details of both the board and the bill are given below.

3 Policies and Guidance: UK

The *Byron Review* made a series of recommendations to the UK government including the creation of a UK Council on Child Internet Safety (UKCCIS), which was launched in September 2008. UKCCIS is made up of over 140 organisations, companies, government departments and agencies (including the devolved governments in Scotland, Wales and Northern Ireland),

11 Federal Communications Commission website. 'Children's Internet Protection Act': <http://www.fcc.gov/cgb/consumerfacts/cipa.html> Accessed 27.8.10.

12 Byron, T. 2008. *Safer Children in a Digital World: The Report of the Byron Review*: pp2,81

13 NIA Bill 25/09 Safeguarding Board Bill: http://archive.niassembly.gov.uk/legislation/primary/2009/nia25_09.htm Accessed on 27.8.10.

law enforcement, charities, parenting groups, academic experts and others (including Google, Microsoft, Bebo and the NSPCC). The UKCCIS developed *Click Clever Click Safe: The First UK Child Internet Safety Strategy*. It was launched in December 2009, and sets out:

- work carried out so far to keep children safe online
- commitments to parents, children and young people and the work UKCCIS is planning to do to make these happen
- how the public can monitor their level of success in making children and young people safer.

4 Policies and Guidance: Northern Ireland

Cross-departmental statement on the protection of children and young people

A ten year strategy for children and young people in Northern Ireland was created in 2006 by OFMDFM. This does not contain any specific mentions of internet safety concerns¹⁴. However, a cross-departmental statement on the protection of children and young people by the Northern Ireland Executive, published by OFMDFM in June 2009, contains a section (paragraphs 3.21 – 3.30, under ‘Safeguarding across jurisdictions’) on ‘Safeguarding in the online world’¹⁵. This statement refers to the extent to which young people use the internet, and highlights the significant role to be played by the Child Exploitation and Online Protection Centre (CEOP) in policing the virtual environment and producing a set of resources guiding children and adults in safe use of the internet.

The Department of Finance and Personnel, in partnership with the Department of Communication, Energy and National Resources in the Republic of Ireland, has jointly launched the *makeltsecure* campaign in conjunction with a range of private sector organisations, part-funded by the EU. This campaign, which is being communicated through media advertising, is targeted at both young people and adults with a view to enabling them to protect themselves when using the internet.

The Health Minister Michael McGimpsey represents the NI Executive on UKCCIS. The NI Executive is taking forward the Child Internet Safety Strategy through a DHSSPS-led group which includes representatives from DE, DCAL, DETI, DFP, OFMDFM and key voluntary sector groups. This group is developing a communications plan which will ensure that key messages from the UKCCIS strategy are targeted at audiences here, and to help co-ordinate cross-Departmental activity¹⁶.

Department of Education

The Department of Education is also active on the issue of child safety on the internet. The Classroom 2000 (C2k) network provides schools with access to the internet. This access is fully monitored and subject to a detailed filtering policy, which categorises websites into groups which are allowed or not allowed. The filtering process is updated several times each day because of requests from schools or as new sites appear on the internet.

14 OFMDFM (2006) Our Children and Young People – Our Pledge – A Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016. OFMDFM.

15 OFMDFM (2009) Safeguarding Children – A cross-departmental statement on the protection of children and young people by the Northern Ireland Executive. OFMDFM

16 Northern Ireland Executive news release. 9.3.10. ‘McGimpsey launches new campaign to support ‘digital green cross code’’: <http://www.northernireland.gov.uk/news-dhssps-09022010-mcgimpsey-launches-new>

Schools are also required to have a policy on the safe and effective use of the internet and other digital technology tools. *DE Circular 2007/1*¹⁷ of June 2007 drew attention to the wide range of issues which schools' policies should address and directed schools to advice on what is currently regarded as best practice. Access to the guidance, which is regularly updated, is available on the DE website. ICT Coordinators in the Education and Library Boards have provided training on internet safety and have hosted conferences addressed by CEOP, Childnet International and the PSNI. The Education and Training Inspectorate (ETI) monitors approaches to child protection, and in pre-inspection questionnaires parents are asked if they have been made aware of the schools' Internet Safety Policy.

Internet safety in the revised curriculum/training

Using ICT is one of three cross-curricular skills to be developed through the revised curriculum, from Foundation Stage to Key Stage 4. Teachers have received support and guidance on integrating internet safety into the curriculum which contributes to the areas of Personal Development and Mutual Understanding in primary schools and Learning for Life and Work in post-primary schools. The guidance looks at developing a proactive and responsible approach by pupils to safety, including internet safety. In addition, the Council for the Curriculum, Examinations and Assessment (CCEA) runs a voluntary ICT Accreditation scheme for schools, which includes the area of e-safety in terms of supporting teachers and educating pupils. The Child Exploitation and Online Protection Centre also provides Ambassador training to teachers and Education and Library Board officers which they are able to cascade to pupils and colleagues.

The Department of Education is currently drafting guidance to schools to address recommendations contained in a recent Western Education and Library Board (WELB) report which was produced at the request of the Minister. The report investigated C2k's handling of a situation involving the Sparklebox teaching resources website which was brought to the attention of MLAs by way of a Ministerial Statement on 8 February 2010. The guidance to schools, which the Department intends to issue in the autumn, will address recommendations contained in the WELB report.

Safeguarding Board Bill

New safeguarding structures have been proposed for Northern Ireland, and to this end the DHSSPS has drafted a policy paper, *Safeguarding Board for Northern Ireland*. A Safeguarding Board Bill has been proposed which will place such a board and its remit on a statutory footing. This bill has completed its second stage and is being considered by the Health, Social Services and Safety Committee at present. Though this bill contains no specific mention of internet safety, it does state that it will be the role of the Safeguarding Board to 'develop policies and procedures for safeguarding and promoting the welfare of children' and to 'provide advice or information on any matter concerning safeguarding and promoting the welfare of children'. It is proposed that a number of committees and sub-committees be established by the Board, and although no committee dealing explicitly with internet safety is prescribed, the Bill does state that 'one or more sub-committees' may be established.

In the 2009 cross-departmental statement published by OFMDFM, it is stated that the Board would be asked 'to seek to develop improved and more formalised linkages with these bodies; and as part of its strategic objectives develop an 'e safety strategy' to protect children and young people on line which will include measures for parents.'¹⁸

17 DE Circular 2007/1. 18.6.07. 'Acceptable use of the internet and digital technologies in schools': http://www.deni.gov.uk/22-acceptable_use_of_the_internet_de_circular.pdf Accessed 27.8.10

18 Safeguarding Children: A cross-departmental statement on the protection of children and young people. OFMDFM: p24

A Research and Library Services paper written in 2009 summarises some of the context for the Safeguarding Bill and outlines the policy background¹⁹. Within Northern Ireland, it has been recognised that certain aspects of child safety range across jurisdictions, and the virtual environment is one of those areas where close collaboration with other regions and countries is necessary to ensure that safeguarding measures are in place. Coordination arrangements have been put in place across jurisdictions through the work of the North-South Ministerial Council and the British-Irish Council. For example, following an initial meeting of the North-South Ministerial Council on 20 June 2008, five work streams were established to oversee various developments in the area of safeguarding and child protection including: information sharing – children and families; media awareness – child protection; internet safety; vetting and barring; and research. The internet safety element is being led by the Republic of Ireland.

5 Guidance

The following organisations and campaigns have created guidelines and other awareness-raising resources.

Click Clever Click Safe campaign

The Click Clever Click Safe Campaign is focusing on a new digital ‘green cross code’ – ‘Zip it, Block it, Flag it’. Specific, tailored advice is offered for both young people and parents. The Click Clever Click Safe campaign has been adopted by social networking sites, industry, schools and charities and promoted through radio and press advertising. Local information can be obtained on www.nidirect.gov.uk/clicksafe. The public awareness campaign for Click Clever Click Safe started on Safer Internet Day in February 2010.

Department of Education

DE provides access to a range of information and communications resources on the DE website, and updates its online information as new resources become available. Access to this list of resources can be found here²⁰.

BBC²¹

The Children’s BBC (CBBC) website has a ‘Stay Safe’ section, including Dongle’s How to be Smart quiz and animated video.

Childline²²

Childline has some advice on its website dealing with online safety, including dedicated sections on social networking, use of mobile phones and cyberbullying.

Ofcom²³

Ofcom has produced some brief, general guidance on how parents and carers can work with their children to help them access the internet safely. The guide is entitled ‘Protecting your children in a digital world’, and is available as a PDF.

19 Research and Library Services. 2009. Developing New Child Protection Safeguarding Structures in Northern Ireland. Briefing Notes: 43/10.

20 DE list of resources can be found here: <http://bit.ly/bHdGRY>

21 Website can be found at: <http://www.bbc.co.uk/cbbc/help/web/besmart.shtml>

22 Website can be found at: <http://www.childline.org.uk/Explore/OnlineSafety/Pages/OnlineSafety.aspx>

23 Website can be found at: <http://consumers.ofcom.org.uk/files/2009/09/managemedia.pdf>

Internet Watch Foundation²⁴

The Internet Watch Foundation (IWF) is a self-regulatory UK Charity funded by the EU and wider online industry to minimise the availability of potentially illegal internet content. IWF work in partnership with UK and devolved government departments to influence initiatives and programmes developed to combat online abuse and are the only recognised 'hotline' in the UK for the public to report their inadvertent exposure to potentially illegal online content.

NSPCC²⁵

The NSPCC has created some guidance for parents and carers on how to monitor their child's internet use, including sites where they will have the opportunity to meet others. A summary of this guidance is as follows:

- Familiarise yourself with the sites your children are using
Your child should understand the importance of protecting their privacy online
- Your child should be careful about who they add to their 'friends list'
- Photos and descriptions on their profile should be suitable
- They must know to seek your agreement before meeting with a stranger
- Talk to your child about online bullying and the importance of acting responsibly
- Report concerns of a sexual nature to CEOP

Child Exploitation and Online Protection (CEOP) Centre²⁶

CEOP is a UK cross agency and cross business department of the Serious Organised Crime Agency, and is dedicated to eradicating the sexual abuse of children. It has produced a website about online safety, with different sections containing advice for 5-7, 8-10, and 11-16 year olds, as well as parents and teachers. This website is at: www.thinkuknow.co.uk

CEOP is promoting a new animated film, Lee and Kim's Adventures, which aims to help children aged from 5-7 to understand 'the concepts of personal information and trust' and thus stay safer online.

Teachernet²⁷

This resource is run by the Department for Children, Families and Schools. It includes a section dealing specifically with the issue of cyberbullying.

Google: tips for online safety²⁸

The web company Google has created some brief tips on how children can remain safe online.

Cyber Mentors²⁹

The CyberMentors website aims to tackle cyberbullying by using a social networking model to allow young people at different levels to mentor each other. Young people with concerns can talk online to a highly-trained young CyberMentor and get help straightaway. In serious cases, CyberMentors can refer people directly to an experienced counsellor to provide specialist support.

24 Website can be found at: <http://www.iwf.org.uk>

25 Website can be found at: <http://bit.ly/aWG87P>

26 Website can be found at: <http://www.ceop.gov.uk>

27 Website can be found at: <http://bit.ly/1wJhZF>

28 Website can be found at: <http://www.google.com/intl/en/landing/familysafety/>

29 Website can be found at <http://cybermentors.org.uk>

6 Recommendations

- The Safeguarding Board Bill as it stands does not specify a committee specifically to deal with matters of internet safety. Further scrutiny could be brought to the bill and its associated arrangements to ensure that sufficient resources and expertise are employed to implement an internet safety committee.
- The DHSSPS-led group responsible for implementing the Child Internet Safety Strategy in Northern Ireland could ensure that any guidance produced is kept up-to-date, and that in particular it addresses local issues regarding the use of social networking sites for sectarian recruitment.
- The *Byron Review* highlighted how important it is that parents and carers understand the risks of their children using the internet, and what measures can be used to mitigate and avoid such risks. Training for parents will help with awareness and confidence in tackling these issues in the home. Ensuring that such training is made widely available, is sustained, and is kept up-to-date, will be important.



Northern Ireland
Assembly

Appendix 5

Additional Information

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Armagh Planetarium Safeguarding Children and Vulnerable Adults Policy and Procedures

Correspondence from OFMDFM regarding NSPCC briefing on 22 November 2012

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Safeguarding Board for Northern Ireland – Home Tutors

House of Commons – Internet: Protecting Children

Sport NI – Coaching the Whole Child

Leisurewatch Scheme

List of Leisurewatch Sites from PSNI

Lisburn City Council correspondence regarding Leisurewatch

NILGA correspondence regarding Safeguarding in Councils and Leisurewatch Scheme

Child Protection in Sport Unit (CPSU) - Abuse of Positions of Trust within Sport

NSPCC correspondence regarding Abuse of Trust Issues

Access Northern Ireland

Peter

Please find attached a table that;

- provides some clarification in relation to evidence that PSNI gave to the Committee around the system of enhanced disclosures and PSNI's involvement in the processing of enhanced applications made to AccessNI; and
- some commentary on other issues made known to the Committee in relation to the de-registration of small organisations by AccessNI and the position of those who are self-employed.

I hope this is helpful, but please do not hesitate to contact me if you require any further information or clarification.

Tom Clarke

General Manager
AccessNI

AccessNI clarification document in relation to issues raised during the DCAL Committee inquiry into gaps in safeguarding

PSNI Evidence

PSNI evidence to the Committee	AccessNI clarification
<p>"Carry out detailed and complex enhanced checks for AccessNI"</p> <p>Supt Alan Skelton</p>	<p>In relation to enhanced checks, AccessNI search criminal records in both Northern Ireland and GB and where appropriate, undertake a check of the lists of barred persons held by the Disclosure and Barring Service, where this is appropriate.</p> <p>AccessNI refer around 35% of all applications for enhanced checks to PSNI (and to other UK police forces) and for those cases PSNI check whether there is any non-conviction information, or cautions in respect of the applicant that "might be relevant and ought to be disclosed"</p>
<p>"There was a recent case heard by the Master of the Rolls, T v the Home Office and a number of chief constables about the default of disclosure of historical criminal convictions. This is not about the process of dealing with children; it is not an enhanced disclosure"</p> <p>CI Iain Hall</p>	<p>For clarification. The decision referred to applies to the release of conviction information for enhanced and standard disclosures. In summary the court found in respect of cases in England and Wales that the current system whereby all convictions and cautions can be disclosed on an enhanced disclosure certificate, irrespective of other circumstances, for example, how long ago the offences were committed, whether other offending has taken place and whether the offender was a minor at that time was disproportionate and in breach of article 8 of the European Convention of Human Rights.</p> <p>The system in Northern Ireland is a little different but the Minister is considering the implications of the judgment, locally. It does not impact on police process for considering non-conviction information.</p>

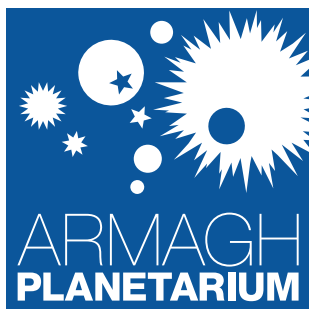
PSNI evidence to the Committee	AccessNI clarification
<p>“AccessNI....sends us an enquiry in relation to someone who is making an application for an enhanced disclosure certificate only when that person is on what is called the PLX database”.</p> <p>CI Iain Hall</p>	<p>As indicated above, AccessNI consider the application form and check whether the applicant has a criminal record and where appropriate undertake a check of the lists of persons barred from working with children and vulnerable adults. It passes the applicant's details to PSNI where;</p> <ul style="list-style-type: none"> • A person has a conviction; or • A person lives or has lived in the past 5 years in the Republic of Ireland; or • A person is on the PLX database; or • The activity will take place in the individual's home, eg fostering, childminding etc.
<p>“the protection of freedoms, hopefully if passed by this house will bring in an independent monitor position where someone challenges my potential disclosure text goes to an independent body outside the police and AccessNI..... the Independent Monitor can demand that the Chief Constable remove the information”</p> <p>CI Iain Hall</p>	<p>Forthcoming legislation to be introduced by the Minister of Justice will provide that an Independent Monitor (IM) may ask a chief officer of police to review information released by a police force on an AccessNI certificate to ensure that it is relevant to the position being applied for and that it ought to be disclosed. If the IM following that review, believes that the information does not meet these criteria he must inform the Minister of Justice who will in turn issue a new certificate.</p>
<p>The only legislative requirement for people who deal with and look after children and vulnerable adults is that they are not on the barred list.</p> <p>CI Iain Hall</p>	<p>Employers have a general legal right to ask prospective employees for details of their criminal convictions</p> <p>In addition, there are currently a range of specific legislative requirements around checking those who work with vulnerable groups, as follows;</p> <ul style="list-style-type: none"> • Employers must not knowingly employ anyone on the barred list; • In certain areas of work, for example, nursing homes and domiciliary care, Regulations require the employer to obtain an enhanced check; • Social Services require, under the Children Act, those running day care nurseries to provide information on employees' criminal convictions. <p>In addition other organisations will have clear policies and procedures of employment that require employees or volunteers to undergo criminal record checks.</p>

Other AccessNI Issues raised with the Committee

Issue	AccessNI Response
<p>Concern about AccessNI decision to de-register any organisation that fails to make more than 20 applications each year.</p>	<p>The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2012 state the Department (AccessNI) can refuse to register anyone who in the opinion of the Department is unlikely to countersign fewer than 20 applications in any period of 12 months. The legislation took effect from 2 April 2012. Similar legislation is in place for other disclosure bodies in the United Kingdom, for example the Disclosure and Barring Service have a minimum criteria of 100 disclosures.</p> <p>The reason for introducing this legislation was that AccessNI has nearly 2,000 Registered Bodies (RBs) and within these bodies over 4,000 persons are registered to countersign applications. AccessNI has a duty to ensure that RBs are capable of providing an appropriate service and can comply with the Code of Practice.</p> <p>To enable AccessNI to successfully manage and to improve efficiency and accuracy in the disclosure process, legislation was proposed so that only those who submitted 20 or more applications could be registered. By this means AccessNI could ensure that only experienced practitioners are involved in the disclosure process. This process requires organisations to deal with complicated issues and questions about the post for which the disclosure is being sought and involves the release of sensitive information about individuals. AccessNI therefore requires assurance that organisations are familiar with and regularly use, the service. It should be noted that around 700 RBs have not used the service this year.</p> <p>Organisations de-registered can either obtain disclosures through RBs that act on behalf of other organisations (known as Umbrella Bodies), or those RBs that had similar interests could form their own Umbrella bodies. In either event, AccessNI has ensured that appropriate provision is made to enable disclosures to be sought, through the introduction of an Umbrella body database, where de-registered organisations could find other organisations to process disclosures on their behalf.</p> <p>The process of change is being implemented over a 12 month period with RBs being warned well in advance that they may be deregistered. AccessNI believe the process will reduce the number of RBs to around 700.</p> <p>Naturally AccessNI consulted with its RBs about this. The consultation exercise was held during November and December 2010. The majority of those responding accepted that the RB network was too large (62%) and favoured AccessNI's option to reduce this by amending Regulations (57%). There will be an appeal process for any RB which is dissatisfied with the decision to deregister it.</p>

Issue	AccessNI Response
Ability of tutors to obtain disclosures	<p>At the present time, self-employed persons cannot obtain an AccessNI disclosure.</p> <p>This is because the current legislation requires the registered body to make a statement that the position applied for is exempt under the Rehabilitation of Offenders (NI) Order 1978 and is for a prescribed purpose, that it that the position is eligible for an AccessNI disclosure.</p> <p>In the case of the self-employed, it is not the registered person but the self-employed person that can make such a statement. Unfortunately within the current legislative position AccessNI are unable to accept such an application.</p> <p>AccessNI is examining whether, with the introduction of the portable disclosure product, the legislation can be amended to provide self-employed persons with disclosures that can be checked by those wishing to engage with the self-employed.</p>

Armagh Planetarium Safeguarding Children and Vulnerable Adults Policy and Procedures



Armagh Planetarium Safeguarding Children and Vulnerable Adults Policy and Procedures

Updated March 2013

Introduction

Armagh Planetarium hosts daily visits from children and young persons, either as school visitors, visits with parents or as part of some other community group or similar organisation. The Planetarium wishes to ensure that as well as enjoying their visit they are safe and protected from harm. This policy describes the procedures in place at the Planetarium in order to achieve this aim. For the purposes of this Safeguarding Policy and Procedures the terms 'child' or 'children' include both young people under 18 years of age and vulnerable adults.

This policy applies to all Armagh Planetarium staff which for the purposes of this policy includes staff employed by the organization, students, volunteers, and student teachers whose work at the Planetarium involves working with children.

Policy

Armagh Planetarium recognizes that the welfare of a child shall be the paramount consideration in any decision made about them and that all children without exception have the right to protection from abuse and bullying regardless of gender, ethnicity, religion, disability, sexuality or beliefs. To achieve this the Planetarium will:

1. ensure that staff are aware of the Safeguarding Policy and Procedures;
2. provide a code of behaviour for staff on their conduct towards children;
3. provide clear step-by-step guidance on what to do should an allegation of abuse be made and clarify the roles and responsibilities of the Designated Officers and staff for recording and reporting any such allegation;
4. provide training on safeguarding children within 3 months of appointment and to all staff every two years;
5. ensure that safe recruitment, selection and vetting procedures are in place;
6. provide parents, group leaders and any other interested parties with information on the Armagh Planetarium's Safeguarding Policy and Procedures when visiting the premises and/or when undertaking tours of the Planetarium grounds and Astropark;
7. make the Armagh Planetarium Redress and Complaints Policy and procedures available on the web-site;

8. review the Safeguarding Policy and Procedures every two years or more frequently as required to ensure that it remains effective and modify the provisions where necessary.

Definition of Abuse and Bullying

Abuse is defined as:

1. physical abuse — deliberate physical injury to a child, neglect, or failure to prevent physical injury or suffering;
2. emotional abuse — persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development;
3. sexual abuse — forcing or enticing a child to take part in sexual activities;
4. neglect — persistent failure to meet a child's physical, emotional and/or psychological needs likely to result in significant harm.

Bullying is defined by the Northern Ireland Anti-Bullying Forum as 'the repeated use of power by one or more persons intentionally to harm or adversely affect the rights and needs of another or others'. According to the Volunteer Development Agency, bullying can take many forms including:

1. emotional — e.g. excluding, being unkind;
2. physical — e.g. hitting, kicking, theft;
3. racist — e.g. racial taunts, graffiti, gestures;
4. sexual — e.g. unwanted physical contact or sexually abusive comments;
5. homophobic — e.g. focusing on the issue of sexuality;
6. verbal — e.g. name calling, sarcasm, spreading rumours, teasing;
7. cyber — e.g. text messages, picture/video and phone calls, e-mail, web-sites.

Reporting Procedures

Suspected or alleged child abuse is a serious matter which should always be followed up with immediate action. The sooner action is taken, the more likely it is that the abuse will stop and the child will recover from his or her experiences.

An incident book containing the reporting procedures and forms, advice on how to deal with a report of abuse and relevant contact details for statutory services, police, health and helplines is kept in the Administration Office. Another file is kept at the reception front desk area.

Initial Actions

Staff have a primary responsibility to report any suspected abuse to either of the two Designated Officers, the Director and the Administrator, namely Tom Mason and Lawrence Young respectively. It is important to try to have the following information recorded on the incident book form:

1. the name and address of any child you are concerned about;
2. the nature of any abuse;
3. the need for medical attention (if any);
4. the reason for suspicion of abuse;
5. what has already been done;

6. any practical information you may have, such as the name of the child's doctor or General Practitioner, school etc; and
7. information as to whether or not the person against whom a suspicion, complaint or allegation exists, has any children of his or her own.

Direct Disclosure

If a direct disclosure is made by a child to a staff member, staff should always:

- stay calm;
- record what has been said in the incident book as soon as possible;
- remain sensitive and relaxed to provide reassurance and normality;
- make it clear to the child that they are safe, right to tell, are not to blame, and are being taken seriously;
- let the child talk — this is not an interview — this will be carried out by specially trained persons;
- listen and give the person time to say what they want;
- ensure a positive experience;
- explain that the disclosure must be reported to the Designated Officer but confidentiality will be maintained;
- tell the child what will happen next in a supportive manner; and
- involve and report to the Designated Officers as soon as possible.

Staff should never:

- question unless for clarification;
- make promises you cannot keep;
- rush into actions that may be inappropriate;
- make/pass a judgement on the person disclosing or on the alleged abuser; and
- take sole responsibility for action -you must leave this to the Designated Officers.

Designated Officers

The Designated Officers are the Director and the Administrator

35.4.4 Confidentiality

Staff must:

- ensure that every effort is made to keep any information received confidential and to communicate information only on a need-to-know basis. Staff should:
- not make promises to keep secrets to anyone passing on information, the general legal principle being that the welfare of the child is paramount and that considerations of confidentiality should not be allowed to override the right of children to be protected from harm;
- pass any information to the Designated Officers, and leave it to them to take any further action;
- not discuss the information reported with other members of staff who are not directly involved; and
- not make direct contact with the family of a child whom the relevant statutory agencies have deemed to have been abused.

35.5 Code of Behaviour

It is impossible to lay down hard and fast rules to cover all circumstances in which staff interrelate with children or where opportunities for their conduct to be misconstrued might occur. In all circumstances, the professional judgement of staff has to be exercised.

From time to time it is prudent for all staff to reappraise their working styles, relationships with children and their manner and approach to individual children to ensure that they give no grounds for doubt about their intentions, in the minds of their colleagues, children, parents or educational supervisors.

Where an allegation against a member of staff over his or her conduct has occurred, an investigation will be carried out in accordance with the Code of Conduct of the Governors of the Armagh Planetarium and Planetarium (see Section 10, p.35). The organization's whistle-blowing policy is currently included in the Code of Conduct (see Section 10.8, p.40). If the investigation finds that the member of staff has acted inappropriately, or not acted in the best interests of the child, the disciplinary procedure (see Section 16, p.77) will be invoked.

In summary, all actions concerning children must uphold the best interest of the child as a primary consideration. Staff must always be mindful of the fact that they hold a position of trust and that their behaviour towards children in their charge must be above reproach. The Code of Behaviour and advice to staff in this Policy are not intended to detract from the enriching experiences that children gain from a positive interaction with staff, but rather to assist staff in respect of the complex issue of child abuse by drawing attention to the areas of risk for staff and providing guidance on prudent conduct.

Physical Contact with Children Staff are advised not to make unnecessary physical contact with children. The child, parent or other casual observer may misconstrue such physical contact. It is unrealistic and unnecessary, however, to suggest that staff should touch children only in emergencies. In particular, a distressed child, especially a younger child, may need reassurance involving physical comforting, as a caring parent would provide. Staff should not feel inhibited from providing this. The following general principles should be considered.

1. Physical contact or touch should always be in response to the child's need.
2. Touch should always be appropriate to the age and stage of development of the child.
3. Staff should not physically restrain a child unless in exceptional circumstances, and in all such cases any physical constraint must be appropriate and reasonable, otherwise your action could be defined as assault.
4. Examples where physical constraint is appropriate would include:
 - a. the prevention of physical injury to the child, other children, visitors or staff;
 - b. the prevention of damage to any property; and
 - c. the prevention or stopping of the commission of an offence.
5. Staff who administer first-aid to a child should ensure wherever possible that this is done in the presence of other children or another adult. However, no member of staff should hesitate to provide first-aid in an emergency simply because another person is not present.
6. Staff should not engage in rough, physical games including horseplay with children, make sexually suggestive comments to or within earshot of a child, or do things of a personal nature for children that they can do for themselves or that their parent or group leader can do for them.

Relationships and Attitudes

Staff should ensure that their relationships with children are appropriate to the age, maturity and gender of the children, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought.

Time Alone with Children

Staff should avoid the following situations:

1. Spending time alone with children unless he or she can be clearly seen by others.
2. Having children on their own in a vehicle unless in an emergency. In such circumstances you should ensure that another member of staff or other adult is aware of the circumstances and knows where you are going.
3. Going into a toilet with children unless another adult is present or gives permission.

Work Experience and Other Educational Programmes

In certain circumstances children between 15 and 18 years of age attend the Planetarium to engage in work experience and other educational programmes, and as a result some staff will be required to work on a one-to-one basis with the children. In the light of the fact that the welfare of the child must be paramount, staff should ensure that:

1. the child is given the appropriate level of supervision and does not undertake activities that are contrary to the Planetarium Young Persons Health and Safety Risk Assessment;
2. parents and the child's school are aware of the activities being undertaken and have given their permission;
3. application forms are completed by the child and a copy of the Armagh Planetarium Policy on Safeguarding Children and Vulnerable Adults is sent to the child's parents; and
4. wherever possible, the child works in an open area freely accessible and in the view of others.

35.6 Selection, Training and Supervision

Selection The Armagh Planetarium has clearly defined recruitment and selection procedures for staff and students employed by the organization (see Section 4, p.11).

The procedures contain the following main elements:

1. the role, duties, key skills and experience of any new staff member are clearly defined and set out in job information sheets supplied with application forms;
2. posts are advertised as widely as possible;
3. Application forms have to be completed by all applicants for posts. The application form is designed to allow applicants to provide all relevant details including personal information, education, work experience, suitability for the post and referees.
4. a selection committee, comprising of at least three members and selected from different community backgrounds and genders, wherever practicable, is appointed to short-list and interview candidates for posts. Short-listing and interview criteria are drawn up and candidates ranked accordingly;
5. reference forms have to be completed by referees for short-listed candidates. This is followed up orally if necessary;

6. forms of identification are obtained;
7. all new staff undergo the induction process, which includes initial training in Safeguarding and receiving a copy of the Safeguarding Policy and Procedures;
8. all successful candidates for 'regulated' posts will initially have to undergo an enhanced vetting check through AccessNI as a condition of their employment. These arrangements will be expedited through the Church of Ireland's office responsible for such matters within the church organisation. This recognises the history of the Col's involvement with the AOP since inception.

Regulated posts for the purposes of this policy are the post of Director, Research Astronomer, Research Fellow, Outreach PDRA, Librarian and the staff responsible for administering the vetting arrangements, namely the Administrator and the Director's PA and Planetarium Secretary.

Training

The Armagh Planetarium will provide a copy of this policy to all members of staff when they first join the organization and new staff will undergo training on Safeguarding issues during induction.

Training to enable effective implementation of the policy and to ensure awareness of the issues will be provided to staff every two years.

Supervision

The Director is responsible for ensuring that staff are aware of and adhere to the provisions of this policy and that sufficient supervision is provided for children.

35.7 Lost and Found Children

This is primarily relevant to younger children and adults with a learning disability who may visit the Planetarium or its grounds as part of an organized tour. Whether such a person is lost or found, a complete written record of the event must be made, including the actions taken, and submitted as soon as possible to the Designated Officers.

Lost

- Obtain as full details as possible of the child's name, age, name of parent or person responsible for the child, name and address of school, contact telephone and physical description of the child.
- On receipt of this information ask another member of staff to conduct a search of the premises and grounds. If necessary, contact the Planetarium staff to help with the search and announce the fact that a child or vulnerable adult appears to be missing over the public address system.
- Reassure the person who reported the missing child that action is being taken to locate the child.
- Where the search does not locate the child inform the person who reported the matter and contact the local police at 084-5600-8000.

Found

- Reassure the child.
- If anyone else is with the child ask them to remain with you or ask another member of staff to stay with you. If this is not practicable ensure that you are in a public area where you can be seen or heard.
- Obtain all relevant details of the child.

- Ask another member of staff to conduct a search of the premises and grounds for the parents or other adult in charge. If necessary, contact the Planetarium staff to help with the search and announce the child's name over the public address system.
- If you cannot contact the parents or person in charge, telephone the home or school or other contact address.

In the event that the parent or person in charge of the child cannot be contacted telephone the local police at 084-5600-8000.

35.8 Health and Safety

As part of the overall duty to protect children from all harm, staff must be fully aware of the procedures to be followed in the event of an emergency evacuation, outbreak of fire or an accident. These procedures are included in the Armagh Planetarium Health and Safety Policy (see Section 32, p.165).

In addition, the following particular arrangements are in place to ensure the health and safety of young people working in the Planetarium:

Arrival

the supervisor will ensure that, on arrival, a copy of the Health and Safety Policy and Procedures is provided and the young person will meet with the Health and Safety Officer. As well as demonstrating the main health and safety procedures, the Health and Safety Officer will draw particular attention to the obligations of staff towards health and safety in the workplace.

Supervision

the supervisor will ensure that the appropriate level of supervision is provided, taking into account the young persons lack of experience in the working environment. Wherever possible, young persons will be located in the communal area set aside at the lobby entrance. If in an office, the door will be left open and another member of staff will be aware of the arrangement.

General

Children must only undertake activities that involve negligible risk of harm to the individual or where adequate safety supervision is in place to ensure that the child is not exposed to an unacceptable risk. In some cases the activity must not occur at all, for example any children in the Planetarium are not permitted under any circumstances to operate power tools or to assist in electrical work requiring technical knowledge and experience.

35.9 Policy Dissemination

The Safeguarding Policy and Procedures will be placed on the Planetarium web-site. In the case of children visiting the Planetarium as part of educational programmes, the policy will be sent to parents along with information on the nature of the work undertaken. In the case of visitors or volunteers to the Planetarium, the host member of staff is required to exercise judgement in drawing the Safeguarding Policy to the attention of the visitor or volunteer. If in doubt whether this is necessary, the member of staff should seek advice in advance of the visit from either of the two Designated Officers.

A copy of the policy will be retained with the incident pack in the Administrator's Office for inspection if required.

35.9.1 Monitoring and Evaluation

The Safeguarding Policy and Procedures will be reviewed every 2 years or more frequently as required to ensure that it remains effective. Feedback will be obtained from staff following

training sessions and periodic e-mail requests to remind staff continually to reappraise their working styles and relationships with children. Actions taken in response to this feedback will be recorded.

35.10 Safeguarding: Some Useful Initial Contact Points

Contact Points	Telephone Number
Armagh Planetarium Designated Officers	
Dr T R Mason, Director	028-3752-2928
The Administrator	028-3752-2928
Health and Social Care Trust Gateway Teams	
Belfast HSC Trust Gateway Team	028-9050-7000
Northern HSC Trust Gateway Team	030-0123-4333
South-Eastern Trust Gateway Team	030-0100-0300
Southern HSC Trust Gateway Team	080-0783-7745
Western HSC Trust Gateway Team	028-7131-4090

Out of Hours Contact

There will be a recorded message at each of the above numbers which will provide Emergency Out of Hours numbers

Police Service of Northern Ireland (PSNI)

Emergency 999

Non-Emergency and General Enquiries 084-5600-8000

Appendix 1

Recognition of Abuse and Poor Practice

What is Abuse?

Child Abuse is defined as falling into the following four categories:

- Physical:** Physical abuse is the **deliberate** physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.
- Neglect:** Neglect is the **persistent** failure to meet a child's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive (faltering growth).
- Sexual:** Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or the production of pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
- Emotional:** Emotional abuse is the **persistent** emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Smothering a child's development through over-protection can also be a form of abuse. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose children to emotional abuse.

The ACPC procedures also recognised the particular impact of bullying and the vulnerability of those with a disability.

Bullying:

Has been recognised and defined as deliberately hurtful behaviour usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or sectarian remarks, threats, name-calling) and emotional (e.g. isolating an individual from the activities and social acceptance of his peer group). The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm).

Those with a Disability:

Safeguards for those with disability should be the same as those for other children. Special input may be required if the child has severe or multiple disabilities as children who are disabled are at a higher risk of abuse.

Not every child with a disability is vulnerable in every situation. However it can be said that certain factors may mean that children with a disability are more vulnerable and could therefore be more open to abuse. The following list examines some of the reasons why children with a disability may be more vulnerable:

- Historically, children with a disability have been encouraged to comply with other people's wishes, for example, in residential homes and hospitals; this has meant they are more vulnerable to be bribed and manipulated.
- Limited life experiences and social contacts may mean that many young person with a disability have not had the same opportunities to acquire the social skills that non-disabled peers have had to assess the behaviour and attitudes of other people. This could also lead to them being unable to understand what is appropriate or inappropriate adult or peer behaviour.
- Individuals with dependency and support needs may have found that it is easier to be pleasing and compliant than challenge those caring for them because of the consequences. Any challenge or complaint could lead to more abusive practice or retribution.
- Continuing dependency on others may make some people feel powerless.
- Communication difficulties may make it hard to complain or be understood. This could be that the individual is unable to speak to tell anyone or does not have the vocabulary to describe what has happened to them.
- Individuals requiring intimate care could be in an increased vulnerable situation, especially if they have to rely on a number of different carers to support their needs.
- The general thought that a young person with a disability are not abused may make it difficult for them to be believed if they report an incident.
- Intrusion into body space for physical and medical care can lead to young people with a disability never developing ownership of their own bodies.
- Some disabilities may mean that an adult's emotional and developmental age is less than their chronological age.

Young People who display Sexually harmful Behaviour

It is estimated that children and young people are responsible for about 1/3 of all sexual abuse against children. This may be an under estimate due to low rates of reporting and even lower prosecution rates. Any effort to prevent child sexual abuse must address the problem of young people who display sexually harmful behaviour (SHB).

Poor Practice

Poor practice can be viewed as the behaviour that can place a child or young person in a risky situation or leave a leader vulnerable to allegations that they were acting inappropriately. The following are a list of some examples of incidents of poor practice:

- working in a private or unobserved situations and encouraging an environment of secrets;
- not treating young people with respect and dignity;
- not following agreed guidelines if physical support is needed, or seeking the parents'/carers' views;
- not being up to date with the technical skills, qualifications and insurance for the activity;
- banning parents or carers;
- constantly giving negative criticism.

Appendix 2

FLOW CHART OF ACTIONS UPON A REPORT OF CHILD ABUSE

Responding to Disclosure of Abuse

Direct disclosures to staff or volunteers are not common but when they do occur it is important that the recipient of the disclosure responds appropriately.

ACTIONS

Designated Officers must:

Always

- Record what has been said immediately or as soon as possible;
- Remain calm and sensitive;
- Reassure child that they:
 - are safe;
 - were right to tell;
 - are not to blame;
 - are being taken seriously.

DO NOT!

1. *question unless for clarification;*
2. *make promises you cannot keep;*
3. *rush into actions that may be inappropriate;*
4. *make/pass a judgment on the person disclosing or on the alleged abuser; and*
5. *take sole responsibility, consult the designated officer so you can begin to protect the child and gain support for yourself.*

IT IS ESSENTIAL THAT THE DESIGNATED OFFICER STAYS CALM AND FOLLOWS THIS PROCEDURE.

1. The child must be able to talk freely - it is very important that you don't interview the child or ask intrusive questions. That is a matter for the specially trained police and social services staff.
2. Listen & hear, give the person time to say what they want.
3. Ensure a positive experience.
4. Explain that you must report, but will maintain confidentiality.
5. Tell child what will happen next, in a supportive manner.
6. Involve and formally report to appropriate individuals immediately.
7. Reassure the child that they have done the right thing in telling and that it will be dealt with appropriately.

Appendix 3

Detailed Safeguarding Reporting Procedures

Suspected or alleged child abuse is a serious matter which should always be followed up with immediate action. The sooner action is taken, the more likely it is that the abuse will stop and the child will recover from his or her experiences.

Initial Actions

Staff have a primary responsibility to report any suspected abuse to either of the two Designated Officers, the Director and the Administrator. The following important information should be recorded on the incident book form:

1. the name and address of any child you are concerned about;
2. the nature of any abuse;
3. the need for medical attention (if any);
4. the reason for suspicion of abuse;
5. what has already been done;
6. any practical information you may have, such as the name of the child's doctor or General Practitioner, school etc.; and
7. information as to whether or not the person against whom a suspicion, complaint or allegation exists, has any children of his or her own.

Direct Disclosure

If a direct disclosure is made, staff should:

1. stay calm;
2. record what has been said in the incident book as soon as possible;
3. reassure the child that they are safe, right to tell, are not to blame and are being taken seriously;
4. let the child talk - this is not an interview - this will be carried out by specially trained persons;
5. listen and give the person time to say what they want;
6. ensure a positive experience;
7. explain that the disclosure must be reported to the Designated Officer but confidentiality will be maintained;
8. tell the child what will happen next in a supportive manner; and
9. involve and report to the Designated Officers as soon as possible.

Staff should never:

1. question unless for clarification;
2. make promises you cannot keep;
3. rush into actions that may be inappropriate;
4. make/pass a judgement on the person disclosing or on the alleged abuser; and

5. take sole responsibility for action - you must leave this to the Designated Officers.

Designated Officers

The Designated Officers are the Director **Dr Tom Mason** and the Administrator **Mr Lawrence Young**. Their main duties are to:

1. record a disclosure of abuse made by a child to a member of staff or the suspicions a member of staff has about a child being abused;
2. seek advice from and report incidents to the relevant statutory agencies;
3. record all actions taken;
4. ensure that all written records in relation to safeguarding children issues are securely and confidentially filed;
5. keep up to date with relevant legislation and best practice; and
6. coordinate training and awareness of staff in safeguarding issues.

Confidentiality

Staff must ensure that every effort is made to keep any information received confidential and to communicate information only on a need-to-know basis. Staff should:

1. not make promises to keep secrets to anyone passing on information, the general legal principle being that the welfare of the child is paramount and that considerations of confidentiality should not be allowed to override the right of children to be protected from harm;
2. pass any information to the Designated Officers, and leave it to them to take any further action;
3. not discuss the information reported with other members of staff who are not directly involved; and
4. not make direct contact with the family of a child whom the relevant statutory agencies have deemed to have been abused.

Appendix 4

Safeguarding: Useful Contacts

Initial Contact Points

Armagh Planetarium Designated Officers Dr Tom Mason, Director Joint Administrator	(Vacant post)
Health and Social Care Trust Gateway Teams Belfast HSC Trust Gateway Team Northern HSC Trust Gateway Team South-Eastern HSC Trust Gateway Team Southern HSC Trust Gateway Team Western HSC Trust Gateway Team Out of Hours Contact There will be a recorded message at each of the above numbers which will provide Emergency Out of Hours numbers.	028 9050 7000 0300 123 4333 0300 100 0300 0800 783 7745 028 7131 4090
Police Service of Northern Ireland (PSNI) Emergency Non-emergency and general enquiries	999 0845 0600 8000
Department of Culture, Arts and Leisure Mr Mick Cory Mr Brian Smart	
Chairman, AOP Board of Governors The Most Rev. Archbishop A E T Harper	

Useful Contacts

ACE (Advisory Centre for Education) Advice on bullying	www.ace-ed.org.uk Helpline 0808 800 5793
Anti-bullying Alliance	www.antibullyingalliance.org
Behaviour Management	www.parenting-ed.org
Bullying Good advice for children on bullying is outlined here - how to recognise it, and what to do if you are the victim or know of someone who is. For those unwilling to tell anybody, help is available on the site via email.	www.bullying.co.uk
Child Exploitation Online Protection	www.ceop.gov.uk
Child Protection in Sport Unit (CPSU) Newsletter email "subscribe" to cpsu@nspcc.org.uk	pstephenson@nspcc.org.uk www.thecpsu.org.uk 028 90351135

Childline Northern Ireland Got a problem? Childline has helped hundreds of thousands of children in trouble or danger. If you feel you can't face ringing them, check out their website. There are fact sheets on many subjects including bullying.	www.childline.org.uk Helpline 0800 11 11 1st Floor, Queens House , 14 Queen Street, Belfast BT1 6ED. Tel: 0870 336 2945
Children's Law Centre	www.childrenslawacentre.org Philips House, York St, Belfast, BT15 1AB CHALKY Helpline 0808 808 5678
Counselling for young people	www.contactyouth.org
Department Of Culture Arts and Leisure	www.dcalni.gov.uk
Domestic Violence	www.womensaid.org.uk
Drugs and alcohol	www.contactyouth.org
Health	www.kidsallergies.co.uk
Internet Safety	www.iwf.org.uk
Kidscape Open Monday to Friday between 10am and 4pm. Nearly everyone is bullied at some time in their lives according to this charity. It offers information and support to young people and their parents.	www.kidscape.org.uk 020 7730 3300
National Children's Bureau	www.ncb.org.uk
NI Anti-Bullying Forum	www.niabf.org.uk
NI Commissioner for Children & Young People	www.niccy.org
NSPCC Child Protection Helpline	www.nspcc.org.uk Helpline 0808 800 5000
Parentline Plus Advice for parents on supporting a child who is being bullied.	www.parentlineplus.org.uk Freephone 0808 800 2222
Parents Advice Centre Parenting Education Project, Parenting Forum NI and The Men's Project -	www.parentsadvicecentre.org Freephone 0808 8010 722
Parents Centre	www.parentscentre.gov.uk
Special Education Needs	www.throughtheroof.org
Sport Northern Ireland	www.sportni.net Tel: 028 90381222
Suicide and self-harm	www.pipsproject.com www.samaritans.org
There4Me NSPCC On line advice service for 11- 16 year olds	www.there4me.org.uk

Volunteer Development Agency 028 90236100	For further information on developing Safeguarding policy and procedures are provided in the documents Our Duty to Care and Getting it Right available at www.volunteering-ni.org
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Correspondence from OFMDFM regarding NSPCC Breifing on 22 November 2012



Office of the
**First Minister and
Deputy First Minister**

Stormont Castle
BELFAST
BT4 3TT

TEL: 028 9037 8158
FAX: 028 9037 8040
e-mail: ps.ministers@ofmdfmi.gov.uk

Miss Michelle McIlveen MLA
Chairperson
Committee for Culture, Arts & Leisure
Northern Ireland Assembly
Room 344, Parliament Buildings
Ballymiscaw
Stormont
BELFAST BT4 3XX

Our Ref: COR/703/12

Your Ref: C299/12

18 December 2012

NSPCC BRIEFING

Thank you for your letter of 27 November requesting an update on progress of the work OFMDFM has been taking forward with the NSPCC.

Junior Minister Bell and Junior Minister McCann met a representative of the NSPCC on 23 October 2012 as part of a meeting held with Sandra Overend MLA to discuss the co-ordination of internet safety across Departments.

As a follow-up to this meeting, OFMDFM officials have been in liaison with the NSPCC and DHSSPS to discuss ways to ensure a joined-up approach to child internet safety issues.

As part of this work, a proforma was drawn up to help identify (i) those measures being undertaken by each Department to address child internet safety (ii) any gaps in terms of actions, policies, regulations or legislation and (iii) any practical actions that could be taken forward by Departments to promote internet safety for children and young people. Once this mapping exercise has been completed and the results analysed, the findings will be shared with the key Departments and agencies through a roundtable discussion involving officials.



In support of this work, Junior Ministers also met recently with the Chair of the Safeguarding Board on 29 November 2012.

Our expectation is that this work will help to identify the issues surrounding child internet safety and the most appropriate ways to raise awareness of them. It should also inform development of a consistent approach across departments to address these issues.

Yours sincerely



RT HON PETER D ROBINSON MLA
First Minister



MARTIN McGUINNESS MP MLA
deputy First Minister



Safeguarding Board for Northern Ireland — Faith Groups



Information for the Northern Ireland Assembly Culture, Arts and Leisure Committee

Introduction:

The Safeguarding Board for Northern Ireland was asked by the Committee for Culture, Arts and Leisure to ascertain from Faith Groups how they administer the use of their premises by outside agencies/individuals and how they ensure that all checks are in place in relation to Safeguarding of children and young people.

Responses received:

- **Child Evangelism Fellowship of Ireland**

The Fellowship requests to see an Organisations safeguarding policy. Agreement is then reached about whose policy the Organisation is working under. A check is also required with regards the Organisations public liability insurance and an outline of the health and safety guidelines is either given in writing or verbally to the groups using the premises.

- **Salvation Army**

Salvation Army activities and properties follow safeguarding policies and procedures laid down by the Head Office in London. When an outside agency or group use any property they have to sign a standardised licence. If there are any under 18s involved then the agency are required to produce their child protection policy for checking. This licence is forwarded to the Area Head Office in Belfast to be approved by the Board.

- **Church of Ireland, Presbyterian Church in Ireland, The Methodist Church in Ireland**

The above Churches as well as having their own Child Protection Guidelines have developed a Common Protocol for Independent Organisations working with children and young people. This Protocol is entitled 'Taking Care' and sets out minimum standards of good practice in dealing with children and young people based on 'Getting it Right' and 'Our Duty to Care'. This is signed annually by the Organisation using the premises. The Protocol seeks to clarify the expectations and responsibilities of both the Churches and the Independent Organisations, especially in the areas of:

- Child Protection Policy – each Organisation is expected to confirm that they have adopted and implemented a child protection policy which accords with the above-named guidance, and a copy of the Organisation's policy is produced or written verification, that the policy is accepted by the Church centrally;
- Appointment of leaders – each local Church supplies the names of officials responsible for the premises to the Independent Organisation. Each Organisation supplies the names and contact details of all leaders and confirms that they have been subject to an AccessNI Check or have been vetted where possible, that they have not been barred and are suitable to work with children and young people. The Organisation has to ensure that leaders/helpers receive appropriate child protection training and are aware of reporting procedures;
- Information sharing; and
- Reporting of concerns - if a report is made and per procedure is notified to the statutory agencies regarding a child protection concern, the Organisation has to inform in confidence, the person responsible for child protection in the local Church.
- Each Organisation must confirm that they have adequate insurance cover in place or written verification that the insurance policy is accepted by the Church centrally.
- Each Organisation is expected to carry out activities safely and to report any safety concerns to the appropriate person in the Church.

- **Catholic Diocese of Down and Connor**

Leasing / renting parish premises to independent groups/ individuals whose activities are aimed at children and young people

Each Parish has a Parish Safeguarding Committees (PSCs) which is expected to ensure that key checks are in place and carried through regarding any independent group or individual wishing to hire or lease parish premises, in order to deliver an activity or service involving children and/ or vulnerable adults.

The group/individual must sign a form confirming that they have:

- A child/vulnerable adult safeguarding policy;
- Their staff/volunteers are appropriately vetted;
- Their staff/volunteers have attended child/vulnerable safeguarding training;

- Appropriate insurance to cover their activity (a copy must be provided to the PSC).

The form must be signed by the leader in charge and a copy of the form retained by the PSC. The guidelines followed state that:

- It is the duty of the Organisation to ensure that the premises are suitable and appropriate for planned activities and that activities are carried out safely. Any health and safety concerns regarding the premises are notified by the Organisation leader to the appropriate person within the Parish as soon as possible.

- The Organisation confirms to the Parish PSC the following:
 1. That it has adopted and consistently implements a child protection policy;
 2. Names and contact details of the leader and volunteers involved;
 3. Leaders and volunteers have been subject to and completed an Access NI check;
 4. Leaders and helpers in the Organisation receive appropriate child protection training and are aware of the Organisation's reporting procedures;
 5. Written confirmation from their insurer that adequate insurance cover is in place for the Organisation's activities.

- The above conditions must be met before Parishes can agree the leasing, hire or rent of their premises. The independent Organisation should provide this information by completing a Club Audit Checklist form which be signed by the person in charge confirming that they meet all of the criteria. They must also provide the PSC Chair with a copy of their insurance.

- In addition to the above, a contract of agreement for the use of the premises should be drawn up between the Parish and the Organisation. This should outline expectations and responsibilities which are understood by both parties and agreed. It is the responsibility of the Parish to establish the contract.

- If an independent individual seeking to hire Parish premises to run an activity, is unable to confirm that the above aspects are in place then they do not meet the requirements. However, if the Parish is keen to have this individual running the activity as they believe the Parish would benefit from this, then the individual

must comply with and work to the Diocesan Child Protection Policy and Procedures and fulfil the requirements expected of other Parish staff and volunteers, i.e., attend training, consent to a vetting check and work to the Diocesan Code of Conduct. This decision rests with the Parish in question.

Leasing / hiring parish premises for private children's birthday parties

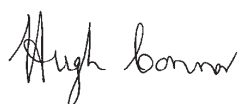
Individual adults (parents/ family members) approaching the Parish Priest or Parish Hall Committee to hire the Parish hall for a private children's birthday party, does not meet the criteria for regulated activity and therefore do not require to be vetted. All Parishes are insured to cover these one off private events and as these events are the sole responsibility of the parents/ carers to organise and supervise all children attending, then they are not required to complete the Club Audit Checklist and there is no requirement for PSC to be involved.

However, as a matter of good practice each Parish Hall Committee or Parish Priest should ensure that key health and safety measures are covered prior to agreeing the hall for hire. For example it would be good practice to draw up an agreement with a potential hirer (in the case of a children's private birthday party) highlighting the terms and conditions for the use of the hall, the responsibilities for each party, the issue of accidents and how these should be reported and arrangements in the event of fire (fire exits and how to raise the alarm). Parish Hall Committees or the Parish Priest would benefit from developing a written Agreement proforma for all such requests which should provide clarity regarding expectations of each party to the agreement.

Summary

Whilst there is some variation, it is clear that Church Organisations have taken steps to check the "bona fides" of anyone seeking to hire or lease their premises and in so doing to ensure that checks of the Organisation's Child Protection Policy and credentials are established.

I hope this is helpful.



Mr Hugh Connor

Safeguarding Board for Northern Ireland — Home Tutors

Home tutors are subject to vetting and barring arrangements, insofar as they are committing an offence if they;

- (a) seek to engage in regulated activity from which they are barred;
- (b) offer to engage in regulated activity from which they are barred; or
- (c) engage in regulated activity from which they are barred.

However, AccessNI currently do not issue Enhanced Disclosure Certificates or Barred List checks for those such as home tutors who are self-employed. This is due to the absence of a 'Regulated Activity Provider' (RAP) - i.e. the employer – who can say whether or not the applicant will be engaging in regulated activity, and can take further action if the applicant is found to be barred from that work. Parents who pay home tutors are not considered to be RAP's.

It is expected to introduce a legal 'duty to check' those in regulated activity within the next 12 months, but this will not apply to self-employed persons.

AccessNI have advised that once portable disclosure checks become available in Northern Ireland (2014), it is intended that home tutors will be able to apply for a portable Enhanced Disclosure certificate with a Barred List Check through an Umbrella Body. They will then be able to provide details to parents which would enable the parents to check that their status has not changed since the check was carried out.

House of Commons — Internet: Protecting Children



Internet: protecting children

Standard Note: SN/HA/6527

Last updated: 1 May 2013

Author: John Woodhouse

Section: Home Affairs

The increasing use of the internet by children and young people has been accompanied by growing concern about the online dangers they face - pornography, 'grooming', and bullying, for example.

In response to this concern, in June 2012, the Government announced a consultation seeking views on three broad options for protecting children:

- "default-on" or "opt-in" – where people's home Internet Service Provider (or each internet-enabled device) blocks harmful content automatically before any customer buys it. Parents can later choose to adjust or remove the blocks
- "active choice" - where customers are always presented with a choice about whether or not they want filters and blocks installed on their home internet service and/or each internet-enabled device they are buying
- "active choice plus" – where customers are presented with a list of online content that will be blocked automatically unless they choose to unblock them

The Government's response was published in December 2012. A large majority of respondents, including parents, did not like any of the above options. The Government said its policy would therefore develop so that it:

- actively helps parents to make sure they have appropriate safety features in place when their children access the internet and also encourages them to think about issues such as grooming, bullying and sexting as well as potentially harmful or inappropriate content
- existing ISP customers as well as new ones
- makes it easier for parents to take charge of setting up the internet access their children will have, and less likely that they will abdicate this responsibility to their children

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1 Introduction

According to an August 2011 [report](#) by the [Childhood Wellbeing Research Centre](#), 99% of children aged 12-15 now use the internet, as do 93% of 8-11 year olds and 75% of 5-7 year olds.¹ This routine use of the internet by children has led to concern about the potential dangers they face - particularly about access to pornography, online bullying, 'sexting',² and the use of social networking sites to sexually solicit children. A number of recent studies have looked at these issues and how best to protect children, for example, Reg Bailey's [Letting Children be Children](#) (June 2011),³ Linda Papadopoulos' [Sexualisation of Young People](#) (February 2010), and Tanya Byron's [Safer children in a digital world](#) (March 2008). The latter report led to the setting up of the UK Council on Child Internet Safety in September 2008.

2 The UK Council on Child Internet Safety (UKCCIS)

In her March 2008 report, Tanya Byron identified three strategic objectives for child safety on the internet:

- reducing the *availability* of harmful and inappropriate material in the most popular part of the internet
- restricting children's *access* to harmful and inappropriate material
- building children's *resilience* to the material to which they may be exposed so that they have the confidence and skills to navigate the online world more safely⁴

Professor Byron highlighted the key role of parents in managing children's access to harmful material:

There is a range of technical tools that can help parents do this (eg. safe search), but they only work effectively if users understand them. So restricting children's access to harmful and inappropriate material is not just a question of what industry can do to

¹ p3, Emily R Munro, [The protection of children online: a brief scoping review to identify vulnerable groups](#), Childhood Wellbeing Research Centre, August 2011 [accessed 1 May 2013]

² Self generated sexually explicit images and messages that are shared by mobile phone and often posted on social networking sites. See Andy Phippen, [Sexting: An Exploration of Practices, Attitudes and Influences](#), NSPCC, December 2012 [accessed 1 May 2013]

³ A November 2011 update is available on the [DfE website](#) [accessed 1 May 2013]

⁴ p5, [Safer children in a digital world: the report of the Byron review](#), Department for Children, Schools and Families, March 2008 [accessed 1 May 2013]

protect children (e.g. by developing better parental control software), but also of what parents can do to protect children (e.g. by setting up parental control software properly) and what children can do to protect themselves (e.g. by not giving out their contact details online).⁵

The report recommended the creation of a UK Council on Child Internet Safety to lead the development of a strategy with two core elements:

- better regulation – in the form, wherever possible, of voluntary codes of practice that industry can sign up to
- better information and education, where the role of government, law enforcement, schools and children's services will be key⁶

The UK Council on Child Internet Safety (UKCCIS) was launched in September 2008.⁷ It is chaired by Ministers from the Department for Education and Home Office and brings together organisations from government, industry, law enforcement, charities and parenting groups.⁸ Further information on the work of UKCCIS can be found on its [website](#).

A March 2010 progress report, also by Professor Byron, *Do we have safer children in a digital world?*, reviewed the work of UKCCIS and, amongst other things, said that future work should “promote the availability and use of parental controls”.⁹

3 Consultation on parental controls (June 2012)

An *Independent parliamentary inquiry into online child protection* (April 2012), chaired by Claire Perry, noted that “while parents *should* be responsible for monitoring their children's internet safety, in practice this is not happening”.¹⁰ The report went on to recommend that the Government “should launch a formal consultation on the introduction of an Opt-In content filtering system for all internet accounts in the UK” as well as seeking “backstop legal powers to intervene should the ISPs fail to implement an appropriate solution”.¹¹

On 28 June 2012 a Department for Education (DfE) press release announced details of a ten week consultation on whether automatic online blocks should be introduced to protect children from adult and harmful websites:

[The consultation] asks for views on the best way to shield children effectively from internet pornography and other adult and potentially harmful content - including websites promoting suicide, anorexia, gambling, self-harm and violence, as well as those exposing them to online sexual grooming or cyber-bullying.

And it asks which approaches are effective and technically practical; what improvements are already in development; and what more could be done to build on industry's progress in the last year in better protecting young people and helping parents manage what their children access online

⁵ Ibid, p5

⁶ Ibid, p6

⁷ “Children's web watchdog launched”, *BBC News*, 29 September 2008 [accessed 1 May 2013]

⁸ UK Council for Child Internet Safety (UKCCIS) [website](#) [accessed 1 May 2013]

⁹ p14, Tanya Byron, *Do we have safer children in a digital world?*, Department for Children, Schools and Families, March 2010 [accessed 1 May 2013]

¹⁰ p5, *Independent parliamentary inquiry into online child protection: findings and recommendations*, April 2012 [accessed 1 May 2013]

¹¹ Ibid, p8

(...) The discussion paper asks for views on three broad options for the best approach in keeping children safest online, in a rapidly changing digital industry:

- A system, known as default-on or opt-in, where people's home Internet Service Provider or each internet-enabled device (laptop and desktop computers; mobile phones; tablets and television) blocks harmful content automatically before any customer purchases it. They can later choose to adjust or remove the blocks if parents want to access the blocked websites.
- A system where customers are always presented with an unavoidable choice about whether or not they want filters and blocks installed either on their home internet service and/or each internet-enabled device they are buying – an approach known as “active choice”. This applies at either the ‘point of purchase’, either online, telephone or over the counter or when a customer first switches on a new device or internet subscription.
- A system that combines features of both systems, where customers are presented with a list of online content that will be blocked automatically unless they choose to unblock them – or active choice plus.¹²

The press release also provided the following background to the consultation:

(...) the Prime Minister said earlier this summer that there was a clear case to look at whether internet services or devices might come with a filter on as their default setting or having a combination of filter on and active choice.

(...)

It follows work over the last year led by Government working with UKCCIS members to strengthen practical steps to improve child internet safety, following last year's independent Letting Children Be Children report by Reg Bailey, Chief Executive of Mothers' Union.

The Bailey report argued that parents are best placed to manage what their children's access online – but while many want to take control, all too often they do not know how.

Progress to date includes:

- All four main internet service providers BT, TalkTalk, Virgin Media and Sky signing up to the first ever code of practice last October, to give all new customers an active choice of whether or not to apply controls and filters to block harmful content – with the aim that eventually it would be extended to all existing customers as the norm, as TalkTalk has with its free HomeSafe service.
- Ongoing work with major laptop and hardware manufacturers to sell new products with active choice prompts at first switch-on. UKCCIS has also been working with mobile phone manufacturers and public wifi providers to block access to adult material in public places – for instance Virgin Media's forthcoming service on the London Underground network and O2's wifi links in McDonalds restaurants.

¹² “Parents asked if adult websites should be blocked”, Department for Education press release, 28 June 2012 [accessed 1 May 2013]

- Major high street retailers such as Tesco, John Lewis, Dixons and PC World piloting or introducing new schemes so staff ask all customers if they want parental controls activating, when they buy new products.¹³

The full consultation document can be found [online](#).¹⁴

4 Government response (December 2012)

The Government's [response](#) was published on 17 December 2012 and noted that there were 3,509 responses – 69% of these were from members of the public and 22% from parents.¹⁵ The key findings were as follows:

Respondents very clearly said that children's online safety is the responsibility of parents or a shared responsibility between parents and businesses. A majority of parents think that it is their responsibility solely, and parents are more likely than other groups (with the exception of VCS organisations) to think it is a shared responsibility with business.

A large majority of respondents, including parents, said that they did not like any of the three options for parental controls the consultation invited responses on. There was marginally more support for default filtering at network level (14 percent of respondents) than for the other options - parents choosing controls (9 percent of respondents) and a combination of default filtering and parental choice (7 percent of respondents).

(...)

Parents also recognise that their children are more likely to be worried by other people's behaviour on the internet, such as bullying, than by inappropriate content.

Pornography is the issue that parents are most likely to say they want help with to protect their children online, with bullying, violent content and grooming other key concerns. However, nearly a quarter of parents say they don't need help with any of the issues the consultation asked them about.

Parents say they would like to be made more aware of parental controls and to have more information about how to use them.¹⁶

The Government's response to these findings began by noting that, to date, its "approach has been based on expert advice that default filtering can create a false sense of security since:

- It does not filter all potentially harmful content: given the vast amount of material on the internet, it would not be possible to identify all the possible content to be filtered, and very large numbers of websites are created each day.
- There is also a risk from "over-blocking" – preventing access to websites which provide helpful information on sexual health or sexual identity, issues which

¹³ Ibid

¹⁴ [Parental internet controls consultation](#), Department for Education, June 2012 [accessed 1 May 2013]

¹⁵ p3, [The Government's response to the consultation on parental internet controls](#), Department for Education, December 2012; the remaining responses came from other family members, academics, voluntary organisations, and communication businesses. [accessed 1 May 2013]

¹⁶ Ibid, p4

young people may want information on but find difficult to talk to their parents about.

- It does not deal with harms such as bullying, personal abuse, grooming or sexual exploitation which arise from the behaviour of other internet users.
- It does not encourage parents to engage with the issues and learn about keeping their children safe online. There is a risk that parents might rely on default filtering to protect their children from all potential online harms and not think about how their children might want to use the internet, the kind of content that is appropriate for each child according to their own circumstances, and the risks and harms their children might face.

20. The Government has therefore been working with all parts of the information and communication industries through UKCCIS to promote the approach recommended by Reg Bailey, "that the internet industry should ensure that customers must make an active choice over what sort of content they want to allow their children to access ... those providing content which is age restricted, whether by law or company policy, should seek robust means of age verification as well as making it easy for parents to block underage access."¹⁷

Although little consensus emerged from the findings, there were "clear messages" suggesting the way in which policy could "evolve" - supporting parents in their desire to be responsible for their children's safety and making it easier for parents to choose what is right for their own children.¹⁸ The Government's approach would therefore develop so that it:

- actively helps parents to make sure they have appropriate safety features in place when their children access the internet and also encourages them to think about issues such as grooming, bullying and sexting as well as potentially harmful or inappropriate content
- covers existing ISP customers as well as new ones
- prompts or steers parents towards those safety features
- makes it easier for parents to take charge of setting up the internet access their children will have, and less likely that they will abdicate this responsibility to their children

25. The Government is now asking all internet service providers to actively encourage people to switch on parental controls if children are in the household and will be using the internet. This approach should help parents make use of the available safety features without affecting internet users aged 18 and over who can choose not to set up controls.

26. Internet service providers have made great progress to date in implementing "active choice" controls where all new customers are asked if they want to switch on parental controls. **The Government is urging providers to go one step further and configure their systems to actively encourage parents, whether they are new or existing customers, to switch on parental controls. The Government believes providers should automatically prompt parents to tailor filters to suit their child's needs e.g. by preventing access to harmful and inappropriate content. We also**

¹⁷ Ibid, pp5-6

¹⁸ Ibid, p6

expect ISPs to put in place appropriate measures to check that the person setting up the parental controls is over the age of 18...

27. (...) All of the information and communication industries, including retailers and device manufacturers, should work to develop universally-available family friendly internet access which is easy to use. The Government wants to see all internet-enabled devices supplied with the tools to keep children safe as a standard feature.¹⁹

The response said that the Government would work with industry, charities and relevant experts, through UKCCIS, to develop the approach set out above.²⁰ UKCCIS would also look at what more can be done to:

- define which children are most likely to be vulnerable online.
- improve online protections for the more vulnerable children, including making it easier for parents and carers to find out what kinds of controls can allow these children to use the internet safely and how children in families where their safety is a low priority can be helped to have positive experiences of the internet;
- define inappropriate content and improve the means for identifying it online, starting with an exploration of "community regulation"
- establish clear, simple benchmarks and classifications for parental control solutions, so that parents can more easily understand what those tools will help them with and how various products compare; and
- encourage a deeper understanding of the reasons why parental controls are not taken up by more parents.²¹

Claire Perry, who chaired the independent parliamentary inquiry into online child protection, expressed disappointment that an 'opt-in' option had been ruled out but said that:

(...) this was not the preferred choice of those responding to the Consultation and it is right that government policy is based on the responses that are received to Consultations.

However, the all-important issue of getting Internet Service Providers to do more to verify the age of the person setting up any form of filter or control has clearly been highlighted and I am really pleased that UKCCIS has been tasked with sorting out age verification procedures, working with the ISPs...we will end up with age verification and active filters that will mean Britain will lead the world in keeping young people safe online.²²

The Internet Service Providers' Association (ISPA) welcomed the Government's position:

¹⁹ pp6-7, emphasis in original

²⁰ Ibid, p7

²¹ Ibid, pp7-8

²² "Claire Perry's Response to Parental Controls Consultation", 15 December 2012 [accessed 1 May 2013]

Online safety is a shared responsibility between parents and the wider industry, including ISPs, manufacturers and retailers, via providing easy to use tools, advice and information.²³

In a written parliamentary response of 25 April 2013, Edward Timpson, Minister for Children and Families in the Department for Education, said that the Government was “challenging the internet industries” to meet the requests set out in the Government’s response and that:

(...) Through a series of separate project groups, ISPs, public WiFi providers and device manufacturers are regularly reporting to the UKCCIS Executive Board on their commitments to put in place systems to reduce children’s access to harmful internet content.²⁴

On 23 April 2013, the *Telegraph* [reported](#) that the Prime Minister is to announce a Government backed code of conduct which will mean that access to pornography is blocked on WiFi in public spaces:

(...) Mr Cameron said that he wanted “good, clean WiFi” in public spaces which would give parents confidence that their children cannot access illicit websites on smart phones or mobile computers.

The Prime Minister said: “We are promoting good, clean, WiFi in local cafes and elsewhere to make sure that people have confidence in public WiFi systems so that they are not going to see things they shouldn’t.”

His intervention comes after a long-running campaign from children’s charities to ensure a blanket ban on unacceptable sites on public WiFi networks.

The Children’s Charities Coalition on Internet Safety wrote to BT, the country’s biggest internet provider, last month demanding urgent action.

Talks have been taking place for months between internet service providers and government officials over the new deal. It is not clear whether the internet firms will automatically impose the restrictions on access – or whether it will be the duty of shops and other public areas used by children to bar adult content...²⁵

The letter from the Children’s Charities’ Coalition on Internet Safety (CHIS), referred to above, is available from the CHIS [website](#).²⁶

5 Selected further reading

Press

- [Parental controls and Internet filtering fact sheet](#), Open Rights Group, 17 December 2012
- [““Porn filters” fail parents and children”](#), *Index*, 17 December 2012
- [“Internet porn: Cameron plan for default block 'unrealistic', say experts”](#), *Guardian*, 11 May 2012

²³ Quoted in Rajeev Syal, “Ministers step back from online pornography legislation”, *Guardian*, 14 December 2012 [accessed 1 May 2013]

²⁴ [HC Deb 25 April 2013 c1166W](#)

²⁵ Robert Winnett, “WiFi porn in public areas to be blocked”, *Telegraph*, 23 April 2013 [accessed 1 May 2013]

²⁶ “The provision of WiFi in public spaces”, Letter dated 29 March 2013 from CHIS to BT [accessed 1 May 2013]

- [“Could teenagers be stopped from looking at porn?”](#), *BBC*, 26 April 2012

Parliamentary

- [Online Safety Bill \[HL\] \(Second Reading\)](#), HL Deb 9 November 2012 c1212-50²⁷
- [Sexting and Sexual Grooming](#), HC Deb 25 April 2012 c279-87WH
- [Internet Pornography](#), HC Deb 23 November 2010 c235-46
- [Online Child and Adult Protection](#), HC Deb 16 March 2010 c233-41WH

House of Commons Library

Standard Note SN/SC/6145, [Internet regulation](#), 1 December 2011

²⁷ Private Members' Bill introduced in the House of Lords by Baroness Howe of Idlicote

Sport NI – Coaching the Whole Child

Coaching the Whole Child: Positive Development in and Through Sport

Coaching the Whole Child is a three hour coach development workshop which was developed by sports coach UK and has been adapted and is delivered by SNI as part of the organisations Coach Education and Development workshop programme. The workshop is supported by a 'quick guide resource' and an optional workbook resource.

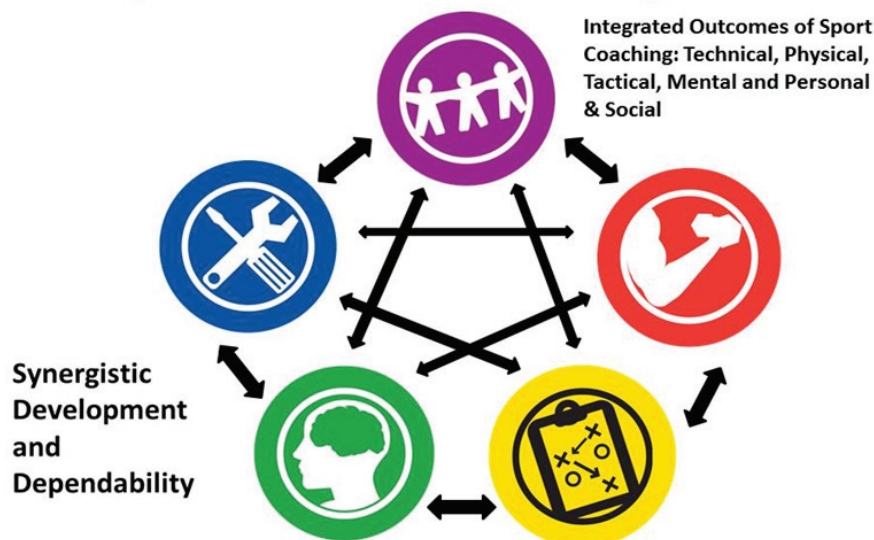
Coaching the Whole Child promotes a framework to support coaches in achieving holistic development of the physical, technical, tactical and mental together with the personal and social aspects that make up a well-adjusted young person. The framework is firmly grounded in the current psychology trend of positive youth development and is designed to support the enhancement of coaching practice amongst coaches of children. Traditional coaching practice, education and development focuses on developing participants technically, tactically, physically and mentally. The Coaching the Whole Child workshop and resources are designed to support coaches to maximise the development of the child participant's personal and social development alongside the development of the traditional coaching model. Personal and social development includes competence, confidence, connection, character and caring, and creativity, known as 'the 5Cs'. The aspects are often to most important elements of a child's development in and through sport.

The Coaching the Whole Child workshops learning outcomes are to:

- Understand the traditional model of coaching and learning based on the development of participant's technical, tactical, physical, mental and social competencies.
- Describe the 5Cs model of positive youth development in sport.
- Understand the interaction between the development of participant competencies and the 5Cs, to provide positive personal and social development as a specific outcome.
- Apply the 5Cs model to current coaching practice across various stages of development.

The workshop is practical in nature and provides coaches with an opportunity for coaches to experiment with their coaching practice to gain an understanding of how the various aspects of personal and social development can be integrated. The practical style to the workshop ensures that coaches have an opportunity to share coaching practice with others and reflect on their own coaching practice. The workshop advocates 'Multiple Outcome' coaching and the development of the 'whole child'.

Multiple Outcome Coaching

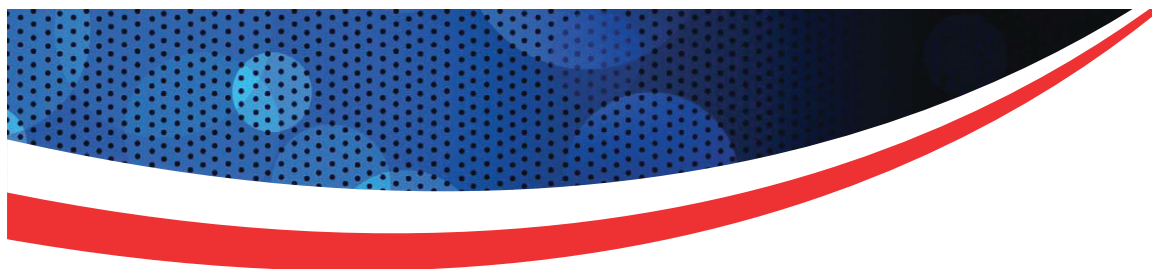


Quick Guide



Coaching the Whole Child: Positive development in and through sport





What do coaches do?





Coaching has traditionally been seen as an activity whose only objective was to improve someone's athletic prowess.

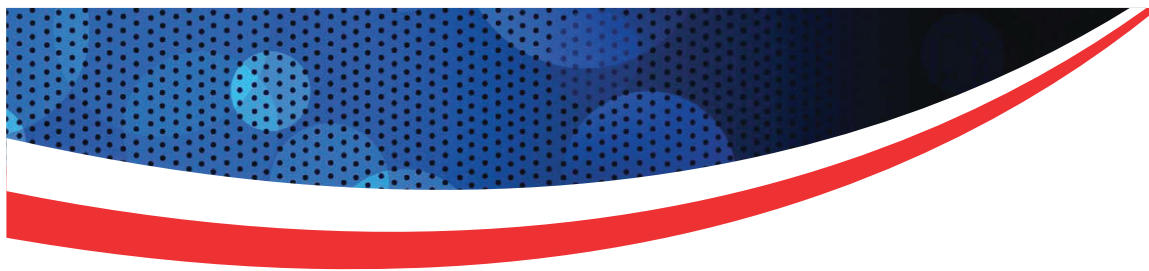
From this perspective then, a coach simply gets a participant to 'run like Bolt', 'bend it like Beckham', 'jump like Ennis' or 'smash it like Murray'.

As a result of this long-established interpretation of coaching, we, as coaches, have mostly been concerned with developing four key areas in our participants, players and athletes, namely the **physical**, **technical**, **tactical** and **mental**, with a very high percentage of our time spent on the physical and technical.

The table below gives simple examples of some of the capabilities we look to develop in the children we coach in these four areas.

Table 1: Examples of children's physical, technical, tactical and mental capabilities

 Physical	 Technical	 Tactical	 Mental
Balance, Coordination, Agility	Broad skills that serve as a base to build sport-specific skills	Ability to perform in modified games (ie small-sided games)	Showing confidence in their ability
Using speed, start/stop, slow to fast and fast to slow	Starting to introduce appropriate competition where those techniques can be applied in a realistic environment	Understanding of spacing and timing	Demonstrating a commitment to, and an understanding of, what it takes to improve
Movement in different directions and different ways	Refining specific skills	Ability to react to other people's movement, changes in the environment and the movement of an implement (ball, shuttle etc)	Setting simple goals and using positive self-talk
Initial development and use of strength and power		Choosing the right technique to match a tactical challenge and solve game situations	Scanning the game and making simple decisions



We have also assumed over the years that children and young people develop personal and social skills through their participation in sport, but we haven't really paid much attention to how this happens. We have tended to see this not as a direct responsibility of the coach, but more as a consequence of 'good' coaching (Figure 1).



Figure 1: Holistic model of children's capabilities

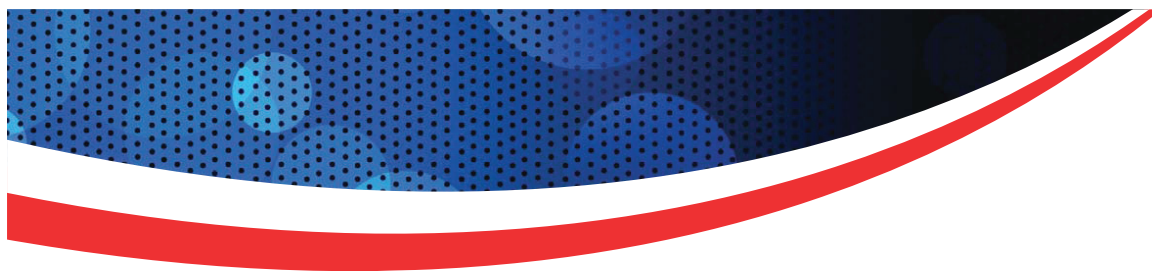
Sport is always good, isn't it?

We know, however, that as well as the potential to do a lot of good things for people, sport is one of those activities that unfortunately is also known to have negative effects if the conditions are not right (eg low motivation, put off sport for life, low self-esteem, eating disorders, use of performance-enhancing drugs).

Coaches play a big part in creating the necessary conditions to ensure that sports participation impacts positively on children's personal and social development.

You may think that this is not coaching's responsibility, but that view sells sport way too short. It is like saying that children go to school only to learn biology and maths, and not to become better people and, over time, full contributors to society.

The good news is that taking care of this through our coaching doesn't take anything away from the development of the traditional outcomes of the physical, technical, tactical and mental. We can do it as we go along, as long as we plan for it.




The 5Cs for positive development in and through sport

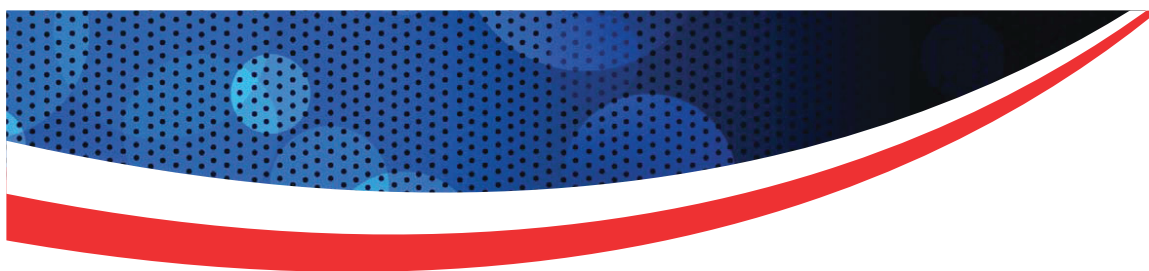
sports coach UK has developed a framework to support coaches in achieving holistic development of the physical, technical, tactical and mental together with the personal and social aspects that make up a well-adjusted young person. This framework, **coaching the whole child: the 5Cs for positive development in and through sport**, is firmly grounded in the current psychology trend of positive youth development (PYD).

One of PYD's main guiding principles is looking at children and young people as 'resources to be developed, not problems to be managed' (Roth and Brooks-Gunn, 2003; Lerner, 2005). In a nutshell, every child and young person has the potential to thrive and become a successful adult.

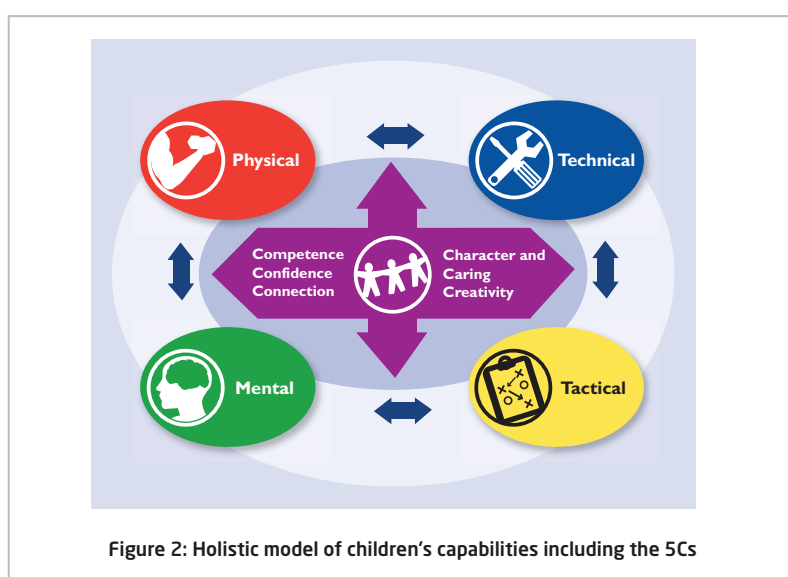
In sport, the 5Cs for coaching are: competence; confidence; connection; character and caring; and creativity.

Table 2: The 5Cs for coaching

Competence: 	<p>It's about developing a positive view of one's actions with matching appropriate capability (being able to do things).</p> <p>In sport, this is achieved through the provision of carefully planned, developmentally appropriate activities. It includes physical, technical, tactical, mental, and personal and social competence.</p>
Confidence: 	<p>It hinges on having an internal sense of overall self-worth ('I am OK') and self-efficacy ('I can do things').</p> <p>This is promoted in sport through exposure to success (internally referenced) and individual and/or group challenges that are realistic, and build resilience, coping with failure and learning strategies. All this should be in an environment that stresses personal improvement and values effort and persistence over outcomes and results.</p>
Connection: 	<p>It's related to the ability to build positive bonds with people and institutions (ie clubs, school), resulting in effective and mutually beneficial relationships between the individual, others and the environment.</p> <p>In sport, this is achieved through the chance to work with and help others, be part of a group and the understanding of the intrinsic benefits of sport participation.</p>
Character and caring: 	<p>It's based on exercising respect for societal and cultural rules, possessing standards for correct behaviours, a sense of right and wrong, and a sense of sympathy and empathy for others.</p> <p>Sport participation supports these developments when it takes place in an environment that respects participants, coaches, officials, parents and the rules of the sport.</p>
Creativity: 	<p>It's about being able to find one's own solutions to problems.</p> <p>Sport is ideally placed to promote this outcome by putting children in situations where they have to think for themselves and understand things in order to learn, rather than copying and repeating.</p>



As seen in Figure 2, the 5Cs now offer coaches a tangible set of outcomes that account for the personal and social development of a person in and through sport.



This model is underpinned by two key messages:

- 1 Children and young people who score higher in the areas of competence, confidence, connection, character and caring, and creativity thrive in comparison to their peers and make a more successful transition from childhood to adolescence and into adulthood on their way to becoming fully contributing members of society. They also show less incidence of problem behaviours (eg antisocial traits, depression).
- 2 The level of development of the 5Cs has an impact on how children approach sport and what they take from it, but most importantly, sport can play a major role in harnessing the growth of these positive traits and therefore in the overall positive development of the child in the wider world.

What does it mean for coaches and coaching?

We have a challenge on our hands. The challenge is not to change what we do, but to start looking at it from a different angle.

Can we make the personal and social development of the people we coach an explicit objective of our sessions and programmes? If so, how?

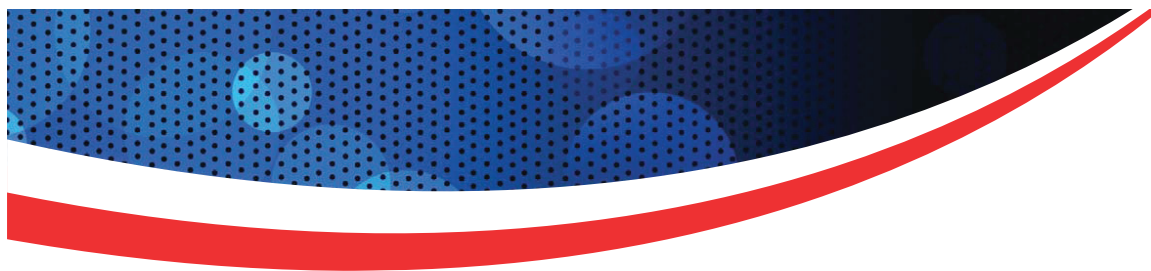











Table 3 shows the basic interaction of the physical, tactical, technical and mental elements with the 5Cs. We can easily see how it all fits together now.

So for example, a way in which you as a coach can foster creativity through physical development is to run physical challenges where participants have to solve problems as they go along (yellow box).

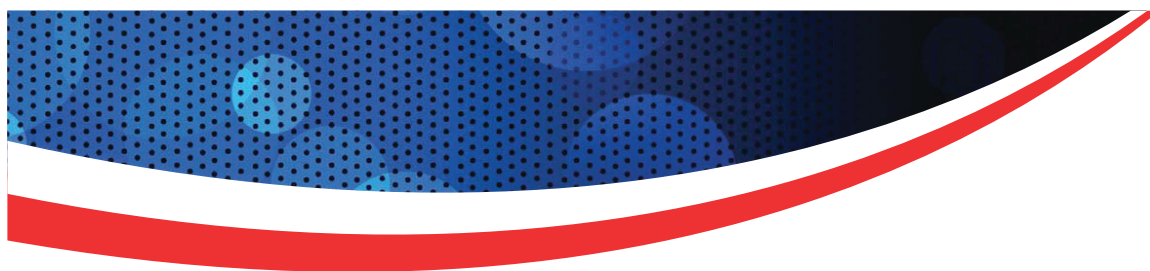
Table 3: What coaches can do to bring the 5Cs to life in their coaching

	Competence 	Confidence 	Connection 	Character and Caring 	Creativity 
Physical 	Developmentally appropriate content for the sessions	Show how participants are developing physically	Allow participants to work with others	Ensure participants learn why and how to respect their own bodies	Run physical challenges in a problem-solving environment
Technical 	Coaching skills appropriate to the development stage of the child	Provide good explanations and high percentage of success	Promote participants giving feedback to each other	Develop participants to be able to practise for extended periods, understanding why they need to do this	Allow room for individual approaches to technical skill development
Tactical 	Develop tactical awareness alongside technical skill	Ensure tactical demands are understood and that the necessary skill level is established	Support participant understanding of their own roles and the importance of others	Help participants appreciate how different positions/ activities contribute to the overall outcome, and accept their role	Support young people to create their own tactical solutions to problems
Mental 	Promote a strong focus on the task at hand	Provide good evaluative feedback and an understanding of failure and learning	Work with an appropriate format and numbers for participants' ability and social capacity	Allow participants to explain and accept codes and rules	Use appropriate open tasks that support cognitive development

And the bonus ball!


As if supporting the development of well-adjusted children and young people were not exciting enough for you to try this approach, research shows that those whose score high on the 5Cs also develop a sixth C – that of **contribution**.

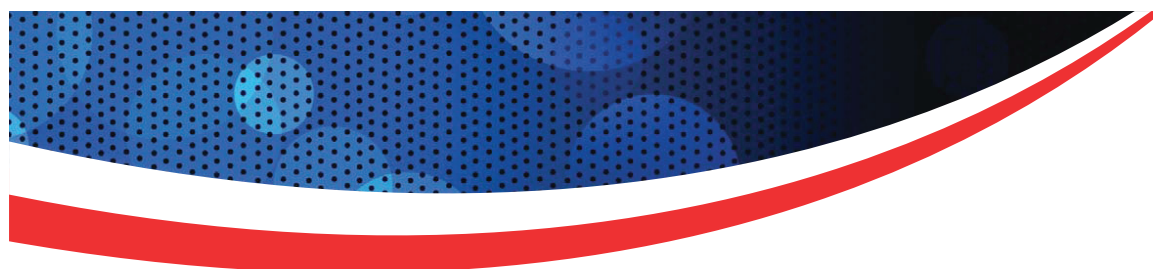
Contribution is all about putting something back into the environment and community we live in. It's about becoming a fully participating member of society. What more can we ask for than well-rounded individuals who have a two-way relationship with their surroundings, giving and taking in equal parts?



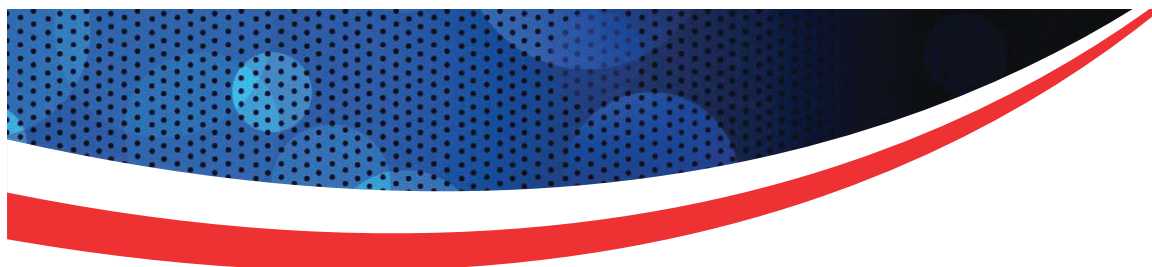
It's all in the planning

sports coach UK has developed a session plan template to support coaches wishing to incorporate the 5Cs into their day-to-day practice. The following session plan is intended to illustrate how coaches working with a group of children may integrate the various elements of the model into their delivery. From that perspective, the sections contained within the planner are relevant to the particular context in which this session takes place (a community club), but may not be applicable to other environments. It is for you, the coach, to take the principles portrayed by this example and apply them to your specific situation, where appropriate.

Venue: <i>Happy Movers Sports Centre</i>	Date: <i>Monday 25/01/2011</i>
Duration: <i>45 minutes</i>	Time: <i>4pm</i>
Age: <i>3-5</i> Number of children: <i>15-20</i>	Equipment: <i>Flat and high cones, soft balls, hoops, two mats, markers, beanbags and bibs</i> Stage: <i>Active Start – the joy of play</i>
Learning from previous sessions to be applied in this session: <i>At the last session, the children were very excited when they were moving a lot and became bored whenever long explanations were given or when they had a long wait for their turn to do something. They are becoming competent at avoiding others on the move and target throwing, but they need time to learn to stop on cue and hold their balance.</i>	
Quick reminder: <i>What should be at the back of my mind while working with this group?</i>	
Stage name: <i>Active Start – the joy of play</i>	
Keywords: <i>Fun, play, basic movement skills, confidence</i>	
 Personal and Social – The 5Cs for Coaching	
At this stage, children should be: <ul style="list-style-type: none"> • allowed to develop competence in an environment that exposes them to high levels of success and promotes a sense of self-worth • learning about the benefits of sport and enjoying playing with others • understanding and respecting simple rules • encouraged to experiment with their bodies, the environment and to find solutions to basic problems. 	
Goals for the session (What are the main areas we will work on today?): <ul style="list-style-type: none"> • <i>Fun through appropriate competition</i> • <i>Developing a variety of movement patterns</i> • <i>A feel for speed and change of pace</i> • <i>Teamwork</i> 	
 Physical	 Technical
 Tactical	 Mental
At this stage, children should be:	
experiencing basic movement activities and playing with objects	developing control over their own bodies and external objects
gaining basic awareness of rules, space and others	becoming self-aware, developing basic decision-making skills and learning to work with others



Session Content	Working On...	Time	Review/Comments
Content	Organisation	Time	Review
Introduction/warm-up: <i>Top Gear</i> game	Fun and dynamic start to session ABCs Working with others	7 minutes	Some children were too young to count properly. Next time, pair them up with older children or use lower numbers.
Game/activity 1: <i>Grandma's footsteps</i>	ABCs Simple decision making	7 minutes	If the children are comfortable, introduce carrying an object and some target shooting when they hit the touchline.
Game/activity 2: <i>Four-corner team relay</i>	ABCs Hitting a target Spatial awareness Working with others	7 minutes	If children are comfortable rolling, try throwing. Have children travel to corners in different ways or hold different balances when in possession.
Game/activity 3: <i>Free play – explore the equipment and invent games</i>	ABCs Creativity Connection Confidence	7 minutes	Let the children explain what they were doing and what they were getting better at.
Game/activity 4: <i>Rollerball</i>	ABCs Object control Spatial awareness Working with others Coping with failure	7 minutes	Incorporate new rules/balls to make it easier/harder. Could do 2–3 minutes of target rolling and passing if needed.
Cool-down: <i>Walking Pacman</i>	ABCs Avoiding others	7 minutes	Wrap it up with a summary of the skills worked on and some feedback by asking the participants.
Overall comments: <ul style="list-style-type: none"> Session worked well but need to be more careful with changeovers (too long). Need to find a way to give children with lower levels of competence a greater chance to experience success. Some parents seem really keen to help. Need to explore this. 		Participant feedback: <ul style="list-style-type: none"> Some children didn't understand some of the language. The boys really enjoyed the free play time, while the girls particularly loved the team-oriented games. They didn't like the four-corner relay (too complicated). 	



Next steps: A call to action

- Does this look 'doable' in your coaching environment?
- Why not try to use the session planner for your next session?
- Why not look at your last session plan and try to pick out activities that are already promoting the development of some of the 5Cs?

*For example: That small-sided game I run is a great tool for tactical **creativity**!*

- What about setting yourself a goal of targeting one of the 5Cs at your next session?

*For example: Next session, I'm going to promote **creativity** and **connection** by letting my players come up with a new drill in groups of four.*

Want to know more?

- Go to Coachwise 1st4sport (www.1st4sport.com) and buy *Coaching the Whole Child: Positive Development Through Sport*.
- Book yourself on to the three-hour workshop 'Coaching the Whole Child: Positive Development Through Sport' to gain first-hand experience of the application of the 5Cs. Contact the sports coach UK Workshop Booking Centre on 0845-601 3054 or visit www.sportscoachuk.org for more information.



References

- Haskins, D. (2010) *Coaching the Whole Child: Positive Development Through Sport*. Leeds: Coachwise Business Solutions/The National Coaching Foundation. ISBN: 978-1-1905540-78-5.
- Lerner, R.M. (2005) *Promoting Positive Youth Development: Theoretical and Empirical Bases*. Washington: National Research Council/Institute of Medicine, National Academies of Science.
- Roth, J.L. and Brooks-Gunn, J. (2003) 'What exactly is a youth development programme? Answers from research and practice', *Applied Developmental Science*, (7): 94–111.

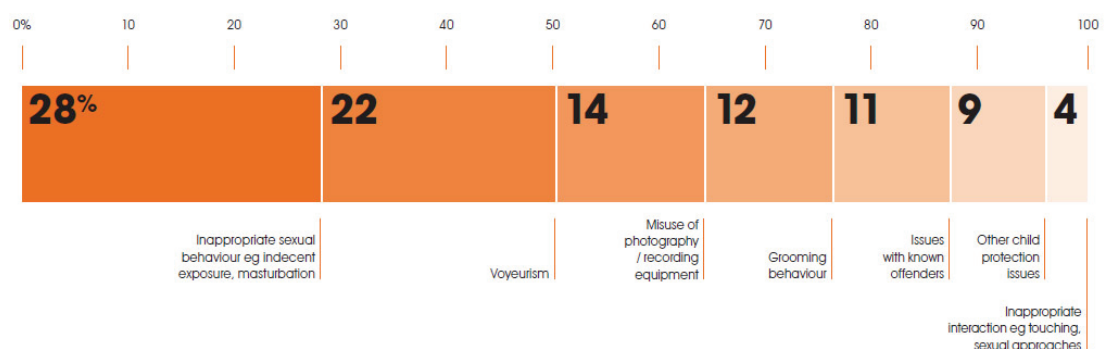
Leisurewatch Scheme

Working to reduce the risk of sexual offending in public spaces is our main area of activity. Leisurewatch is a membership scheme for organisations that have a responsibility for the public who are using their facilities.



About the Scheme

If you have responsibility for managing a site that is open to the public, you have probably encountered examples of potentially risky sexual behaviour by visitors to your premises. Experience shows that sexually predatory individuals can use public sites such as shopping centres to target vulnerable children and adults. It is a challenge for managers to provide as much protection for their customers as possible, without exaggerating the risks presented by sex offenders.



Leisurewatch, a membership scheme developed and managed by TDI, can help protect vulnerable adults and children and give your organisation the confidence to recognise, assess and help manage the risk presented by concerning sexual behaviour on your premises.

What is Leisurewatch?

Leisurewatch is an annual membership scheme which includes training for your frontline staff and managers, on-site signage and branding, a thorough assessment of the site to gauge risk, a reporting system linked directly to the Police, and mystery visits to test the resilience of the systems in place.

The key elements of Leisurewatch are:

- Training for at least 80% of frontline staff, consisting of a three hour workshop to help them identify, assess, and manage sex offender risk
- A site audit examining physical, design and security issues that enable potential offenders to operate more easily on your premises
- The establishment of an official protocol with the Police whereby concerns recorded by staff will be reported to, and acted upon where appropriate by the Public Protection Unit of your local constabulary
- Training for site managers to co-ordinate contact with the Police, to manage the risk presented by sex offenders and create safer working environments
- Provision of on-site signage and other branding materials to demonstrate that your site is a member of the scheme, helping to deter potential offenders and re-assure the public
- Regular mystery visits with follow up advice and support to check implementation of the scheme and ensure that Leisurewatch protection is effective
- Newsletters and regular briefings from TDI on key issues and changes in legislation of which your staff must be aware.
- A top-up training session during the first membership year for new employees, ensuring that the majority of frontline staff are trained.

Benefits of Leisurewatch

Leisurewatch offers a unique level of public protection from risk presented by sex offenders.

Key benefits include:

- Visitors to your site can be assured that staff have undertaken training which equips them to identify risky sexual behaviour and to have procedures in place for responding to the risk presented.
- Your staff have the confidence to spot and report incidents (even when a crime hasn't been committed) and know their concerns will be taken seriously.
- You will have a direct link to a designated Police Officer who will record all incidents and act appropriately on the information supplied.
- Enhanced observation skills amongst your staff will help to reduce other troublesome or offending behaviour, including shop-lifting, vandalism, and bullying.
- Staff learn to identify and help protect those children and adults most vulnerable to harm
- Organisations joining Leisurewatch become part of a scheme which is recognised and valued by the Association of Chief Police Officers, the Ministry of Justice, and the Institute of Leisure and Amenity Management
- Managers will become aware of any "danger spots" on the premises that require extra vigilance or security



85%
Staff felt empowered to
contribute to public safety



62%
Staff felt much more confident
about raising sensitive issues with
their managers



92%
Staff knew what to do and who
to tell if they had concerns



72%
Staff rated the training
"excellent"

Why Does My Site Need Leisurewatch?

Whilst many sites may already have child protection policies and training in place, no other scheme focuses specifically on dealing with the risks posed by sex offenders.

Leisurewatch directly addresses the potential problems of voyeurism, abduction, indecent exposure, indecent photography and sexual assault .

No other scheme provides a direct link to your local police force, where concerns will be recorded and taken seriously even if no offence has been committed.

Setting The Standards in Sex Offender Awareness Training

The Leisurewatch scheme was created by Police and public protection practitioners. Training is delivered by experts in the field and regularly undergoes rigorous 3rd party assessment. Leisurewatch is one of the few training schemes to be accredited and approved by the Association of Chief Police Officers.

Twitter Feed

- ABOUT AN HOUR AGO Final preparations are underway for Sue's training workshop on Friday at twitter.com/FestivalPlace Shopping Centre in Basingstoke.
- ABOUT A DAY AGO Glasgow Schoolgirl Bus Rape: Two Men Arrested [orange.co.uk/Z3aXAZ](https://www.orange.co.uk/Z3aXAZ)
- ABOUT 8 DAYS AGO Five year Tube ban for Bromley-by-Bow sex offender [eastlondonadvertiser.co.uk/news/court-cri...](https://www.eastlondonadvertiser.co.uk/news/court-cri...)

We have seen real benefits in the Leisurewatch scheme which promotes public protection and co-ordination between police forces and leisure facilities

Assistant Chief Constable Greg Vant, Northumbria Police

This scheme is a great comfort to parents; I hope it will soon be extended to cover all our facilities

Valerie Richmond, Director of Development services, Limavady Borough Council.

Exactly the kind of joined-up approach which is regarded as best practice in the field of public protection

Hazel Kemshall, Professor of Community and Criminal Justice, De Montfort University

How Much Does It Cost?

The cost of implementing the Leisurewatch scheme is dependent on how many staff require training, how many training sessions are required and the number and size of your sites. Prices start from as little as £1500 per location to implement the scheme and maintain it for one year. Membership in subsequent years is charged at £500 - £2000 per site.

To find out how much Leisurewatch would cost for your site, please don't hesitate to get in touch with us using the details to the left.

List of Leisurewatch Sites from PSNI

Organisation	Site
Antrim	Antrim Forum Leisure Centre
Armagh	Orchard Leisure Centre
Ballymena	Ballymena Show Grounds
	People's Park
	Seven Towers Leisure Centre
	The Braid
Ballymoney	Joey Dunlop Leisure Centre
Banbridge	Banbridge Leisure Centre
	Dromore Community Centre
	Raithfriland Community Centre
Belfast City Council	Andersonstown Leisure Centre
	Ardoyne Community Centre
	Avoniel Leisure Centre
	Ballysillan Leisure Centre
	Concorde Community Centre
	Dee Street Community Centre
	Divis Community Centre
	Donegall Pass Community Centre
	Duncairn Community Centre
	Falls Leisure Centre
	Finaghy Community Centre
	Glen Road Community Centre
	Grove Wellbeing Centre
	Hammer Community Centre
	Highfield Community Centre
	Horn Drive Community Centre
	Indoor Tennis Arena
	Inverary Community Centre
	Knocknagoney Community Centre
	Ligoniel Community Centre
	Loughside Leisure Centre
	Markets Community Centre
	Morton Community Centre
	North Queen Street Community Centre
	Olympia Community Centre
	Olympia Leisure Centre

Organisation	Site
Belfast City Council	Sandy Row Community Centre
	Shankill Leisure Centre
	Suffolk Community Centre
	Ulster Hall
	Waterfront Hall
	Whiterock Community Centre
	Whiterock Leisure Centre
	Woodvale Community Centre
Carrickfergus	Amphitheatre
Castlecourt, Belfast	CastleCourt Shopping Centre
Coleraine	Coleraine Leisure Centre
	Dunluce
	Waterworld
Craigavon	Ardowen Community Centre
	Ashgrove Community Centre
	Avenue Road Community Centre
	Brownlow Community Hub
	Brownstown Park Community Centre
	Cascades Leisure Complex
	Corcrair Community Centre
	Craigavon Leisure Centre
	Drumgor Community Centre
	Killicomaine Community Centre
	Kinnego Marina
	Loch Neagh Discovery Centre
	Lurgan Town Hall
	Mourneview Community Centre
	Moyraverty Community Centre
	North Lurgan Community Centre
	Portadown Town Hall
	Taghnevan Youth and Community Centre
	The Watson Centre
	Waves Leisure Complex

Organisation	Site
Derry	Brandywell Sports Centre
	Brooke Park Leisure Centre
	City Baths
	Lisnagelvin Leisure Centre
	St Columb's Park Leisure Centre
	Templemore Sports Complex
Dungannon & South Tyrone	Dungannon Leisure Centre
Fermanagh	Bawanacre Centre
	Castle Park Leisure
	Lakeland Forum
Larne	Larne Leisure Centre
Limavady	Roe Valley Leisure Centre
Lisburn	Bridge Community Centre
	Brook Activity Centre
	Glenmore Activity Centre
	Grove Activity Centre
	Hillsborough Village Centre
	Irish Linen Museum
	Island Arts Centre
	Kilmakee Activity Centre
	Lagan Valley Island
	Lagan Valley Leisureplex
	Laurelhill Sports Zone
	Maghaberry Community Centre
Magherafelt	Greenvale Leisure Centre
	Maghera Leisure Centre
	Meadowbank Sports Centre
Newry & Mourne	Kilkeel Leisure Centre
	Newry Sports Centre
	Newry Swimming Pool
	St Colmans Sports Complex
Newtownabbey	Six Mile Leisure Centre
	Valley Leisure Centre

Organisation	Site
Strabane University of Ulster	Derg Valley Leisure Centre
	Melvin Park Sports Complex
	Riversdale Leisure Centre
	Coleraine Campus
	Jordanstown Campus
	Magee campus

Lisburn City Council Correspondence regarding Leisurewatch

Jonathan,

I understand someone from your office spoke earlier this week to Brendan Courtney one of my Assistant Directors, and requested an update on the questionnaire circulated to the 26 local councils in regard to the above. This related to a recent presentation to the CAL Committee, of evidence in relation to Child Protection in public leisure facilities.

The update is attached below and as you will note has been forwarded to Karen Smyth at the Northern Ireland Local Government Association [NILGA].

Hope this assists.

Kind regards,

Jim Rose
Director of Leisure Services
Lisburn City Council
& Chairman, Chief Leisure Officers Association [NI]

— Forwarded by Jim Rose/LisburnBC on 05/06/2013 16:57 —

From: Jim Rose/LisburnBC
To: Karen Smyth <k.smyth@nilga.org>
Cc: Derek McCallan <d.mccallan@nilga.org>, Antoinette McBride <a.mcbride@nilga.org>
Date: 05/06/2013 14:06
Subject: Leisurewatch

Karen,

further to our previous discussion please find set out below an update in regard to responses received to the short questionnaire in regard to the "Leisurewatch" scheme sent out to the 26 local councils via the CLOA network. The questionnaires were initially sent out on 3rd April 2013 with a further request circulated on 16th May 2013.

18 responses in total were received.

14 councils indicated their leisure facilities were members of Leisurewatch, 4 indicated they were not.

All those in membership commented favourably on the scheme.

Positive comments included the following:

- training excellent and is specifically in the context of leisure facilities and therefore easier for staff to relate to.
- training requirement for 80% of staff.
- externally validated.
- scheme enhances awareness of staff.
- PSNI pro-active on referrals.
- posters / notices help deter potential offenders and provide positive message to and raise awareness amongst customers.
- mystery visits useful.

- improves networking with other councils.

Few negative comments were received, but those made included.

- some duplication with internal reporting arrangements.
- one council reported a lack of feedback from referrals. (it should be noted this could be due to a breakdown in internal communication processes within the council rather than the scheme).

Of those councils not in membership, all had their own internal child protection policies and procedures in operation.

Two councils provided specific reasons for not joining the scheme.

- after consideration, the Leisurewatch scheme cost (including multiplier for the number of facilities) was not felt to provide justifiable added value beyond the council's own policies and training arrangements.
- it was felt that Leisurewatch did not offer anything beyond their own internal arrangements.

None of the responding Councils reported being in membership of any other external child protection scheme.

I hope the above information is of assistance.

Kind regards,

Jim Rose
Director of Leisure Services
Lisburn City Council,
& Chairman, Chief Leisure Officers Association [NI].

NILGA Correspondence regarding Safeguarding in Councils and Leisurewatch Scheme



Michelle McIlveen MLA
Chairperson
Culture, Arts and Leisure Committee
c/o Peter Hall
Committee Clerk
Room 245, Parliament Buildings,
Ballymiscaw, Stormont,
Belfast, BT4 3XX

30th August 2013

Dear Ms McIlveen

Safeguarding in Councils and Leisurewatch Scheme

Please accept my sincere apologies for the delay in responding to your request for further information on this issue. I trust that the information below will provide you with a useful update on this work in councils, as we continue to gather information on working practices across the 26 districts.

This work has developed into two separate strands. NILGA has been working with the Chief Leisure Officers Association to obtain information on uptake and coverage of the 'Leisurewatch' Scheme and alternative arrangements in place across councils. Councils were contacted for information on this scheme in the Spring, and we received feedback, although incomplete, in early June 2013. As with most requests for information and surveys, it is very rare for us to get a response rate of 100% from our member councils.

'Leisurewatch' feedback

18 responses in total were received. (Response rate 69%)

- 14 of the 18 councils indicated their leisure facilities were members of Leisurewatch,
- 4 indicated they were not.

All those in membership commented favourably on the scheme, and positive comments included the following:

- training excellent and is specifically in the context of leisure facilities and therefore easier for staff to relate to.
- training requirement for 80% of staff.
- the scheme is externally validated.
- the scheme enhances awareness of staff.
- PSNI are pro-active on referrals.

- posters / notices help deter potential offenders and provide positive message to and raise awareness amongst customers.
- mystery visits useful.
- improves networking with other councils.

Few negative comments were received, but those made included.

- some duplication with internal reporting arrangements.
- one council reported a lack of feedback from referrals.
(NB - It should be noted this could be due to a breakdown in internal communication processes within the council rather than the scheme itself).

Of those councils not in membership, **all** had their own internal child protection policies and procedures in operation.

Two councils provided specific reasons for not joining the scheme.

- after consideration, the Leisurewatch scheme cost (including multiplier for the number of facilities) was not felt to provide justifiable added value beyond the council's own policies and training arrangements.
- it was felt that Leisurewatch did not offer anything beyond the council's own internal arrangements.

None of the responding Councils reported being in membership of any other external child protection scheme.

Communication from the Safeguarding Board

Also in June, NILGA was contacted by Mr Hugh Connor, Chairman of the Safeguarding Board, to assist the Board in obtaining information from councils in relation to safeguarding arrangements.

Section 12 of the Safeguarding Board Act 2011 sets a duty on all members of the Board including district councils to ensure that:

- (a) their functions are exercised having due regard to the need to safeguard and promote the welfare of children; and
- (b) any services provided by another person pursuant to arrangements made by the person or body in the exercise of their functions are provided having due regard to that need.

Mr Connor informed NILGA that SBNI intends to test compliance with these requirements test this through a self audit process which they are likely to ask member agencies to complete in September/October of this year, to ensure that each council (and each other member body) at an organisational or strategic level has the following in place:

- a) Senior management commitment to the importance of safeguarding and promoting children's welfare;

- b) A clear statement of the body's responsibilities to children which is available for all staff to access;
- c) A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children;
- d) Service development takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families;
- e) Staff training on safeguarding and promoting the welfare of children for all staff working with or, depending on the body's primary functions, in contact with children and families;
- f) Safer recruitment policies;
- g) Effective inter-agency working to safeguard and promote the welfare of children; and
- h) Effective Information sharing arrangements.

Additional to this is a request from the Culture, Arts and Leisure Committee for SBNI to ascertain the various council areas when individuals or organisations are booking halls or playing fields for the use of children. Mr Connor has noted that he believes it unlikely that there is a standard process across council areas but the Board intends to ascertain this through the audit.

Mr Connor has requested NILGA assistance to ensure that this audit is successful. The NILGA Executive considered this request on 14th June 2013, and agreed to provide help and support to the Board, by circulating communications from SBNI to councils and encouraging them to self audit. This work is ongoing.

I trust that this information update is helpful to you, and I will endeavour to keep you updated on progress. Should you require any clarification on any of the above, please do not hesitate to contact me.

Yours sincerely



Karen Smyth
Head of Policy

Child Protection in Sport Unit (CPSU) – Abuse of Positions of Trust within Sport

CPSU BRIEFING



Abuse of Positions of Trust within Sport

Background

What is Abuse of a Position of Trust?

Sexual offences legislation already provides that any sexual activity involving children under 16 is unlawful. The primary motivation for legislation which addresses the abuse of positions of trust is the need to protect young people aged 16 and 17 who, despite reaching the age of consent for sexual activity, are considered to be vulnerable to sexual abuse and exploitation, in defined circumstances. This includes sexual activity and relationships with adults who hold a position of trust, responsibility or authority in relation to them and, as a result, have a considerable amount of power and influence in their lives. The law defines **specific roles** and **settings** where sexual activity between 16 and 17 year olds and those in positions of trust, responsibility or authority constitutes a criminal offence.

Examples of specific roles:

- teachers
- Connexions personal advisors (England only)
- foster carers

Examples of specific settings:

- educational institutions
- residential care homes
- hospitals
- youth offender institutions

People in these roles or working in such settings may well be in positions of trust, will normally have power and authority in a young person's life, and may have a key influence on their future. They will have regular contact with the young person, and may be acting in loco parentis.

The sports context

This legislation does not include sports roles (e.g. coaches, instructors or helpers) or sports organisations and settings (e.g. clubs, leisure facilities or events) within these definitions. Thus, at present, an abuse of a position of trust within most sport contexts will not be illegal, although there may be circumstances in which the law does apply to sports coaches - for example if they are employed by and operating within a school.

NSPCC's view is that because of the vulnerability of young people and the particular circumstances of sport that the legislation should be extended to roles and settings within sports. Irrespective of this, NSPCC recommends that sports bodies work to the principles behind the legislation. They should put in place codes of ethics and conduct to which individuals are tied, which define acceptable and unacceptable behaviour, and which clearly include any abuse of positions of trust as described above. Breaches of these codes should be addressed through complaints and disciplinary procedures.

It is important also to recognise that under the Safeguarding Vulnerable Groups Act/Order there are already relevant provisions to consider. Sports settings deemed to provide regulated activity for the purposes of the legislation must refer an individual to the Independent Safeguarding Authority (ISA) if they consider the individual has harmed, or to be a risk to, a young person while working in a regulated position. That individual may ultimately be barred by the ISA from working with children. Governing bodies and other sports organisations should take disciplinary action in situations where an adult in a position of authority has abused their position of trust by having sexual contact with a 16 or 17 year old.

The nature of the problem in sport

Those in authority in sport can have substantial influence over young people dependent on the nature of the activity. In situations where young people are training within competitive sports it is not unusual for young people to train three, four or more times per week. A study undertaken jointly by NSPCC and the Amateur Swimming Association in 2002 examined the relationship between young sports people and



CPSU BRIEFING



their coaches. "In at the Deep End" showed that where serious abuse occurred within the sport, particularly sexual abuse, it was committed in the majority of cases by male coaches. It was evident from that study that in cases of serious sexual assault there had been a significant process of grooming leading to the abuse. In all the cases studied, the coach concerned had abused the position of trust vested in him through his role.

Since the Child Protection in Sport Unit (CPSU) was established in 2001 it has been made aware of media coverage of prosecutions for abuse within sport. There have been many documented cases in the UK where sports coaches and others in positions of trust have abused their position and influence with young people to initiate sexual activity in circumstances that were either clearly non-consensual, or where the young person was in no position to give consent freely, given the power/influence imbalance between them and the adult concerned. A significant number of people in positions of responsibility in relation to children in sport have been convicted of child sexual abuse. Prosecutions for abuse include individuals from a wide range of sports.

Managing abuse of positions of trust within sport

The CPSU has had a number of enquiries from sports based groups where concerns were raised about coaches/instructors (those in authority positions) who had developed relationships with young people they had been coaching for some time, which could be viewed as abuse of trust situations. As there is currently no offence of abuse of trust legislation relating to sport, none of the situations presented to CPSU resulted in legal action although referrals to police and social services were made as the sports governing bodies concerned felt the action was extremely serious. This left the sports governing bodies dealing with these issues as poor practice under breach of code of conduct and hence dealing with them on a disciplinary basis. In England there are Local Authority Designated Officers in place that can support sports governing bodies to manage these cases appropriately and encourage referrals to the Independent Safeguarding Authority.

Why should the "Abuse of Trust" by those in authority positions in sport be addressed by Governing Bodies and other organisations?

Sport is an important aspect of many children's lives and development. Taking part in sport helps young people to develop social skills, learn about risk-taking in a safe environment, develop self-esteem and learn to use their own initiative.

The vast majority of children derive huge benefits from participation in sport and are a credit to the many dedicated volunteers and professionals who make this happen and who strive for a safe and caring environment in which young people can play and enjoy sport.

It is the view of NSPCC that though the abuse of positions of trust legislation is not applicable to the sports sector, governing bodies, clubs and other sports organisations should extend and adopt the same principles through their codes of behaviour, rules and disciplinary processes. A compelling evidential case exists for giving young people aged 16 and 17 years in sport the same protection as 16 and 17 years olds in specified settings, by requiring coaches and others in authority roles to adhere to standards of behaviour that reflect the principles of the legislation. Sports organisations also need to ensure they have procedures in place for referring cases to the Independent Safeguarding Authority where they discipline and remove an individual from a regulated activity as a result of concerns that they have harmed (or could harm) a young person by abusing their position of trust.

Conclusions

In summary there is evidence of a growing number of serious cases of abuse of positions of trust within sport. It should be remembered that research has consistently shown that reported incidences of abuse are much lower than the actual levels. The NSPCC is particularly concerned about risks to young people and has campaigned for extension of the abuse of trust provision to include sexual behaviour with 16 and 17 year olds by those with authority over them. A consensual sexual relationship between a person with authority over the young person and the 16 or 17 year old is never healthy in our view, and can be open to abuse. While it may not currently constitute an actual offence, it conflicts with safeguarding guidance. Such breaches of an organisation's code of conduct could result in disciplinary action, and potentially to a referral to the Independent Safeguarding Authority.



CPSU BRIEFING



Recommendations for sports organisations

- Sports codes of conduct and linked disciplinary processes should be reviewed and amended to include wording that supports the maintenance of healthy and positive relationships between sports coaches and young people. The code of conduct should reference the organisation's definition of roles that constitute positions of trust and ban any sexual relationships/activity between adults in those roles and 16 - 17 year olds for whom they are in a position of authority. Suggested wording may be:
"Coaches should ensure they maintain healthy, positive and professional relationships with all athletes. Coaches and others in positions of authority and trust in relation to athletes aged 16 and 17 years must not engage in sexual relationships with them while that unequal power relationship exists."
- The abuse of position of trust provision should be defined by the nature of the position in relation to the young person and not be contingent on the regularity of contact with the young person in question.
- Safeguarding training for those working with young people in the sporting sector should include material on the issue on abuse of trust and guidance on maintaining appropriate boundaries between adults and young people.
- Child protection/safeguarding and disciplinary policies and procedures should include a requirement for referral to the Independent Safeguarding Authority (ISA) when an individual is deemed to be unsuitable to work with young people.

Recommendations for sports coaches and others in positions of trust

- Ensure that you read, understand, sign up to and comply with the code of behaviour and/or ethics your club, organisation or relevant sports governing body has produced for the role you hold.
- Maintain a relationship with all participants that is appropriate to your role and reflects positively on the club or organisation you work or volunteer for.
- Whether or not the code explicitly refers to positions of trust (and what would constitute breach) as someone in a position of authority you should not seek or engage in sexual activity with 16 or 17 year olds for whom you are responsible.
- If you think that a young person's behaviour indicates that they are seeking to develop or engage in an inappropriate relationship with you, immediately bring this to the attention of your club or organisation's Welfare Officer, designated safeguarding lead or manager.
- Be careful not to respond to the participant in any way that could be interpreted as encouraging the young person concerned. Make a written record of your concerns and relevant details.

Advice for anyone concerned about the possible abuse of a position of trust

- If you suspect that an abuse of a position of trust has occurred, is occurring or may occur you should report this to the Welfare Officer or designated safeguarding lead for the club or organisation in line with the complaints or safeguarding policy and procedure.
- Make a written record of your concerns and relevant details.
- If you feel your concern has not been dealt with appropriately, or there is no welfare or safeguarding lead, you can consult with the Local Authority Designated Officer (LADO - England only) whose details should be available through your local authority's Children's Social Care Department and whose duties include responding to concerns about potential breaches of positions of trust.
- Alternatively, you can seek advice from the 24 hour NSPCC Helpline – 0800 800 5000.

Appendix A: examples of cases in sport

Appendix B: relevant research

Appendix C: relevant legislation

Appendix D: additional guidance



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Appendix A: Case examples in sport

Abuse of under 16s

The following cases are examples of situations where prosecutions have been successful as the young people were under 16 years of age and are illustrative of the kinds of concerns being brought to CPSU by sports governing bodies.

- A coach who assaulted two promising young female players (aged 15) was jailed for five and a half years. At his trial, evidence was given that the abuse took place over a two year period. On one occasion the coach told his victim "I can't wait until you are legal. I can't wait until you are sixteen". In passing sentence the judge said: "you were in a position of trust as a coach and used that opportunity to commit these offences against these girls...you were trusted by them, you were trusted by their parents. You controlled her (the victim) by using her ambitions as a means of exercising that control". His behaviour was described as "controlling, grooming and predatory".
- A former Olympic coach was convicted of sexually abusing a young female (aged 15) he was training. The jury heard evidence that the sexual abuse was carried out under the pretence of being part of the young person's training regime.

The cases below are some examples from the CPSU advice service and illustrate the issues being raised by Sports Governing Bodies and reflect two elements of the sexual offences legislation; namely "Abuse of Trust of Position: Sexual Activity with a Child" and "Abuse of Position of Trust: Causing or Inciting a Child to Engage in Sexual Activity". These examples have been anonymised to protect those involved.

Abuse of position of trust: sexual activity with a child

- A National Governing Body (NGB) received a number of complaints against the National Coach by members of an under 21 national squad. They alleged the coach was exploiting his position by having sexual relationships with team members. When challenged by the sport, the coach admitted this and internal disciplinary action was taken. He was not prosecuted however as all those involved were over 16 and under 18. If he had been a teacher in a position of responsibility he would have committed an offence.
- A parent complained to a governing body that a coach had been having sex with their child (female aged 16 when age of consent was 17 in Northern Ireland). The PSNI decided to take no further action but advised the sport that he should no longer coach children. The individual admitted to breaching the sports code of conduct and he was banned from that sport.
- A sports coach (mid 20's). The coach was charged with the rape of a 17 year old. He was not convicted but admitted having consensual sex with the girl, which is not illegal under the current legislation. The Sport's body was concerned the individual had admitted to breaching their code of conduct & banned him from the sport for his actions. He subsequently challenged their decision on the grounds that he had not been convicted of the more serious charge of rape.
- A female Leader: A sport received a complaint that a female leader had a sexual relationship with a 17 year old male player. Local social services were informed but were not interested in pursuing the case due to the age of the young person. An internal investigation was then begun and the coach was suspended pending the outcome of the investigation.

Abuse of position of trust: causing or inciting a child to engage in sexual activity

- A Sports Governing Body received a complaint from a parent about a sports coach (mid 40's) who had been grooming their 17 year old via text messages (the young person had copies of the explicit texts). The coach had also been asking another young person to have a "relationship". Social services were informed but took no action due to the age of the young person. The coach was banned from their sport. He has since left this sport but has obtained another sports coaching award from another sport and began coaching another female junior team (he has subsequently been removed from that club).
- A Sports Governing Body contacted CPSU about a sports coach (mid 30's) who they discovered had been grooming those he was coaching via internet chat rooms. The Sport has since banned the coach from their sport.



CPSU BRIEFING



- A Sports coach (early 30's) was charged with rape and sexual grooming of a 16 year old who he met when she was 14. He was not convicted of this offence but admitted to other concerning behaviour and inappropriate contact with the child. The Sport considered the individual to have breached their code of conduct and banned him from the sport.

In these latter examples the young person was 16 or 17 years old. In some cases the sporting organisation was sufficiently concerned about the matter to refer it to Police. However as the young person involved was over the age of consent (which is over 16 years of age in the UK), no action could be taken as no offence had been committed under the law as it currently stands. Had such a situation arisen within an educational setting, this would have amounted to an abuse of trust under the Sexual Offences legislation and a criminal prosecution considered.

Appendix B: Research

A study of Canadian athletes by Kirby and Greaves in 1996 showed that 21.8% of athletes had had sexual intercourse with persons in positions of authority in sport. 8.6% reported that this was forced sexual intercourse or rape. A Danish study by Toftegaard found that 25% of sport college students either knew of or had experienced sexual harassment by a coach. In this study the attitudes and behaviours of coaches were analysed. 275 coaches were questioned about harassment and abuse. Six percent of them were unsure if having a relationship with an athlete under the age of 18 was "completely unacceptable" and 20% reported they had had a sexual relationship with one of their athletes over the age of 18. Six of the coaches interviewed reported having had a sexual relationship with an athlete under the age of 16.

Bringer, Brackenridge and Johnston (2002) conducted focus groups with coaches who worked with Swimmers between the ages of 13 and 17 regarding their perceptions of appropriateness of sexual coach-athlete relationships. Sexual relationships with swimmers under the age of 16 were unanimously viewed as inappropriate. However, for athletes over 16, opinions ranged from "totally inappropriate" through to "It is a question of civil liberties". This range of beliefs highlights the need to have clear guidelines on what is and what is not an appropriate coach-athlete relationship.

Appendix C: Legislation

The offence of Abuse of Trust was introduced into the criminal law by the Sexual Offences (Amendment) Act 2000, which came into effect on 1 January 2001. The offence criminalised *consensual* activity between adults (over 18 years of age) and children (aged 16 and 17 years) where the adult holds a position of trust or authority in relation to certain designated positions and establishments such as a child in a residential home or detention centre or in an educational establishment.

Following a comprehensive review of sexual offences legislation, the abuse of positions of trust provision was re-enacted as part of the Sexual Offences (Amendments) Act 2003 (in Northern Ireland the provisions were again re-enacted in the Sexual Offences (NI) Order 2008 which codified in one statute NI sexual offences law). As part of the review which led to the introduction of new legislation, the scope of the offence of abuse of trust was extended. It now prohibits sexual activity in defined circumstances where an adult regularly looks after a child on an individual basis or where the adult, in the course of his/her duties has regular, unsupervised contact with a child, for example Connexions workers (in England).



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Appendix D: Further information and support

Child Protection in Sport Unit: www.thecpsu.org.uk; cpau@nspcc.org.uk; 0116 2347278.

NSPCC Helpline: 0808 800 5000.

Caring for young people and the vulnerable? Guidance for preventing abuse of trust- Home Office
<http://www.ccpas.co.uk/Documents/Abuse%20of%20Trust.pdf>

NSPCC Northern Ireland briefing paper prepared for the Department of Culture Arts and Leisure
Committee on child protection in sport and the extension of abuse of trust provisions to sports coaches
June 2010

Consultation on the Scope and Implementation of the Sexual Offences Act 2003 in relation to sports
coaches 2 December 2004–21 March 2005 Home Office and DCMS

Young People and Sport - August 2009 DCAL

The Report of the Ad Hoc Committee of the Northern Ireland Assembly on the Draft Sexual Offences
(Northern Ireland) Order, January 2008

Working within the Sexual Offences Order 2008 Northern Ireland Office

*Sign up now to the CPSU E-Newsletter - We can email you the latest information about child protection in sport,
simply complete the [online registration form](#).*

(Feb 2011)



NSPCC Correspondence regarding Abuse of Trusts

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Cruelty to children must stop. FULL S

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of Cruelty to Children

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www.nspcc.org.uk

Michelle McIlveen
Chair
Culture Arts and Leisure Committee
NI Assembly
Belfast BT4 3XX

15 April 2013

Dear Michelle

Thank you for your recent letter to Paul Stephenson (CPSU) regarding abuse of trust and extension of the provisions in Sexual Offences Order (NI) 2008 to include coaches.

Our position remains that given there is some evidence base, the vulnerability of young 16 and 17 year olds and the unique position of trust their role coaches have, there would still be merit in the extension of the legislation to these positions. Where coaches have undertaken an accredited training course for a recognised qualification, we would be of a view that there is a clear established role and an understanding of boundaries that would facilitate the extension of protections to 16/17 year olds. One of the arguments made by DoJ at the time was defining who is in and out of scope with the term 'coach'.

We have continued to discuss the issue with both DoJ and DCAL and in the interim have developed some administrative measures to raise awareness. These include:

Sport NI have inserted the following text into one of the power point slides used in training under the exercise about developing codes of conduct (standards of practice when working with young people) and through scenarios as well. This is also addressed in sport specific training delivered by the IFA, GAA and swimming.

"Don't

- Have sexual relationships with those you have authority over; report any problematic power relationships where there is a potential or actual abuse of trust".**

The scenario which starts discussion is below and nearly all coaches assume that this is already against the law but time is taken to explain that though it is poor practice currently those in the voluntary sector would not be prosecuted.

1. A 23 year old male coach having sexual intercourse with a 16 year old female player he coaches?	Never Acceptable Sometimes Acceptable Acceptable
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Patron: Her Majesty The Queen
Founded in 1881 Incorporated by Royal Charter RC 000374
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Registered charity numbers 210491 and 90 04711 www.nspcc.org.uk



2

Michelle McIlveen

15 April 2013

The written response to assist tutors delivering the workshop is:

*"Never acceptable - It is an abuse of power and the coach is exploiting his position of authority, although the age of consent in NI is now 16 like the rest of the UK (remains 17 in ROI).
Response – Inform parents. Refer the volunteer/coach to the organisations guidelines for good practice regarding sexual relationships with a youth player and remind them they have not adhered to these guidelines.*

If you are another helper / volunteer in the club you should follow the clubs reporting procedures and advise the Designated Safeguarding Children Officer (DSCO). The outcome may be to remove the volunteer/coach from his position in the club. If the club discipline this individual for a safeguarding concern (abuse of trust) then they must consider a referral to the Disqualification and Barring Scheme for more details on this process contact the CPSU".

The CPSU have also developed a briefing paper [attached] on Abuse of Trust which is distributed at conferences and available on our web site www.thecpsu.org.uk. Sports are encouraged to ensure wording is inserted into their codes of conduct, example wording below:

"Coaches should ensure they maintain healthy, positive and professional relationships with all athletes. Coaches and others in positions of authority and trust in relation to athletes aged 16 and 17 years must not engage in sexual relationships with them while that unequal power relationship exists."

We would welcome any recommendation from the Committee however that would help push this debate on with the understanding that a legislative framework is but one part of good practice in this regard and needs complemented by training and awareness raising.

Yours sincerely



Colin Reid
Policy and Public Affairs Manager
NSPCC NI



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