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Chair  
Committee for Culture, Arts and Leisure  
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commissioner

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Dear Chair

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

I welcome the Investigation into Gaps in Child Protection and Safeguarding across the Culture, Arts and Leisure (CAL) Remit and would like to thank the Committee for the opportunity to provide comment on this important subject. Since the office of Northern Ireland Commissioner for Children and Young People (NICCY) was established, ensuring that arrangements to safeguard and protect children and young people operate to the highest standard has been a priority. Please note that this response is not intended to be comprehensive but instead a number of key concerns regarding safeguarding across the CAL remit.

### **Introduction**

Children and young people across Northern Ireland engage in a wide range of culture, arts and leisure activities and it is important to recognise the central role that sports, dance, music and other activities plays in their lives. For example, children may take part in organised sports through national and local associations, attend activities in local schools, leisure and community centres and clubs, participate in music, language, dance and drama classes or receive home tutoring. While some of this activity will be sponsored and funded by the Department and Arms Length Bodies (ALBs) or be subject to the arrangements of governing and professional bodies this is not the case for all areas.

The many professionals, staff and volunteers who give of their time and expertise in work across these areas are in placed in trusted positions and often have frequent and ongoing contact with children, sometimes over a period of years. It is therefore vital that all appropriate steps are taken to safeguard children and young people from



those who may seek to may exploit or abuse such relationships of trusts. It is also important that a robust safeguarding culture is embedded in organisations working across the CAL remit so that staff and volunteers are able to appropriately protect and support the children and young people they are in contact with.

### **Areas for consideration**

NICCY acknowledges there have been a number of positive developments in safeguarding arrangements 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 valuable contribution made by organisations, such as, NSPCC's Child Protection in Sport Unit and Volunteer Now's Our Duty To Care Team in this work must also be noted.

However, for the purposes of the current investigation it may be helpful for the Committee to consider the following issues:

Safe recruitment: while the introduction of 'portable' vetting checks associated with the Protections of Freedoms Act (2012) and the ongoing Department of Justice Review of the Criminal Records Regime is positive, NICCY has highlighted concerns about changes to vetting and barring arrangements. It is of particular concern that the restricted definition of regulated activity for those in 'supervised' settings, including many volunteers, will mean these positions are not required to be subject to enhanced vetting procedures. It is important that the Department and ALBs, as well as individual organisations, carefully consider how to ensure appropriate levels of protection are in place for this aspect of safe recruitment. For further information please find enclosed submissions outlining NICCY's concerns in more detail.<sup>1</sup>

Vulnerable groups: the Department and ALBs, as well as individual organisations and professionals should ensure that the needs of particularly vulnerable groups of children, such as children with disabilities and those engaged in intensive training or elite athlete programmes, are fully taken account of in safeguarding policies and practice. NICCY would also highlight the importance of organisations recognising that young people aged 16 and 17 years are also vulnerable to abuse and exploitation, including through the abuse of relationships of trust. As noted by NSPCC, this is not

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<sup>1</sup> NICCY (2012) Response to the Department of Justice Consultation on Part Two and Recommendations 9 and 10 from Part One of the Criminal Records Regime Review. Available at: [http://www.niccy.org/uploaded\\_docs/2012/Consultations/Aug-Oct/10%2008%2012%20NICRR%20Review%20Response%20to%20Part%20Two%20and%20Recommendations%209%20and%2010%20from%20Part%20One.pdf](http://www.niccy.org/uploaded_docs/2012/Consultations/Aug-Oct/10%2008%2012%20NICRR%20Review%20Response%20to%20Part%20Two%20and%20Recommendations%209%20and%2010%20from%20Part%20One.pdf)

NICCY (2012) Response to the Department for Education Consultation on statutory guidance in relation to supervision. Available at: [http://www.niccy.org/uploaded\\_docs/2012/11%2007%2012%20Department%20of%20Education%20statutory%20guidance%20response.pdf](http://www.niccy.org/uploaded_docs/2012/11%2007%2012%20Department%20of%20Education%20statutory%20guidance%20response.pdf)



reflected in the protections of the Sexual Offences Order (2008) in regard to sports and other activities across the CAL remit.<sup>2</sup>

Safeguarding culture: the Department should consider how to further ensure that a strong safeguarding culture is at centre of its work and of all agencies across the CAL remit. This should, for instance, include the Department having an active safeguarding group and identifying where the role of both 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. At a local level examples of this include working with groups to ensure they meet best practice standards by for instance, having accessible designated officers, well developed codes of conduct and access to quality, tailored training for staff and volunteers.

In addition to this, organisations should recognise their role in working with and supporting children they have contact with across the broader safeguarding remit. For instance, as outlined in NICCY's 'Still Vulnerable' report, it is important that staff and volunteers across all areas are able to identify and respond to issues such as self harm and suicide in order to ensure young people get the help they need.<sup>3</sup> Staff and volunteers should also be properly supported to respond appropriately to the range of issues impacting on children safety and wellbeing such as, social media and internet safety concerns and harmful and abusive behavior between peers. Indeed, such issues should be integrated into group policies, guidance and codes of conduct.

Children's rights: embedding a child rights approach throughout the CAL remit is an important step towards ensuring that children and young people are properly safeguarded by not only highlighting their rights to protection from harm but also underlining their rights to be listened to, respected and treated with dignity. A child rights ethos should be central to all policies, procedures and practices within groups and organisations. As part of this, children, young people and families should, for example, have accessible information about the running of groups, be provided with club and association policies and have access to effective complaints mechanisms. Children should also be involved in the development and evaluation of services and as a signatory to NICCY's Participation Policy Statement of Intent, it would be welcome for the Department to consider how good participation and child rights practice can be incorporated into funding and sponsoring arrangements.

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<sup>2</sup> NSPCC (2012) Submission by NSPCC Northern Ireland to the Assembly Culture, Arts and leisure Committee on Safeguarding in Sport. Available at: [https://www.nspcc.org.uk/Inform/policyandpublicaffairs/northernireland/briefings/safeguarding-in-sport\\_wdf93563.pdf](https://www.nspcc.org.uk/Inform/policyandpublicaffairs/northernireland/briefings/safeguarding-in-sport_wdf93563.pdf)

<sup>3</sup> Devaney J. et al (2012) Still Vulnerable: The Impact of Early Childhood Experiences on Adolescent Suicide and Accidental Death, (Belfast: NICCY). Available at: <http://www.niccy.org/article.aspx?menuId=16030>

Joined-up government: it is important that the Department ensures that child protection work across its remit is fully integrated with ongoing safeguarding work undertaken by government and statutory bodies. For instance, there should be close liaison with the Office of the First and deputy First Minister in relation to their work on online safety and cyberbullying, a formal relationship should be established with the Safeguarding Board for Northern Ireland and the experience of the departments such as education and health in monitoring safeguarding practice across wide ranging sectors such as childcare and youth and community work should be drawn upon. As local government premises and facilities often provide the venue for sports, arts and leisure activities the Department should also consider how relationships with local councils can be strengthened to ensure consistency in the monitoring arrangements that relate to safeguarding standards.

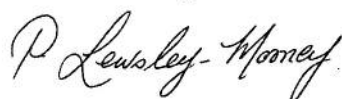
In addition to this, NICCY would highlight the important role that the Department and other statutory bodies must play in promoting and raising awareness of best child protection practice in groups and settings, including private homes, that are not subject to the requirements of government funding arrangements or governing body regulation and do not take place in local government venues. This should, of course, include raising awareness with children, young people and families themselves.

### **Concluding comments**

I welcome recent commitments from officials given in evidence to the Committee on 31 January 2012 to ensure the Departmental child protection working group will resume meetings, to consider specific arrangements for support for culture and arts sectors and to request that the Department of Health, Social Services and Public Safety undertake a review of safeguarding policies. Finally, throughout its safeguarding work NICCY would highlight the importance of the Department ensuring that it makes full use of the knowledge and expertise of other bodies such as the voluntary and community sector across this work.

I am available to present evidence to the Committee directly if this would be helpful to the Investigation into Gaps in Child Protection and Safeguarding across the CAL Remit. Please do not hesitate to contact me if you require any further information.

Yours sincerely



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