

Action to be taken when an allegation is made against employees, volunteers or other members of the YMCA



Introduction

The YMCA has a responsibility to make sure that volunteers/ staff are aware of the line management reporting procedures for dealing with allegations of abuse against volunteers, staff or other members of the YMCA.

When an allegation of abuse is made against a volunteer/ staff person, the YMCA has a dual responsibility in respect of both the young person and the volunteer/ staff person or other accused person.

These guidelines are provided to assist line managers in having due regard for the rights and interests of the child on the one hand and those of the person against whom the allegation is made on the other hand.

The YMCA should, as a matter of urgency, take any necessary protective measures to ensure that no child is exposed to unnecessary risk.

General Procedures; There are two procedures to be followed when allegations of abuse are made against volunteers or staff

- (i) The reporting procedure in respect of the child
- (ii) The procedure for dealing with the alleged abuser

In the YMCA where such an allegation is made, the same person will not have responsibility for dealing with the reporting issues and the employment/contractual issues.

The Designated Liaison Person will have responsibility for the young person. S/he may also deal with allegations made against a volunteer.

The Chair of the Board or other senior person will have responsibility for dealing with allegations made against an employee of the YMCA.

The Designated Liaison Person should follow the YMCA's standard reporting procedures outlined.

All stages of the process should be recorded

Procedure where an allegation is made against a volunteer; If an allegation is made against a volunteer, the matter should be reported to the Designated Liaison Person. Action taken in reporting an allegation against a volunteer should be based on an opinion formed reasonably and in good faith. Any allegation should be assessed promptly and carefully. It will be necessary to decide whether a formal report should be made to TUSLA and this decision needs to be made on reasonable grounds as outlined in Appendix II.

The following steps need to be taken:

- (i) The first priority is to ensure that no child is exposed to unnecessary risk. The Designated Liaison Person should as a matter of urgency take any necessary protective measures. These should be proportionate to the level of risk and should not unreasonably penalise the volunteer, unless necessary to protect children.
- (ii) If a decision is made to report the matter to TUSLA, the Designated Liaison Person should follow the standard reporting procedure outlined. The Designated Liaison Person should inform the volunteer that an allegation has been made and explain the nature of the allegation. The volunteer should be afforded the right to respond. The response should be noted and passed to TUSLA if a formal report is being made. The DLP should also notify TUSLA of any other organisation working with children with the alleged abuser is thought to be involved.
- (iii) The parents/carers of the young person should be informed immediately. Advice should be taken from the statutory authorities as to how this might best be done.
- (iv) The follow up on an allegation of abuse against a volunteer should be made in consultation with TUSLA or an Garda Siochana. An immediate meeting should be set up with these two agencies for this purpose.
- (v) After these consultations referred to in (iv) and when pursuing the question of the future position of the volunteer the DLP should advise the volunteer and the agreed procedures should be followed.
- (vi) The DLP should ensure that any actions taken do not undermine or frustrate any investigation being conducted by TUSLA or an Garda Siochana. The DLP will maintain close liaison with the statutory authorities to maintain this.
- (vii) The person accused will need support pending an investigation. It would be unwise for this to be provided within the YMCA, and assistance will be given to the person to access these services outside the YMCA.

Procedure where a complaint or allegation has been made against an employee of the YMCA

If an allegation or complaint is made against an employee, the matter should be reported to the Chair of the board or another senior person within the YMCA. Action taken in reporting an allegation against an employee should be based on an opinion formed reasonably and in good faith. All allegations will be assessed promptly and carefully. The chair of the board or other senior person within the organisation will decide whether a disciplinary procedure will be followed. The DLP will decide whether a formal report should be made to the relevant TUSLA Office. The decision about the formal report will be made on reasonable grounds for concern as outlined.

The following steps will be taken:

- (i) The first priority will be to ensure that no child is exposed to unnecessary risk. The chair of the board or other senior person will as a matter of urgency take any necessary precautionary measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee financial or otherwise, unless necessary to protect children. Legal advice may be sought in this

regard.

- (ii) If a decision by the DLP is made to report the matter to TUSLA , the standard reporting procedure as outlined will be followed in respect of the young person. The chair of the board or senior person will inform the employee that an allegation has been made and explain the nature of the allegation. The employee should be afforded the right to respond in accordance with established grievance procedure. The response should be noted and passed to TUSLA if a formal report is being made. TUSLA will also be notified of any other organisation where the alleged abuser may have contact with children.
- (iii) The parents/carers of the young person should be informed immediately. Advice should be taken from the statutory authorities as to how this might best be done.
- (iv) The follow up on an allegation of abuse against an employee should be made in consultation with TUSLA and an Garda Siochana. An immediate meeting should be arranged with these two agencies for this purpose.
- (v) After these consultations referred to above, and when pursuing the question of the future position of the employee, the board of Dublin YMCA will advise the employee and the agreed procedures followed.
- (vi) The YMCA will ensure that any actions taken by them do not undermine or frustrate any investigations being conducted by TUSLA or an Garda Siochana.
- (vii) The person accused will need support pending an investigation. The YMCA will seek to provide this support using an external source for this purpose.
- (viii) These procedures will apply in all cases, including where the employee is contracted on a part-time basis or consultancy basis.

Procedure to be followed where an allegation is made against another young person

If an allegation is made against another young person, it should be considered a child protection issue for both the young people involved and the YMCA's child protection procedures should be followed. Advice should be sought from the statutory authorities with regard to informing the parents/carers of the young people concerned. Decisions regarding the future participation in the youth organisation of the young person alleged to have committed the abuse will be made at a management level.

Application of fair treatment

Volunteers or employees about whom there are concerns should be treated fairly. They should be helped to understand the concerns expressed and the processes being operated, and be clearly informed of the outcomes of any investigation and its implications for their future employment or contractual arrangements with the YMCA. The investigation should be completed as soon as possible.

The fact that a legal action may not always be possible should not mean that action in relation to protecting children or disciplining the volunteer or employee should not be taken. It is important that any allegations are thoroughly assessed and a decision reached.