



# Royal Western Yacht Club of Ireland

## Safeguarding Policy





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# ROYAL WESTERN YACHT CLUB of IRELAND

## SAFEGUARDING POLICY

Our guiding principles and this guidance document are underpinned by national policy and legislation in ROI Children First: National Guidance for the Protection and Welfare of Children 2017, and the requirements under The Children First Act 2015.

<http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf>

This guidance is also informed by Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice, the United Nations Convention on the Rights of the Child, The Child Care Act 1991, The Protections for Persons Reporting Child Abuse Act 1998 and the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016.

[https://www.tusla.ie/uploads/content/Tusla - Child Safeguarding - A Guide for Policy, Procedure and Practice.pdf](https://www.tusla.ie/uploads/content/Tusla_-_Child_Safeguarding_-_A_Guide_for_Policy_Procedure_and_Practice.pdf)

The Royal Western Yacht Club of Ireland follow the principles and support the spirit of sport as laid out by Sport Ireland's Ethic Unit's Safeguarding Guidance for Children & Young People in Sport

<https://www.sportireland.ie/ga/node/5381>



## **Underlying Principles**

The work of Royal Western Yacht Club of Ireland is based on the following principles that guide the development of sport for young people.

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

## **Safety**

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

## **Integrity in relationships:**

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

## **Quality atmosphere and ethos**

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

## **Equality**

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

## **Fair Play:**

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

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

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

## **Competition**

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



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## Roles and Responsibilities

### Mandated Person

A Mandated Person is a person named under schedule 2 of Children First Act 2015 (ROI) and for the Royal Western Yacht Club of Ireland is Simon McGibney. The Mandated Person has a legal responsibility to report concerns or allegations that reach or exceed the threshold of harm of abuse to the Tusla on behalf of the Royal Western Yacht Club of Ireland or one of its affiliated organisations, clubs or training centres.

### Legal Obligations of a Mandated Person:

Mandated persons have two main legal obligations under the Children First Act 2015 (ROI). These are:

1. To report the harm of children above a defined threshold to Tusla;
2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

### Children's Officer

Royal Western Yacht Club of Ireland's Children's Officer is Kathleen Nolan and has as her primary aim the establishment of a child centred ethos within Royal Western Yacht Club of Ireland.

- They provide a link between the children represented by the club and those adults running it.
- They are responsible for monitoring and reporting to the Committee of the Royal Western Yacht Club of Ireland, how policy decisions etc. impact on children and those working with them.
- They act as a resource for members of the club and the committee regarding children's issues.

The role also involves;

- the promotion of the values, attitudes and structures which make the Royal Western Yacht Club of Ireland's water sports safe and enjoyable for all children
- communication with Children's Officers from affiliated organisations to ensure the widespread dissemination of the Code of Ethics and Good Practice and the publicising of related education programmes, materials and events
- familiarisation with Children First and Our Duty to Care to ensure they can act as an information source to other members of the organisation
- commitment to attendance at training as required to act as a resource to members in relation to children's needs
- co-ordination of training for others, as appropriate

The Children's Officer does not have responsibility for investigating or validating child protection concerns within the Association and has no counselling or therapeutic role. These roles are filled by the statutory authorities as outlined in "Children First Our Duty to Care". In the event of the CO becoming aware of child protection concerns they should use Royal Western Yacht Club of Ireland's own published procedures for reporting these issues. These involve referring the issue to Royal Western Yacht Club of Ireland's "Designated Officer" for reporting to the statutory authority.

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

### Organisation Leader

The Organisation Leader within the Royal Western Yacht Club of Ireland is the Commodore, who must be over 18 years old.



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

### **Designated Officer**

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

### **Children's Officer**

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

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

### **Committee members**



Committee members have responsibility for the setup of any activities including scheduling, bookings and recruitment of leaders.

### **The Centre Principal**

Each Irish Sailing Training Centre must have a nominated “Centre Principal”. This should be an adult who has overall responsibility for the implementation of Irish Sailing accredited training activities within the organisation.

The Centre Principal is responsible to Irish Sailing for the conduct of Irish Sailing accredited activities within that organisation including the issuing of certificates on behalf of Irish Sailing

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

### **Junior Organiser**

Irish Sailing affiliated sailing clubs running Irish Sailing courses for young sailors would usually have an adult Junior Organiser to administer this programme. Where the club runs no other Irish Sailing Training courses the JO would also usually assume the role of Centre Principal.

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

### **Leaders / Instructors**

Leaders are those people like instructors and team managers who are responsible for organising and running activities and who would be expected to have direct responsibility for the safety and conduct of children while they are under their care. They may be under 18yrs of age but must have adult supervision at all times.

### **Officials**

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

### **Children**

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

### **Vulnerable Adults**

Definition of a vulnerable person for the purposes of this Safeguarding Statement uses The Garda Vetting Bureau Act 2012, which defines a vulnerable person as a person, other than a child, who:

- (a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- (b) has an intellectual disability,
- (c) is suffering from a physical impairment, whether as a result of injury, illness or age
- (d) has a physical disability, which is of such a nature or degree:
  - (i) as to restrict the capacity of the person to guard himself or herself against harm by another person
  - (ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.



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## Policies & Procedures

All Irish Sailing affiliated organisations who admit children, should have in place their own Safeguarding Statement, policies and procedures setting out that organisation's commitment to, and methods for, ensuring children's wellbeing and happiness while taking part in activities & events run by that organisation.

These must include;

- Policy statement on participation by children and / or vulnerable adults
- Procedures to be used to report statutory abuse
- Children's First & sport Ireland Safeguarding Statement (See Appendices)

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

The Royal Western Yacht Club of Ireland has fully adopted the "Code of Ethics & Good Practice for Children's Sport" of the Irish Sports Council and Irish Sailing Safeguarding Policy in its running of all youth activity in the club. The Training Centre Principal, the Commodore and the Senior Instructor are all familiar with its contents. A copy of the Code of Ethics is held in the Training Centre's administration office and instructors and volunteers are made aware of the club's policy towards compliance at all time with this excellent guidance document.

The Club Children's Officer has been fully and formally trained for this role. The Club Children's Officer advises the Training Centre Principal, the Commodore and the Senior Instructor on achieving best practice in the management of training activities.

Instructors and volunteers working with children are clearly informed that all suspected or actual statutory abuse or incidents of poor practice in this regard is to be reported to the Club Children's Officer. S/he is fully trained to deal with these matters in a proper fashion.

**Child safeguarding** is about **protecting** the **child** from harm, promoting **their** welfare and in doing so creating an environment which enables **children** and young people to grow, develop and achieve **their** full potential.

### Good Practice Guidelines for RWYCI

The following guidelines are intended to eliminate the incidence of abuse of children and help to protect staff and volunteers from false allegations being made by promoting good practice.

- Do not spend excessive amounts of time alone with children away from others.
- Do not take children alone in a car on journeys, however short.
- Do not take children to your home.
- Where any of these are unavoidable, ensure they only occur with the full knowledge and consent of someone in charge in the organisation or the child's parents.
- Design training programmes that are not within the ability of the individual child.

You should never:

- Engage in rough, physical or sexually provocative games, including horseplay.
- Allow or engage in inappropriate touching of any form.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Let allegations a child makes go unchallenged or unrecorded; always report such allegations or any observations of inappropriate behaviour to the Club Children's Officer.
- Do things of a personal nature that children can do for themselves.



However, it may be sometimes necessary for staff or volunteers to do things of a personal nature for children, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of parents. In an emergency situation, which requires this type of help, parents and the Club Children's Officer should be fully informed. In such situations, it is important to ensure that all adults are sensitive to the child and undertake personal care tasks with the utmost discretion.

In addition, medical consent should be obtained in the event where medication or treatment is required to be administered in the absence of the parent / guardian; this includes hospitalisation.

The use of photographic or recording equipment is not allowed in changing areas. Signed photography consent must be received by parents/guardians for use of photography of children on RWYCI promotional material including Facebook, website or other electronic or printed publications. If referencing a child first names only will be used. Children must be suitably dressed.

#### **As a member of the Royal Western Yacht Club of Ireland I will.....**

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

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

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

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

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

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

- Be aware of the responsibilities that I take on when I work with, or care for, children and vulnerable adults.





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- Bear in mind that I am acting in “loco parentis” and to that extent the duty of care may be more onerous than that of an instructor working with an adult.
- Lead by example - with an awareness of the affect bad or inappropriate behaviour has on young children
- Remember that participating for fun is more important than highly structured competition. Winning must never be the only objective.
- Not push young participants into competitions orientated towards adults where these are inappropriate to their ability, experience or endurance.
- Be aware of, and respect, the limitations on concentration, endurance, strength and trainability that exist with young participants.
- Have read, understand, and be in a position to implement the principals and practice set out in Irish Sailing’s Code of Ethics and Good Practice for Children’s Activities.
- Be aware of the procedures for and report any concerns about a child’s welfare or suspicions that a child is being abused or is at risk of abuse to appropriate officials.

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

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

#### **Royal Western Yacht Club of Ireland Garda Vetting Policy**

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

Garda Vetting (eVetting) is available through Irish Sailing. The aim is to assist in the recruitment of suitable candidates to positions within Royal Western Yacht Club of Ireland and our affiliated Training Centre. The system has been structured to;

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



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### Who can be vetted?

Irish Sailing's eVetting may be accessed by individuals who are members of Royal Western Yacht Club of Ireland and actively engaged in the delivery of that organisation's activities or programmes.

### Who should be vetted?

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

As a guide, people in the following positions within Royal Western Yacht Club of Ireland should be vetted.

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

## Child Welfare and Protection Procedures

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

Any report made by any member, participant or employee of an Irish Sailing affiliated organisation should be passed on to the Designated Person / Children's Officer / Organisation Leader / Chief Executive Officer within that organisation. They may in turn pass the concern to the local Statutory Authorities. It is not the responsibility of anyone working within the Royal Western Yacht Club of Ireland, in a paid or voluntary capacity, to take responsibility or decide if child abuse is taking place. That is the job of the local statutory authorities. However, there is a responsibility to protect children by assisting the appropriate agencies so that they can then make enquiries and take any necessary action to protect the young person.

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

### Response to a Child Disclosing Abuse

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

- (a) deal with any allegation of abuse in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened
- (b) stay calm and not show any extreme reaction to what the child is saying. Listen compassionately, and take what the child is saying seriously
- (c) understand that the child has decided to tell something very important and has taken a risk to do so. The experience of telling should be a positive one so that the child will not mind talking to those involved in the investigation

- (d) be honest with the child and tell them that it is not possible to keep information a secret
- (e) make no judgmental statements against the person whom the allegation is made
- (f) not question the child unless the nature of what s/he is saying is unclear. Leading questions should be avoided. Open, non-specific questions should be used such as “Can you explain to me what you mean by that”
- (g) check out the concerns with the parents/guardians before making a report unless during so would endanger the child or compromise an investigation
- (h) give the child some indication of what would happen next, such as informing parents/guardians, health service executive or social services. It should be kept in mind that the child may have been threatened and may feel vulnerable at this stage.
- (i) Carefully record the details
- (j) Pass on this information to the organisations Designated Person
- (k) Reassure the child that they have done the right thing in telling you

### **Reporting Suspected or Disclosed Child Abuse**

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

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

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

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

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’ to the Health Service Executive or the Gardaí. The main provisions of the Act are:

- 1) The provision of immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to designated officers of Health Service Executive or any member of An Garda Síochána;
- 2) The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including, dismissal;

- 3) The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities “knowing that statement to be false”. This is a new criminal offence designed to protect innocent persons from malicious reports.

### **Allegations Against Sports Leaders**

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

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

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

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

### **The Reporting Procedure**

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

### **The Leader**

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

The leader should be privately informed that: (a) an allegation has been made against him / her and (b) the nature of the allegation.

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

The leader should be asked to step aside pending the outcome of the investigation. When a person is asked to step aside it should be made clear that it is only a precautionary measure and will not prejudice any later disciplinary proceedings.

The Royal Western Yacht Club of Ireland committee should be informed by the Designated Person that the leader has been asked to stand aside.

The Royal Western Yacht Club of Ireland committee may consider disciplinary action on the leader but will ensure that this does not interfere with the investigation of the Statutory Authorities. In doing so The Royal Western Yacht Club of Ireland committee will consider the outcome of the investigation and any implications it might have. The fact that the alleged abuser has not been prosecuted or been found guilty does not mean that they are appropriate to work with young people in the future.

### **Allegations Against Sports Leaders (Continued)**

#### **Confidentiality**

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



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The following points should be kept in mind:

- A guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child will supersede all other considerations
- All information should be treated in a careful and sensitive manner and should be discussed only with those who need to know
- Information should be conveyed to the parents / guardians of the child in a sensitive way
- Giving information to others on a 'need to know' basis for the protection of a child is not a breach of confidentiality
- All persons involved in a child protection process (the child, his/her parents/guardians, the alleged offender, his/her family, Sports Leaders) should be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.
- Information should be stored in a secure place, with limited access only to designated people as per GDPR Guidelines and contact [info@dataprotection.ie](mailto:info@dataprotection.ie) for specific queries.
- The requirements of the GDPR Law from 25<sup>th</sup> May '18 should be adhered to and details of same may be found at [www.dataprotection.ie](http://www.dataprotection.ie)

### **Anonymous Complaints**

Anonymous complaints can be difficult to deal with but should not be ignored. In all cases the safety and welfare of the child/children is paramount. Any such complaints relating to inappropriate behaviour should be brought to the attention of the Designated Person/ Commodore. The information should be checked out and handled in a confidential manner.

### **Rumours**

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

### **For further information contact the Royal Western Yacht Club of Ireland Children's Officer:**

Kathleen Nolan

Children's Officer

Royal Western Yacht Club of Ireland

Kilrush Marina,

Merchants Quay,

Kilrush,

Co. Clare.

Email: [contactrwycci@gmail.com](mailto:contactrwycci@gmail.com)