

**North Connaught Youth & Community
Services**

trading as

**Youth Work Ireland North
Connaught**



**GUIDELINES FOR
THE PROTECTION
AND
WELFARE OF CHILDREN**

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Glossary

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| Caregiver | Any adult person who has responsibility for a child in the short or long term. |
| Child | For the purpose of this code, a 'child' means anyone who is under 18 years of age. This includes young people. In Ireland the Child Care Act, 1991 defines a child as any person under the age of 18 years, excluding a person who is or who has been married. |
| Child Abuse | Child Abuse can be categorised into a number of different types including neglect, emotional abuse, physical abuse and sexual abuse. A child may be subject to more than one form of abuse at any given time. |
| Children / Young People | For the purpose of this Code, children or young people who are members of Youth Work Ireland North Connaught or who have contact with the organisation. |
| Designated Liaison Person / Designated Person | The Designated Liaison Person is the title given to the designated person appointed to deal with child protection concerns reported by staff, volunteers or children. |
| Emotional Abuse | This occurs when a child's needs for affection, approval, consistency and security are not met. Emotional Abuse, if present, is normally found in the relationship between a caregiver and a child. |
| Employees | Paid staff of Youth Work Ireland North Connaught. |

| | |
|------------------------------|--|
| Mandated Person | Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. |
| Management Committee | Those appointed to oversee the activities and development of the organisation. The committee takes overall responsibility for the organisation and has a direct input into the nature and organisation of the project. |
| Neglect | Neglect is normally defined in terms of an omission, where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults or medical care. |
| Physical Abuse | Any form of non-accidental injury that causes significant harm to a child. |
| Statutory Authorities | These are An Garda Síochána, TUSLA, and the law to investigate and intervene in child abuse cases. |
| Sexual Abuse | Sexual Abuse is defined here as when a child is used by another person for his or her gratification or sexual arousal, or for the gratification of others. It should be noted that this is not a legal definition and is not intended to be a description of the criminal offence of sexual abuse. |
| Volunteers | Unpaid voluntary workers. |

Youth Work

Youth Work has been defined by the Youth Work Act, 2001 as a planned programme of education designed for the purpose of aiding and enhancing the personal and social development of young persons through their voluntary participation and which is complementary to their formal, academic or vocational education and training and provided primarily by voluntary youth work organisations.

Government Guidelines on Child Protection:

Children First: National Guidelines for the Protection and Welfare of Children, Department of Children & Youth Affairs, 2017 (IRL)

Our Duty to Care: Department of Children & Youth Affairs, April 2002 (IRL). Principles of good practice for the protection of children and young people.

Section One: Introduction and Legal Framework

1.1 Introduction

1.1.1 Basis of Youth Work Ireland North Connaught Child Protection Policy

This Code of Good Practice is based on the National Guidelines for the Protection and Welfare of Children (Children First), which was published in 2017 by the Department of Children & Youth Affairs. This Code of Good Practice should be followed with appropriate reference(s) to children First National Guidance for the Protection and Welfare of Children and Child Protection & Welfare Practice Handbook (HSE)

Child Safeguarding Statement



Youth Work Ireland North Connaught

Child Safeguarding Statement

Child Safeguarding Statement

Name of Services being provided:

- Youth club support/advice
- Garda Youth Diversion Projects
- Comhairle na nÓg
- Early Intervention Youth Service
- LGBT Project
- Community Employment Project
- Youth Information Provision
- UBU Youth Projects
- Personal Youth Development Programme

Nature of Service and Principles to Safeguard Children from Harm

Youth Work Ireland North Connaught can provide a secure environment that enables children to share their concerns. It is important that a child who discloses abuse feels supported and facilitated in what for him or her may be a frightening and traumatic process. He or she may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings that the child may have are not increased by the kind of response that the disclosure elicits. A child who divulges abuse to an employee/volunteer makes a profound act of trust and should be treated with respect, sensitivity and care.

Youth Work Ireland North Connaught is fully committed to safeguarding children at all times.

Risk Assessment

We have carried out an assessment of any potential harm to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

Youth Work Ireland North Connaught defines risk as per Section 11 (i)(a) of Children First Act 2015 defines risk as “any potential harm to a child while availing of the service.”

Section 2 of the act defines harm as follows: “harm means in relation to a child –

(a) assault, ill treatment or neglect of the child in a manner that seriously affects the child’s health, development or welfare or

(b) sexual abuse of the child, whether caused by a single act, omission or circumstances or a series or combination of acts, omissions or circumstances or otherwise.”

| Potential Risks | Procedures in place to manage Risk Identified |
|---|--|
| Lack of Record Keeping | Parental consent, medical records, referral procedures, attendance records, accident/incident book, contact details. |
| Premises | Health & Safety Statement, First Aid facilities, Fire precautions, adequate supervision. |
| Adult / Child Ratio | Adult to child ratio, safety/ability of children and nature of activities being undertaken under constant review. |
| Avoid being on your own with a child | Strict Adherence to child - adult ratio. |
| Ensuring sufficient supervision | Adherence to risk assessment for group activities |
| Dealing with challenging/disruptive behaviour | Adherence to behaviour management policy. |
| Lack of Codes of Behaviour | Adherence to Code of Behaviour / Guidance in Child Protection Policy 3.4, 3.5. |
| Lack of knowledge of Children First 2017 | Designated Liaison Person, Mandated Persons, Relevant Person. |
| Not Garda Vetted | Requirement for all involved in Youth Work Ireland North Connaught to be Garda vetted. |
| No Child Protection Training | Requirement for all involved in Youth Work Ireland North Connaught to receive child protection training |
| Inappropriate use of Technology | Adherence to Guidelines for the Protection and Welfare of Children /Use of Technology Policy Guidance Sheet 2. |

Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, the Children First: National Guidance, and Tusla’s Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service
- Procedure for the safe recruitment and selection of workers and volunteers to work with children
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm
- Procedure for the reporting of child protection or welfare concerns to Tusla
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons
- Procedure for appointing a relevant person
- Procedure for the safe use of technology.

All procedures listed are available upon request.

Implementation

We recognise that implementation is an ongoing process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service. This Child Safeguarding Statement will be reviewed in March 2023, or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed: _____
(Provider / Chief Executive Officer)

Signed: _____
(Chairperson)

Date: March 2022

Provider’s name and contact details:

Pat Forde, Chief Executive Officer, Youth Work Ireland North Connaught, Rockwood Parade, Sligo Tel. 071 9144150 Email: patforde@ncycs.ie
For queries, please contact : Pat Forde - Relevant Person under the Children First Act 2015

YOUTH WORK IRELAND NORTH CONNAUGHT

Mandated Persons (March 2022)

In line with the Children's First Act 2015 the following is a list of Mandated Persons employed by Youth Work Ireland North Connaught

| Name | Employment Location |
|--------------------|----------------------------|
| Pat Forde | Sligo / Regional |
| Conor O'Neill | Sligo |
| Aoibhin Ryan | Sligo |
| Catherine McCann | Sligo |
| Emma McAleenan | Sligo |
| Laura Scanlon | Sligo |
| Fiona Taylor | Leitrim |
| Michelle Gallagher | Mayo |
| Cillian Foody | Mayo |
| Louise Burke | Mayo |
| Gerard Lovett | Mayo |
| Chloe Timlin | Mayo |

YOUTH WORK IRELAND NORTH CONNAUGHT

Child Protection Policy Statement

The welfare and safety of its youth members is the foremost priority of Youth Work Ireland North Connaught. Our Volunteers, Staff, Students and Board of Directors should endeavour to ensure that young people are protected and kept safe from harm while taking part in the programmes and activities of Youth Work Ireland North Connaught. In law a child is defined as someone under the age of 18 years, who is not or has never been married (Child Care Act 1991 Children Order 1995).

Youth Work Ireland North Connaught's Code of Good Practice and Child Protection Policy are designed to protect children and young people from neglect, physical, sexual, and emotional harm or abuse.

Youth Work Ireland North Connaught provides its Volunteers, Staff, Students and Board of Directors with information to help them understand the various categories of child abuse, what situations might constitute reasonable grounds for concern and advice on how to respond to disclosure.

Youth Work Ireland North Connaught's Code of Good Practice is based on and consistent with the current Child Protection Guidelines (Children First) and legislation in the Republic of Ireland.

Youth Work Ireland North Connaught is committed to listening to children and young people and recognises that "each child has a right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure" (UN Convention on the Rights of the Child). The UN Convention on the Rights of the Child should be respected in all aspects of youth work engaged in Youth Work Ireland North Connaught.

Youth Work Ireland North Connaught has a procedure for vetting adults who apply for membership of the organisation and re-vetting every 3 years. This procedure is subject to regular review to ensure compliance with best practice.

Youth Work Ireland North Connaught requires its adult members to attend specified training courses, which include child protection modules, relevant to the appointment they wish to hold and to commit to future training as may be required.

Youth Work Ireland North Connaught provides training which it is hoped assists its adult members on familiarity with the recognition of child abuse, how to respond to disclosures made to them by a young person, and how to report such disclosures in accordance with the Youth Service's procedures.

1.1.2 Aim of Policy

The primary aim of this Code of Good Practice is to ensure that the welfare of children involved with, and in, all aspects of Youth Work Ireland North Connaught (YWINC) work activities is of paramount importance. YWINC is fully committed to ensuring that all young people who we work with do so in a safe environment. YWINC is fully committed to review

this policy on an annual basis or in line with any changes to child protection legislation should they occur.

1.1.3 Target Audience

This policy is to give direction and guidance to personnel involved with YWINC in dealing with allegations/suspicions and disclosures of child abuse. Its target audience include the following:

- Full time staff
- Youth club volunteers
- Mandated persons
- Relevant Persons
- Groups/projects affiliated to YWINC
- Board of Directors
- Designated liaison person
- Students on placement
- Young people (service users)
- Tutors/instructors/guest speakers
- Sessional relief staff
- Other organisations that YWINC works with.

This policy is to be used in conjunction with the YWINC Child Protection Policy for Parents/Guardians, January 2020 and YWINC Child Protection Policy for Young People, January 2020.

1.1.4 Geographical Boundaries

The geographical boundaries of this policy are within the Republic of Ireland with specific reference to Counties Sligo, Leitrim and Mayo. Any youth exchange programmes, or activities engaged in other geographic jurisdictions will adhere to Child Safety and Youth Exchange Programme Guidelines for Good Practice.

1.1.5 Importance of YWINC Policy Links

YWINC is committed to ensuring that its Child Protection Code of Good Practice is also linked to and supports other relevant organisational policies:

- Child Safeguarding Statement
- Youth Participant Charter
- Data Protection
- Volunteer Recruitment and Development Policy
- Employment Practices and Human Resources Policy
- Safety Statement 2020
- Health Promotion Policy
- Equality, Diversity and Anti-Racism Policy
- Youth Work Practice Policy

1.1.6. Importance of Following Policy

In the interest of ensuring the welfare of children is of paramount importance, it is incumbent on all involved with YWINC to adhere to this Code of Good Practice in dealing with allegations or suspicions of child abuse.

1.2 Confidentiality

1.2.1 Need to Know?

All information regarding concerns of possible child abuse should only be shared on “a need to know” basis in the interests of the child. The test is whether or not the person has any legitimate involvement or role in dealing with the issue. However, giving information to those who need that information, for the protection of a child who may have been, or has been abused, is not a breach of confidentiality.

1.2.2 Informing Parents / Guardians

Any designated liaison person/staff person/mandated person/volunteer (please see Section 6.3, of this Code of Good Practice) who is submitting a report to TUSLA or An Garda Síochána should inform a parent/guardian, unless doing so is likely to endanger the child or young person or place the child or young person at further risk. A decision not to inform a parent/guardian should be briefly recorded together with the reasons for not doing so.

1.2.3 Investigating Suspicions of Abuse

It is not the responsibility of Youth Work Ireland North Connaught’s personnel to make enquiries of parents or guardians, as in some cases it could be counter-productive for them to do so. It is a matter for TUSLA to assess suspected abuse and determine what action to take, including informing An Garda Síochána, whose role it is to investigate the suspected abuse.

1.2.4 In Cases of Emergency

In cases of emergency where a child or young person appears to be at immediate and serious risk, and it is not possible to make contact with TUSLA, An Garda Síochána should be contacted immediately. Under no circumstances should a child be left in a dangerous situation pending TUSLA/Garda intervention.

1.3 Relevant Legislation

There are several key pieces of legislation that relate to child welfare or protection. The information here gives a brief overview of relevant legislation. It is not intended as legal opinion or advice and, if in doubt, you should consult the original legislation.

Child Care Act 1991

This is the key piece of legislation which regulates childcare policy in Ireland. Under this Act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

Protections for Persons Reporting Child Abuse Act 1998

This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege.

You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act on the website of each agency (www.Tusla.ie and www.hse.ie).

Criminal Justice Act 2006

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by:

1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or
2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation

Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of An Garda Síochána.

The provisions of the Withholding Legislation are **in addition** to any reporting requirements under the Children First Act 2015.

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016.

Children First Act 2015

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay.

The Act provides for mandatory reporting of child welfare and protection concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

Criminal Law (Sexual Offences) Act 2017

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.

1.4 Qualified Privilege

1.4.1 Common Law

While the legal protection outlined in 1.3 above only applies to reports made to the appropriate authorities (i.e. TUSLA and An Garda Síochána), this legislation does not alter the situation in relation to common law qualified privilege which continues to apply as heretofore. Communication would be regarded under common law as having qualified privilege, should a member of staff, mandated person, volunteer, Company Director, parent or young person furnish information with regard to suspicions of child abuse to the Designated Liaison Person or to the Chairperson of the Board of Directors.

1.4.2 Explanation of Qualified Privilege

Qualified privilege arises where the person making the communication has a duty to do so, or a right, or interest in protecting the child and where the communication is made to a person with a similar duty, right or interest. The person making the report, acting in loco parentis, would be expected to act in the child's best interests and in making the report would be regarded as acting in such a manner. Privilege can be displaced only where it can be established that the person making the report has acted maliciously.

1.4.3 Acting in Good Faith

Furthermore, those reporting a child's disclosure are not regarded as making an allegation as a matter of charge, but simply carrying out their duty in good faith – they are not accusing or bringing a charge.

1.5 Freedom of Information Act 2014

Any reports which are made to TUSLA may be subject to the provisions of the Freedom of Information Act 2014, which enables members of the public to obtain access to personal information relating to them which is in the possession of public bodies. The Freedom of Information Act 2014 provides that public bodies may refuse access to information obtained by them in confidence but this decision may be overturned by the Information Commissioner or the Courts.

Section Two: Recruitment and Training of Employees / Volunteers

2.1. Introduction

Youth Work Ireland North Connaught provides opportunities for children to develop themselves emotionally, physically, socially and academically. It strives to promote the welfare of children, particularly those who are disadvantaged, by identifying their needs and operating developmental programmes with them. It provides opportunities for out-of-school educational activities, personal development and constructive use of leisure time. The delivery of these programmes should, however, take place within an agreed set of principles and in a suitable environment.

2.2. Recruitment and Selection of Employees and Volunteers

2.2.1 Importance of Proper Selection Procedures

The majority of people who apply to work with Youth Work Ireland North Connaught on either a paid or voluntary basis are interested, well-motivated and suitable for the various tasks involved. It is, nonetheless, essential that Youth Work Ireland North Connaught take all reasonable steps to ensure that only suitable people are recruited to work within the organisation. Unfortunately, persons with a propensity to child abuse are frequently attracted to positions and organisations/groups that offer them access and the opportunity to spend time with children and young people. A proper selection procedure is one of the most sensible and effective ways of assessing an applicant's suitability, and may in itself act as a deterrent to potential abusers, as well as assisting in the choice of appropriate staff and volunteers.

The following section outlines an approach to safe recruitment and selection practices. These guidelines form part of Youth Work Ireland North Connaught's overall recruitment policy.

2.2.2 Clear Definition of the Role of Employees or Volunteers

This means clarifying and agreeing expectations regarding the role of the new staff member or volunteer. It involves identification of the minimum level of qualities and skills required to fill the post.

2.2.3. Advertising Process

All vacancies will be advertised in relevant local and/or national outlets, with a closing date outlined as appropriate.

2.2.4 Application Form

An application form, with a clear job description and information about Youth Work Ireland North Connaught will be supplied. The form is designed, as far as possible, to elicit all relevant information about the applicant, including their past experience of working with

children. (See Appendix Three for a sample form). It is acknowledged here that different versions of the form will be used for different applicants, depending on the position being applied for. Job descriptions as appropriate will also be supplied.

2.2.5 Declaration

All applicants are required to sign a declaration stating that there is no reason why they would be unsuitable to work with children. (Appendix eight) A commitment to adhere to Youth Work Ireland North Connaught's Child Protection Policy should form part of an employee's contract of employment. A commitment to adhere to the organisation's Child Protection Policy and an acknowledgment that the policy is understood should also be sought from volunteers. Breaches of this commitment will be processed through the organisation's grievance procedures and/or disciplinary procedures as appropriate.

2.2.6 Interview

All applicants will be interviewed by a panel comprising of at least two senior representatives of Youth Work Ireland North Connaught. Interviewers will explore the information stated on the application form and assess the applicant's suitability. The information supplied by the applicant and any other information supplied on their behalf should only be seen by persons directly involved in the recruitment procedure.

2.2.7 References

An applicant will be expected to supply the names of two referees (not family members) who will testify as to their character, their suitability to the role of employee / volunteer, or any other issues which may affect their ability to perform the tasks required of them. An acceptable reference will indicate that the person is known to the referee and is considered suitable by them to work with children. All references should be received in writing and confirmed by telephone, letter or personal visit. A standard reference form (see Appendix Four) will be used to elicit relevant information from referees.

2.2.8 Garda Vetting

It is a requirement that all applicants for positions with YWINC undertake the Garda Vetting Procedure (Appendix three).

2.2.9 Child Protection Training

All successful applicants for staff or volunteer roles must undertake Child Protection Training, which includes TUSLA eLearning Programme "Introduction to Children First". A copy of the Certificate is to be presented and filed by YWINC.

2.2.10 Identification

Youth Work Ireland North Connaught will ensure that the identity and qualifications where appropriate of the applicant is validated (by seeking proof of identity).

2.3 Role of YWINC Volunteers

The youth services hold a long tradition of the involvement of volunteers who contribute their unpaid, personal time to different programmes and activities. Given the responsible roles played by volunteers it is essential that their work with children is supported, and that their ability to deal with children in a fair and ethical manner is consistently supervised. Where volunteers are involved in the organisation, agreements should be reached between volunteers and Youth Work Ireland North Connaught, which clearly outline the job descriptions, roles, responsibilities, and duties of both parties, as well as the support to be provided.

2.4 Induction and Training

2.4.1 General Approach

If, following the application and interview process the applicant is accepted, they will then be required to undertake an induction programme. Induction is a planned training programme that enables employees/volunteers/student to get to know the organisation, their colleagues, their job and other organisations or agencies doing similar or related work. It provides an opportunity to explain the project's structure, names and functions of those involved, expectations, conditions and procedures for dealing with discipline, grievances and allegations. No new employee, volunteer or students should be permitted to carry out leadership role(s) prior to undertaking an Induction Training Programme.

The following approach will be taken in relation to induction programmes:

- (a) Core training elements should be included to assist the employee/volunteer/student in learning, experiencing and carrying out certain tasks under the supervision of an experienced member of staff
- (b) It is vital that the trainee receives sufficient information at the outset to enable them to grasp the true nature of Youth Work Ireland North Connaught and the true nature and responsibilities attached to working with young people.

2.4.2. Objectives of an Induction Training Programme

One of the aims of induction is to facilitate the potential employee/volunteer/student in deciding whether s/he wishes to join the organisation. They should also be familiar with the aims of Youth Work Ireland North Connaught, of what will be expected of them, as well as with the structure and activities of the project. Participants should also be clear about what the project/club/activity can offer them in terms of further training and support.

2.4.3. The content of an Induction Training Programme should include:

- (a) The purpose and process of Youth Work Ireland North Connaught.
- (b) The structure, programmes, activities and membership of the project/club.

- (c) The role of employees/volunteers/students in the project/club/activity
- (d) Child Protection Training with emphasis on particular project/club.
- (e) General information on the project/club.

2.4.4. Induction Partners

During the induction period, where feasible, participants should be partnered with an experienced volunteer / employee who will guide them through this process. Their induction partners will:

- Inform the participants about the project/club
- Introduce them to other employees / volunteers
- Introduce them to the group's activities
- Discuss their experiences within the group
- Support them to settle into their new role
- Observe how they behave and interact with other leaders and with members
- Encourage them to contribute to the process through expressing their ideas

2.5 Probationary Period

A probationary period overlaps with, but is completely separate from, induction. Induction is a training and learning process: a probationary period is an opportunity for the employee and employer to decide whether they are suited to each other. Formal reviews should be held midway through the probationary period and shortly before the end. A written record should be kept of any matters arising during the trial period. Records are to be kept in a safe and confidential place.

2.6 Acceptance of New Employee/Volunteer/Student

This decision should be reached following consultations between project management and the applicants themselves. A decision should be reached and agreed between the parties concerned.

2.7 Additional Training/Reviews

To maintain quality standards and good practice, training opportunities should be provided on an on-going basis for all employees and volunteers. An annual review of induction and training for employees/volunteers/students will take place, with amendments, up-skilling or updating to take place. Training policy reviews are to be included on the agenda of staff and board meetings.

Section Three: Safe Practices in Youth Work Ireland North Connaught

3.1 Introduction

Employees and volunteers carry a duty of care in relation to the children who participate in the activities of the project. The operation of safe recruitment procedures as outlined in the previous section will help to minimise the possibility of children coming to harm in the organisation, but the following principles of good practice should be implemented and consistently followed.

3.2 Areas of Good Practice

3.2.1 Day-to-Day Record Keeping

There should be defined criteria for membership of the project/club, and the records kept on all young people should include parental consent to membership, medical details, any special needs and emergency contact telephone numbers. Attendance records should be kept and there should be accident and incident records in which details of any accidents and incidents are fully recorded. While an accident book should record accidents, an incident book is for the recording of breaches of professional standards and/or related concerns which might arise. All records should be reviewed regularly and any irregularities reported by the person(s) charged with the responsibility of overseeing these records to the Project Co-ordinator/Club Leader(s).

3.2.2 Premises

Employees and volunteers should also ensure that buildings or facilities that they use for activities with children are safe and secure. There should be adequate heating and ventilation, sanitation facilities, fire precautions, first aid facilities and access to a telephone. Children should never be left unattended, and leaders should be aware of members' whereabouts, and what they are doing. All activity should have constant adult supervision.

3.2.3 Adult / Child Ratios

The minimum adult / child ratio in any group should ideally be one adult per group of eight plus one other adult, and allowing an additional adult for each group of eight thereafter. Local circumstances, the ages of the children, the experience of the volunteers and the staff should be taken into consideration. Safety, ability / disability of young people and the nature of the activities being undertaken may require that these ratios be considerably lower.

3.2.4 Avoiding Being on Your Own With a Child

Except in exceptional circumstances and when it is unavoidable, an adult should never be alone (for example in a car or in a room) with a child. Similarly, situations should be minimised where a child is to be on their own with two adults. It is acknowledged here that this latter situation can and does arise when a child needs to be spoken to about challenging behaviour. However, if this is the case, any discussion with the child should take place in an open space

and other members of the team should be informed about the discussion

3.2.5 Ensuring Sufficient Supervision

Employees and volunteers (especially within the context of activities involving large numbers of children) are recommended to make sure that there is sufficient help available for activities to be organised in a way that maximises fun, learning, safety and participation.

3.3 Dealing with Challenging or Disruptive Behaviour

Youth Work Ireland North Connaught has a comprehensive behaviour management policy for its work with Young People and this should be adhered to by employees and volunteers at all times. However, in general terms, when dealing with a disruptive child it is recommended that, where possible, more than one employee or volunteer be present. Instances of disruptive behaviour which require the intervention of the worker and which put at risk the safety and well-being of others should be documented in a report book set aside for this purpose.

The report should describe:

- (a) The programme running at the time.
- (b) What happened.
- (c) Who was involved.
- (d) Where and when it happened.
- (e) What was said if significant.
- (f) Any injury to person or property.
- (g) How the situation was resolved.

3.4 Trips Away from Home

When taking young people away on trips volunteers and employees should always be attentive to such matters as:

- (a) Safety – activities, building, transport etc.
- (b) Insurance – adequate to cover all aspects of the trip
- (c) parental consent – written consent should be obtained from parents before taking children away on trips
- (d) Medical concerns – medical information which might be relevant e.g., allergies etc., should be known to employees and volunteers prior to leaving for a trip. **Guidance Sheet No 3**
- (e) Sleeping arrangements - sleeping areas for males and females should be in separate quarters and supervised by two workers of the same sex as the group being supervised (if possible). All efforts should be taken to ensure that one adult is not on their own in a dormitory with children.
- (f) Maintaining standards and good youth work practice in the relaxed atmosphere of a trip away from home may be difficult as normal boundaries and standards of behaviour can be inadvertently crossed over. Experience indicates that many of the cases of alleged child abuse within the youth work setting occur during trips away from home.
- (g) It is mandatory that any adult person i.e. over 18 years engaging in/on overnight events with young people must have obtained Garda vetting, no exceptions to this rule can apply.

- (h) Child Safety and Youth Exchange Programmes Guidelines for Good Practice Appendix must be implemented in conjunction with YWINC Child Protection Policy Guidelines on any Youth Exchange Programmes operated under the aegis of YWINC in jurisdictions outside of the Republic of Ireland.

3.5 Codes of Behaviour between Volunteers, Employees, Students And Young People

3.5.1 Changing Rooms / Swimming Pools / Contact Sports

Employees and volunteers should be sensitive to the risks involved in participating in some contact sports with children and exercise particular caution in areas such as swimming pools, showers, etc.

Employees and volunteers should always be respectful of the privacy of young people in dormitories, changing rooms, showers and toilets. It is strongly recommended that when present in such areas, employees/volunteers/students do not spend time alone with young people. (See Section 3.5.5)

3.5.2 Inappropriate Jokes

Employees, volunteers and students should be sensitive to the fact that jokes of a sexual nature may be offensive to others and should never be told in the presence of young people.

3.5.3 Inappropriate Relationships with Young People

Employees, volunteers and students should be sensitive to the possibility of becoming over involved or spending a great deal of time with any one young person or group of young people. They need to be clear about the purpose and nature of their relationship with any child, e.g. whether the relationship is constructive in building up the independence and autonomy of the child or is being used to satisfy some need or desire of the worker.

Where an employee/volunteer/student has a concern about the nature of a particular relationship involving themselves or another employee, volunteer or young person, they should discuss it with a supervisor or experienced colleague.

3.5.4 Reporting Bullying

In line with Youth Work Ireland North Connaught's policy on bullying, children should be encouraged to report cases of possible bullying behaviour to an employee/volunteer/student of their choice.

Dealing with Bullying – See Guidance Sheet 1.

3.5.5 Avoiding Being on Your Own with a Child

There is a potential risk to personal safety and false allegations in a situation where an adult meets alone in a room with a child. As such, it is recommended that this type of situation is avoided where at all possible. If it is absolutely necessary to meet alone with a child, where it is feasible, adults should consider leaving the door slightly ajar or informing another colleague that they will be alone in the room with the individual in question. Youth Work Ireland North

Connaught should promote a positive attitude among children that respects the personal space, safety and privacy of their peers.

3.5.6 Car Journeys/Transport

If an employee or volunteer is giving children a lift in their car, it is essential that they observe all normal good practice in this regard - i.e. ensuring that proper insurance cover is in place, that the car is not overloaded and that seatbelts are used. Except in exceptional circumstances, situations where an adult is on their own in the car with an individual child should be avoided.
See Guidelines 4

3.5.7 Physical Contact

Physical contact of a comforting and reassuring nature is a valid way of expressing concern and care for children, where such contact is acceptable to all persons concerned.

3.5.8 Language

Employees, volunteers or students must never in any way be verbally abusive to a young person, or use vulgar or offensive language while working with young people.

3.5.9 Use of Technology

Continuing advances in technology e.g. mobile phones, email, internet, have broadened the means and speed by which people can communicate and share information. These technologies have also brought the need to ensure that they are used for the positive benefits and to minimise the potential negative or harmful uses for which they can be used.
See Guidance Sheet 2

3.5.10 On-going Development For Staff

Youth Work Ireland North Connaught should offer on-going development opportunities for employees and volunteers to facilitate the operation of safe practices.

3.6 Designated Liaison Person

3.6.1 Children First Guidelines

Children First: National Guidelines for the Protection and Welfare of Children published by the Department of Children & Youth Affairs, 2017 stipulates that all organisations/groups providing services to children should adopt and implement a Child Protection Policy consistent with that outlined in the National Guidelines. Part of this policy involves the appointment of a Designated Liaison Person.

3.6.2 Role of the Designated Liaison Person

The 'Designated Liaison Person' is the title given to the designated person appointed in Youth Work Ireland North Connaught to deal with child protection concerns reported by employees, volunteers, children or other people in contact with the organisation. The

Designated Liaison Person in Youth Work Ireland North Connaught is the Chief Executive Officer. Youth Work Ireland North Connaught should ensure that this person has received training appropriate to the role.

The Designated Liaison Person should:

- (a) Have training in/and knowledge of Child Protection and Welfare issues and practice
- (b) Have a knowledge of community / youth work
- (c) Have good listening /feedback skills
- (d) Possess a level of knowledge on the topic of child abuse and associated issues appropriate to the role
- (e) Be at ease in discussing matters relating to all aspects of abuse/child welfare issues.

The Designated Liaison Person should be accessible to all persons associated with the service and will also need appropriate support structures and supervision. Reporting procedures to and from the Designated Liaison Person, with reference to existing organisational structures, need to be clear and known to all.

The Designated Liaison Person will:

- (a) Operate within the guidelines set by the appropriate authorities and those approved by Youth Work Ireland North Connaught.
- (b) Report suspicions and allegations of child abuse to the statutory authorities, i.e. TUSLA or An Garda Síochána.
- (c) Liaise between the organisation, children, staff and the statutory authorities where necessary.
- (d) Create and maintain links with the statutory authorities and other relevant agencies and resource groups
- (e) Facilitate the provision of support to any victim, employee or volunteer making a referral and provide support also to the person against whom the allegation has been made
- (f) Advise the organisation, members or staff on individual cases
- (g) Advise on good practice
- (h) Organise/facilitate training and workshops on guidelines in Child Protection
- (i) maintain proper records on all cases referred to him / her in a secure and confidential manner
- (j) Keep up-to-date on current developments regarding provision, practice, support services, legal obligations I requirements and policy
- (k) Seek advice from TUSLA when unclear whether to report and/or clarify incidents.

The Designated Liaison Person should report to the Chairperson or equivalent senior member of the organisation on a regular basis, and keep him or her informed of any Child Protection concerns which may have arisen in the organisation.

3.7 Mandated Persons

3.7.1 Mandated Persons

The Children First Act 2015 places a legal obligation on certain people, many of whom are professionals, to report child protection concerns at or above a defined threshold to TUSLA – Child and Family Agency. These mandated persons must also assist TUSLA, on request, in its

assessment of child protection concerns about children who have been the subject of a mandated report.

3.7.2. Who are Mandated Persons?

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes registered foster carers and members of the clergy or pastoral care workers or a church or other religious community.

3.7.3. Mandated Persons in Youth Work Ireland North Connaught

Within the legal obligations of the Children First Act 2015 all full-time and part-time employees of Youth Work Ireland North Connaught are designated Mandated Persons.

3.7.4. What are the Legal Obligations of a Mandated Person?

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

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

Section 14(1) of the Children First act 2015 states:

‘...where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child-

- (a) has been harmed,
- (b) is being harmed, or
- (c) is at risk of being harmed,

(d) he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be to the Agency.’

Section 14(2) of the Children First Act 2015 also places obligations on mandated persons to report any disclosures made by a child:

‘Where a child believes that he or she –

- (a) has been harmed,
- (b) is being harmed, or
- (c) is at risk of being harmed,

and discloses this belief to a mandated person in the course of a mandated person’s employment or profession as such a person, the mandated person shall, ...as soon as practicable, report that disclosure to the Agency.’

Section 2 of the Children First Act 2015 defines harm as follows:

‘harm means in relation to a child –

- (a) assault, ill-treatment or neglect of the child in a manner that seriously affects, or is likely to seriously affect the child’s health, development or welfare, or,
- (b) sexual abuse of the child.’

3.7.5 Reporting Mandated Concerns

Criteria for reporting: definitions and thresholds

Youth Work Ireland North Connaught’s mandated persons are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The threshold of harm for each category of abuse at which mandated persons have a **legal** obligation to report concerns is outlined below.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, TUSLA can provide advice in this regard. You can find details of who to contact to discuss your concern on the TUSLA website (www.TUSLA.ie). If your concern does not reach the threshold for mandated reporting, but you feel it is a **reasonable concern** about the welfare or protection of a child, you should report it to TUSLA under this Guidance.

Neglect

Neglect is defined as ‘to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care’. The threshold of harm, at which you must report to TUSLA under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child’s needs have been neglected, are being neglected, or are at risk of being neglected to the point where **the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

Emotional Abuse / Ill Treatment

Ill-treatment is defined as ‘to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015.

The threshold of harm, at which you must report to TUSLA under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being or is at risk of being ill-treated to the point where **the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

Physical Abuse

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to TUSLA under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result **the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

Sexual Abuse

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to TUSLA under the Children First Act 2015.

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the

Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015.

A full list of relevant offences against the child which are considered sexual abuse is set out in Guidance Sheet 5 of these guidelines.

As all sexual abuse falls within the category of seriously affecting a child's health, welfare or development, you must submit all concerns about sexual abuse as a mandated report to TUSLA. There is one exception, which deals with certain consensual sexual activity between teenagers, which is outlined on page 26 of this Guidance.

3.7.6 Disclosures of abuse from a child

If, as a mandated person, you receive a disclosure of harm from a child, which is above the thresholds set out above, you must make a mandated report of the concern to TUSLA. **You are not required to judge the truth of the claims or the credibility of the child.** If the concern does not meet the threshold to be reported as a mandated concern you should report it to TUSLA as a reasonable concern under this Guidance.

If you receive a disclosure of harm from a child, you may feel reluctant to report this for a number of reasons. For example, the child may say that they do not want the disclosure to be reported, or you may take the view that the child is now safe and that the involvement of TUSLA may not be desired by either the child or their family. However, you need to inform TUSLA of all risks to children above the threshold, as the removal of a risk to one child does not necessarily mean that there are no other children at risk. The information contained in a disclosure may be critical to TUSLA's assessment of risk to another child either now or in the future.

You should deal with disclosures of abuse sensitively and professionally. The following approach is suggested as best practice for dealing with these disclosures.

- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you
- Do not promise to keep anything secret
- Ask questions for clarification only. Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow
- Make a written record of the conversation as soon as possible, in as much detail as possible
- Treat the information confidentially, subject to the requirements of this Guidance and legislation

3.7.7 Dealing with a retrospective allegation

Some adults may disclose abuse that took place during their childhood. Such disclosures may come to light when an adult attends counselling, or is being treated for a psychiatric or health problem. If you are, for example, a counsellor or health professional, and you receive a

disclosure from a client that they were abused as a child, you should report this information to TUSLA, as the alleged abuser may pose a current risk to children.

If, as a mandated person, you provide counselling, it is recommended that you let your clients now, before the counselling starts, that if any child protection issues arise and the alleged perpetrator is identifiable, you must pass the information on to TUSLA. If your client does not feel able to participate in any investigation, TUSLA may be seriously constrained in their ability to respond to the retrospective allegation.

The reporting requirements under the Children First Act 2015 apply only to information that you, as a mandated person, received or became aware of since the Act came into force, whether the harm occurred before or after that point. However, if you have a reasonable concern about past abuse, where information came to your attention before the Act and there is a possible continuing risk to children, you should report it to TUSLA under this Guidance.

3.7.8. Exemptions from requirements to report

Underage Consensual Sexual Activity

Under the Criminal Law (Sexual Offences) Act 2006 the legal age of consent is 17 years.

While a sexual relationship where one or both parties is under 17 years of age is illegal, when making a mandated report to TUSLA, it might not be regarded as child sexual abuse.

There are certain exemptions from reporting underage consensual sexual activity under section 14(3) of the Children First Act 2015. If you are satisfied that all of the following criteria are met, you are not required to make a report to TUSLA:

- The young person(s) concerned are between 15 and 17 years old
- The age difference between them is not more than 24 months
- There is no material difference in their maturity or capacity to consent
- The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person
- The young persons concerned state clearly that they do not want any information about the activity to be disclosed to TUSLA.

In effect, this means that if all of the above criteria are met, you as a mandated person do not have to report consensual sexual activity between older teenagers as sexual abuse to TUSLA.

All persons, including mandated persons, must uphold the key principle that the welfare of the child is paramount and if you have any concerns, even where all the above criteria are met, you may make a report to TUSLA.

3.7.9 Concerns Developed outside of Professional Duties

The legal obligation to report under the Act applies only to information that you acquire in the course of your professional work or employment. It does not apply to information you acquire outside your work, or information given to you on the basis of a personal rather than a professional relationship. While the legal obligation to report only arises for employment or professional duties, you should comply with the requirement of this guidance to report all reasonable concerns to TUSLA.

3.7.10 Making a Mandated Report

Section 14 of the Children First Act 2015 requires mandated persons to report a mandated concern to TUSLA ‘as soon as practicable.’ You should submit a report of a mandated concern to TUSLA using the required report form, on which you should indicate that you are a mandated person and that your report is about a mandated concern. You should include as much relevant information as possible in the report as this will aid effective and early intervention for the child and may reduce the likelihood of TUSLA needing to contact you for further information. You can find the report form and contact details on the TUSLA website (www.TUSLA.ie).

The Children First Act 2015 requires the CEO of TUSLA to appoint authorised persons to receive mandated reports. A mandated person who makes a report to an authorised person is protected from civil liability under the Protections for Persons Reporting Child Abuse Act 1998. The mandated report form can either be posted or submitted electronically to TUSLA. You can find details of how to access relevant TUSLA authorised staff on the TUSLA website. Authorised persons are obliged to acknowledge in writing all mandated reports they receive.

If you feel the concern may require urgent intervention to make the child safe, section 14(7) of the Children First Act 2015 allows you to alert TUSLA of the concern in advance of submitting a written report. You must then submit a mandated report to TUSLA on the report form within three days.

Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by TUSLA. If you think the child is in immediate danger and you cannot contact TUSLA, you should contact the Gardaí.

You should be aware that TUSLA may be unable to provide feedback to you on the progress or outcome of the case. However, the information which you have provided will be carefully considered with any other information available to TUSLA, and a child protection assessment will take place if sufficient risk is identified.

You are not required to report the same concern more than once. However, if you become aware of any additional information, a further report should be made to TUSLA. In addition, you are not required to make a report where the sole basis for your knowledge, belief or suspicion of harm is as a result of becoming aware that another mandated person has made a report to TUSLA about the child.

3.7.11 Informing the family that a report is being made

The Children First Act 2015 does not require you to inform the family that a report under the legislation is being made to TUSLA. However, it is good practice to tell the family that a report is being made and the reasons for the decision.

It is not necessary to inform the family that a report is being made if by doing so the child will be placed at further risk or where the family's knowledge of the report could impair TUSLA's ability to carry out a risk assessment. Also, you do not need to inform the family if you reasonably believe that by doing so it may place you at risk of harm from the family.

3.7.12 Informing the Designated Liaison Person

It is a requirement that mandated persons employed by Youth Work Ireland North Connaught inform the designated liaison person, and make a mandated report jointly except in an emergency situation. In the event of an emergency situation the mandated person will make the report but will provide a copy of the mandated report to the designated liaison person at the first available opportunity.

3.8 Mandated Assisting

When TUSLA receives a report of harm to a child, the information in the report is used to assess the risk of harm to that child, or any other child. Written reports from mandated persons should improve the quality of information available to TUSLA and therefore improve the assessment process, although in some instances TUSLA will need further information from the person making the report. The better the quality of the initial report, and the more comprehensive and relevant the information given at that stage, the more likely TUSLA can make an early and effective decision about how to deal with the reported concern.

It is usual practice for professionals, who have ongoing contact with a child and where there is concern about possible abuse, to continue to engage with TUSLA's social work team to assist in the protection of the child. To support and reinforce this practice, the Children First Act 2015 provides that all mandated persons can be asked by TUSLA to provide any necessary and proportionate assistance to aid TUSLA in assessing the risk to a child arising from a mandated report. You must comply with this request, regardless of who made the report, TUSLA accepts the time limitations and pressures on other professionals and will use mandated assisting only when necessary and only to the extent needed in each specific case. Mandated assistance may include a request to supply further information over the phone, produce a verbal or written report or attend a meeting. You can find the TUSLA Children First – Protocol for Mandated Assisting on the TUSLA website (www.TUSLA.ie).

3.8.1 Sharing Information

The Data Protection Acts 1988 and 2003 do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. TUSLA has the authority to share information concerning a child who is the subject of a risk assessment with a mandated person who has been asked to provide assistance. TUSLA must only share what is necessary and proportionate in the circumstances of each individual case.

Information that TUSLA shares with you, if you are assisting it to carry out an assessment, must not be shared with a third party, unless TUSLA considers it appropriate and authorises in

writing that the information may be shared. This is in keeping with the principles of data protection, which recognise that in certain circumstances information can be shared in the interests of child protection, but that such sharing must be necessary and proportionate. Section 17 of the Children First Act 2015 makes it an offence for you to disclose information to a third party which has been shared by TUSLA during the course of an assessment, unless TUSLA has given you written authorisation to do so. If you fail to comply with this section, you may be liable to a fine or imprisonment for up to six months or both. This offence can also be applied to an organisation.

Protection from Civil Liability

If you are required to share information with TUSLA when assisting in the assessment of risk to a child, you are protected from civil liability. Section 16(3) of the Children First Act 2015 states:

‘If a mandated person furnishes any information (including a report), document or thing to the Agency pursuant to a request made under subsection (1), the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.’

Section Four: Understanding Child Abuse

4.1 Introduction

It is not always easy to acknowledge that child abuse may take place in youth organisations or within families. It is often assumed that people who work in services for children, are caring individuals who would never inflict harm on anybody. The possibility that a colleague, who is popular and apparently trustworthy, might be capable of abusing a child is extremely difficult to accept. Similarly, it is hard to imagine that parents or carers who appear committed, involved and devoted to their children might neglect or harm them. Reluctance to think badly of people, or lack of awareness that such things can happen, can lead to resistance in hearing, recognising and dealing with the possibility of abuse. It is important that employees and volunteers are aware of the possibility for abuse to take place within and outside the organisation and it is essential that a mechanism exists to enable them to address any Child Protection concerns that they may experience.

4.2 Definition of Child Abuse

4.2.1 Types of Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A *child*¹ may be subjected to more than one form of abuse at any given time. *Children First* have adopted the following definitions:

4.2.2 Neglect

Child Neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

¹ For the purpose of this document, a 'child' means an unmarried person under the age of 18 years.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions - unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

4.2.3. Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways.

These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

4.2.4 Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

4.2.5 Sexual abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
 - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of this Guidance.

4.2.6 Circumstances which may make children more vulnerable to harm

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. **It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.**

- **Parent or carer factors:**
 - Drug and alcohol misuse
 - Conflictual relationships
 - Addiction, including gambling
 - Domestic violence
 - Mental health issues
 - Adolescent parents
 - Parental disability issues, including learning or intellectual disability

- **Child factors:**
 - Age
 - Gender
 - Sexuality
 - Disability
 - Mental health issues, including self-harm and suicide
 - Communication difficulties
 - Trafficked/Exploited
 - Previous abuse
 - Young carer

- **Community factors:**
 - Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
 - Culture-specific practices, including
 - Female genital mutilation
 - Forced marriage
 - Honour-based violence
 - Radicalisation

- **Environmental factors:**
 - Housing issues
 - Children who are out of home and not living with their parents, whether temporarily or permanently
 - Poverty/Begging
 - Bullying
 - Internet and social media-related concerns

- **Poor motivation or willingness of parents/guardians to engage:**
 - Non-attendance at appointments

- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

4.3 Other Forms of Abusive Behaviour towards Children

4.3.1 Unacceptable Behaviours

Apart from the above very serious forms of abuse, employees and volunteers should also be on the alert for other forms of behaviour that may be harmful to children. The following behaviours are unacceptable among children, staff and volunteers:

4.3.2 Organised Abuse

Child abuse can occur in a number of ways, including organised abuse. This occurs when one person moves into an area/institution and systematically entraps children for abusive purposes (mainly sexual) or when two or more adults conspire to similarly abuse children using inducements.

4.3.3 Peer Abuse

In some cases of abuse the alleged perpetrator will also be a child. In these situations the Child Protection Procedures should be adhered to for both the victim and the alleged abuser. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

4.3.4 Verbal Abuse

This can include name-calling, sarcasm, and criticism, making reference to some physical characteristic, destructive criticism, derogatory remarks and gestures

4.3.5 Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

While bullying can happen to any child, some may be more vulnerable. These include: children with disabilities or special educational needs; those from ethnic minority and migrant groups; from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

Bullying behaviour may take place in any setting whether it be in schools, the home or in a community setting. In the first instance, it is the responsibility of employees / volunteers to deal with bullying which may take place within the organisation. The more extreme forms of bullying behaviour would be regarded as physical or emotional abuse, and are reportable to the statutory authorities. Youth Work Ireland North Connaught's policy on countering bullying behaviour should be made known to children in the project and implemented by employees / volunteers, Incidents should be dealt with immediately and not tolerated under any circumstances.

4.3.6 Unwelcome Behaviour

This can include favouritism, exclusion, sexual harassment and sexual innuendo, humiliating and embarrassing others, deprivation of basic rights and harsh disciplinary regimes.

RECORD AND DATE ALL OBSERVATIONS OF WORRYING BEHAVIOUR OR PHYSICAL MARKS THAT MAY POSSIBLY BE ABUSE RELATED.

Section Five: Recognising Child Abuse

5.1 Introduction

The ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on knowledge and information. It is important to note that child abuse is not always readily visible, and may not be clearly observable. It is also important to avoid either a situation where employees / volunteers are constantly wary and on the lookout for abuse or one where complacency exists. Essentially, employees/volunteers should consider, in a measured way, the possibility of child abuse if:

- A child appears to have suffered a suspicious injury for which no reasonable explanation can be offered
- A child seems distressed without obvious reason or displays persistent or new behavioural problems
- A child shows unusual or fearful responses to an adult who is responsible for their care at any particular time.

It is important to remember that many signs of child abuse are non-specific, and that alternative explanations for indicators should always be considered.

5.2 Indicators of Concern / Possible Abuse that Require Attention

5.2.1 Reasonable Grounds for Concern

Children will sometimes, though not always, disclose that they are being physically or sexually abused, and are less likely to disclose emotional abuse or neglect. It is possible that employees / volunteers will become concerned because of a child's behaviour, or because of something that is reported by another person. The following examples would constitute reasonable grounds for concern and should be reported to the Designated Liaison Person:

- Disclosures of abuse by a child
- Age - inappropriate or abnormal sexual play or knowledge
- Specific injuries or patterns of injuries
- Signs of injury for which there is no explanation, or which is consistent with abuse and unlikely to be caused in any other way
- Absconding from home
- Attempted suicide
- Someone else (a parent, friend, co-worker) may disclose that a child has told them they are being abused, or may have witnessed the abuse themselves
- A child's behaviour may raise concerns
- An employee/volunteer may personally witness abuse taking place
- There may be consistent indication, over a period of time, that a child is suffering from emotional or physical neglect
- Signs in one or more of the above categories at any one time.

5.2.2 General Suspicions of Abuse

A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute a reasonable suspicion or be reasonable grounds for concern.

5.2.3 Do Not Confront Alleged Abuser

Under no circumstances should any individual member of staff or volunteer attempt to confront an alleged abuser. Proper procedures should be followed at all times. TUSLA and/or An Garda Síochána will determine how far and in what manner an investigation should be conducted.

Section Six: Dealing with Disclosure of Abuse from a Child

6.1 What to do when the Disclosure is being made

Youth Work Ireland North Connaught can provide a secure environment that enables children to share their concerns. It is important that a child who discloses abuse feels supported and facilitated in what, for him or her, may be a frightening and traumatic process. He or she may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings that the child may have are not increased by the kind of response that the disclosure elicits. A child who divulges abuse to an employee / volunteer makes a profound act of trust and should be treated with respect, sensitivity and care. It is important to remember the following:

- a) React calmly, as over reacting may alarm the child and compound feelings of anxiety and guilt.
- b) Listen carefully and attentively; take the child seriously.
- c) Reassure the child that they have taken the right action in telling.
- d) Do not make false promises, particularly regarding secrecy.
- e) Do not ask the child to repeat the story unnecessarily.
- f) Ask questions only for the purpose of clarification. Be supportive, but do not ask leading questions or seek intimate details beyond those volunteered by the child. Detailed investigative interviews will, if necessary, be carried out by TUSLA staff or members of An Garda Síochána.
- g) Check with the child to ensure that what has been heard and understood by you is accurate.
- h) Do not express any opinions about the alleged abuser.
- i) Record the conversation as soon as possible, in as much detail as possible. Sign and date the record.
- j) Explain and ensure that the child understands the procedures which will follow.
- k) Pass the information to the Designated Liaison Person, who will in turn report it to the Statutory Authorities for investigation.
- l) Treat the information confidentially, sharing it only with persons who have a right to hear it.

6.2 Confidentiality

It is important that the Child Protection Policy of Youth Work Ireland North Connaught operates strict codes of confidentiality (see also Section 6.4 overleaf). Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful. Youth work approaches are based upon trusting relationships and it is not uncommon for members to want to share personal information with employees or volunteers. Anyone, (employee/volunteer or child) disclosing information in this context needs to know in advance the limits of confidentiality and the responsibilities attached.

6.3 Do Not Promise 'Not to Tell'

In matters of child abuse an employee/volunteer should never promise to keep secret any information which is divulged. If a child discloses information to an employee/volunteer, he or she should explain that it cannot be kept secret. The employee/volunteer should also, as supportively as possible, explain what will happen to the information and what the outcome of reporting it is likely to be. Those working with a child and family should make this clear to all parties involved.

6.4 The “Need to Know” Rule of Thumb

All information regarding concern or assessment of child abuse should be shared only on a “*need to know*” basis in the best interest of the child. In other words, it should never be the subject of conversation between any other persons in the organisation, employees, volunteers or children, unless they are directly involved. Passing information to relevant authorities is not a breach of confidentiality. Information, which is gathered for one purpose, should not be used for any other purpose without consulting the person who provided that information.

Section Seven: Reporting Procedures in Respect of Suspected or Actual Child Abuse

7.1 Introduction

Employees/mandated persons/volunteers may have to deal with two different contexts in which child protection concerns may arise:

- (a) Situations where it becomes apparent that a child is being harmed or is at risk of harm within his or her family context or home environment
- (b) Situations where an allegation of child abuse is made against an employee or volunteer within the organisation.

Essentially, the steps to be taken are similar in both situations. This section outlines the general procedures to be followed in each case. Section six gives additional details in respect of an allegation against an employee or volunteer within the organisation.

7.2. Responsibility to Report Suspected or Actual Child Abuse

An employee, mandated person or volunteer who knows or suspects that a child has been harmed or is at risk of being harmed has a duty to convey this concern to the Designated Liaison Person, who in turn will report the information to TUSLA. TUSLA will, in turn notify An Garda Síochána. In an emergency, a report should be made directly to An Garda Síochána. Allegations should always be handled in a sensitive and discreet manner. Section 7.5 below details the steps to be followed by employees and volunteers in making reports to the Designated Liaison Person. Children should be encouraged and supported in making known any concerns that they may have, to an employee or volunteer.

7.3. Protections for Persons Reporting Child Abuse

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’ to TUSLA or An Garda Síochána. This protection applies to organisations/groups as well as individuals. It is considered, therefore, that in the first instance, Youth Work Ireland North Connaught should assume responsibility for reporting child abuse to the appropriate authorities. Reports to TUSLA and An Garda Síochána should be made by the Designated Liaison Person, following the agreed procedures. Reports are passed on as quickly as possible to the statutory authorities.

7.4. Reporting Procedures and Responsibilities of Youth Work Ireland North Connaught

Youth Work Ireland North Connaught should ensure that employees/mandated persons/volunteers and children are aware of the organisation’s reporting procedures. Employees/volunteers should also be aware of the appropriate authorities to whom they may report outside the organisation if they are inhibited for any reason in reporting the incident internally or where they are dissatisfied with the internal response.

In making any report an individual needs to take the following into consideration:

- (a) That the protection and safety of the child should be considered paramount

- (b) Reports should be made without delay to TUSLA
- (c) The principle of natural justice should apply, which means that a person is innocent until proven otherwise
- (d) The principle of confidentiality should apply, whereby only those that need to know should be told of a suspicion/allegation/disclosure of abuse and the number of people that need to be kept informed should be kept to a minimum.

There is a moral obligation on Youth Work Ireland North Connaught to provide children with the highest possible standard of care in order to promote their well-being and safeguard them from harm. Youth Work Ireland North Connaught may also be legally responsible for failure to provide adequate care and safeguards for the children in their care.

7.5. Referral Procedure

In the case of a disclosure or reasonable suspicion the employee, mandated person or volunteer should discuss the case with the Designated Liaison Person. If the suspected abuser is the Designated Liaison Person, the matter should be brought to the attention of the Chairperson YWINC. When the Designated Liaison Person/Mandated Person/Chief Executive Officer has been notified they should refer the matter as soon as possible to TUSLA, who will in turn notify An Garda Síochána. In this regard, Youth Work Ireland North Connaught should be sensitive to the fact that those with “a need to know” should be restricted to the minimum number possible.

If any person has misgivings about the safety of a child and would find it helpful to discuss their concerns with a professional, they should not hesitate to contact the Designated Liaison Person to discuss the matter. This should help them decide whether or not to formally report their concerns to TUSLA. Contacting TUSLA will not automatically trigger off a child protection investigation - TUSLA will determine whether or not the matter requires further exploration.

7.6. Standard Reporting Procedure & Information Required when a Report is being Made

If a child abuse case is suspected or alleged, the following steps should be taken by the Designated Liaison Person/Mandated Person:

- (a) A report should be made to TUSLA in person, by telephone or in writing. Reports may be made to the Duty Social Worker. TUSLA has a Social Worker on duty for a certain number of hours each day. The Duty Social Workers available to meet with, or talk on the telephone, to persons wishing to report Child Protection Concerns.
- (b) It is generally most helpful if persons wishing to report child abuse concerns make personal contact with the Duty Social Worker. This will facilitate the Social Worker in gathering as much information as possible about the child and his or her situation, If a third person, such as a Designated Liaison Person/Mandated Person makes the report, it is likely that the Social Worker will wish to speak to the person who first witnessed the incident, received the disclosure, or felt the concern.
- (c) In the event of an emergency, or the non-availability of TUSLA staff, the report should be made to An Garda Síochána. This may be done at any Garda Station.

Under no circumstances should a child be left in a dangerous situation pending the intervention of TUSLA.

This procedure should be followed even where the suspicion arises in another organisational context but is disclosed to an employee/mandated person/volunteer who is delivering a programme in another setting, for example, in a school. In this instance, he or she should report to the Designated Liaison Person in his or her own organisation, for example, the school where the child abuse is suspected or alleged. The ability of the statutory authorities to investigate and assess a case of potential or actual child abuse will depend on the quality of information available to them. Different levels of information will be available to persons reporting who may or may not be familiar with the child's personal situation. It is important not to ask leading questions, nor to seek intimate details beyond those volunteered by the child. Within these constraints, every effort should be made to clarify the grounds for concern and assist the statutory authorities to decide how far and in what manner to pursue an investigation. **A standard reporting form is contained in Appendix Five.** When completing a reporting form, factual detail is required - not opinions or impressions. Check the details against the first record made of the incident or concern to ensure accuracy. Sign the form and date it when completed. While the information in some cases will be limited, **as much as possible** of the following detail should be included in a report where this is readily available to you:

- (a) Names and addresses of the child, parents/carers and any other children in the family
- (b) Name and address of the person alleged to be causing harm to the child
- (c) A full account of the current concern about the child's safety or welfare
- (d) The source of any information which is being discussed with the HSE
- (e) Dates of any incidents being reported
- (f) Circumstances in which the incident or concern arose
- (g) The child's own statement, if relevant
- (h) Name of child's school
- (i) Name of child's General Practitioner
- (j) Reporter's own involvement with the child and their parents/carers
- (k) Details of any action already taken in relation to the child's safety and welfare
- (l) Names and addresses of any agency or key person involved with the family
- (m) Identity of person reporting, including name, address, telephone number, occupation and relationship with the family.

7.7 What happens after a report is received by Tusla?

Tusla has the statutory responsibility to assess all reports of child welfare and protection concerns. Assessments are carried out by Tusla social workers. If concerns are found after the initial checks, further evaluation involving a detailed examination of the child and family's circumstances will follow. If concerns about a child's welfare are found, but do not involve a child protection issue, then the family may be referred to community or family support services. If no concerns are found, then the information gathered is recorded and kept on a confidential file where it will be examined if further concerns or more information comes to light.

If you make a report about a child, Tusla will normally acknowledge it, and may contact you for further information, if necessary. It is understandable that you would like to be assured that the matter is being followed up. However, to protect the privacy of the child and family, it may not be possible for Tusla to inform you of the progress or outcome of Tusla's contact with the

child or family, unless you are involved in discussions around family support or child protection plans. If you continue to have concerns about the child, or if additional information comes to light, you should contact Tusla.

Please see Guidance Sheet 6.

7.7.1 Concerns about an adult who may pose a risk to children

While in most cases concerns for the welfare or safety of a child develop from your own observation or knowledge of the child or their family, sometimes concerns arise about whether an adult may pose a risk to children, even if there is no specific child named in relation to the concern. For example, based on known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom they may have contact. You should report any such reasonable concerns to the designated liaison person who will report to Tusla, who will try to establish whether or not any child is currently at risk from the individual in question.

While Tusla will make every effort to examine such cases, it is a very complex area involving the accused's constitutional rights to their good name, privacy and the right to earn a living, as well as the requirements of natural justice. Tusla must work within the Constitution, the law, the legal system and the demands of natural justice to balance the conflicting rights of those involved. This may limit how much feedback Tusla can provide to you on the progress or outcome of the case. Tusla's examination can be greatly improved if the alleged victim feels able to cooperate with Tusla in its assessment or investigation.

7.8 Dealing with 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 is paramount. Any such complaints relating to inappropriate behaviour should be brought to the attention of the Designated Liaison Person. This information should be checked out and handled in a confidential manner. Any such complaints relating to Child Protection Concerns should be handled in accordance with the procedures outlined in this Code.

7.9 Co-operation with Parents/Carers

Parents or carers of any child deemed to be at risk should be treated with respect. For this reason, families should be informed by an appropriate person if a report concerning them is submitted to Tusla or An Garda Síochána, unless doing so is likely to endanger the child or undermine an investigation. Advice may be sought from the statutory authorities about the best procedure to follow.

7.10 When a Suspicion is Not Referred to Tusla or Gardaí

In situations where the organisation decides that it should not refer reported concerns to TUSLA or An Garda Síochána, the individual employee, mandated person or volunteer who raised the concern should be given a clear written statement of the reasons why the organisation is not taking action. The employee, mandated person or volunteer should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, TUSLA or An Garda Síochána. The provisions of the Protections for Persons

Reporting Child Abuse Act, 1998 apply once they report “reasonably and in good faith”.

7.11 Where Reasonable Grounds for Concern are not Immediately Apparent

Where an employee or volunteer has a suspicion of abuse and there may be insufficient evidence to substantiate it, s/he should continue to monitor the situation. The following steps are also recommended:

- The employee/mandated person/volunteer should, as soon as possible, discuss the situation with the Designated Liaison Person. All discussions should be restricted to those with a need to know the employee or volunteer may continue to observe the behaviour of the child and the suspected abuser, recording any information which may be relevant using the guidelines for completing the Standard Reporting Form as contained in this policy under Section 7.11 below (Recording and Retention of Information).
- The employee/volunteer should endeavour to be available to the child involved. This has to be done in a sensitive manner, It is not proper for the worker to intimate or suggest to a person that s/he may have suffered an abuse.

7.12 Recording and Retention of Information

In all situations, including those in which the cause of concern arises from a disclosure made in confidence, it is extremely important to record the details of an allegation or reported incident, regardless of whether or not a referral is subsequently made to a statutory agency. This should happen as soon as possible after the incident has taken place.

The *Guidance Notes in Appendix* outline the need to give accurate and detailed information when making a report. This should be considered when a report is being made in order to provide as much detail as possible.

Any reports/completed forms should be stored in a safe and secure location. **The need for good record-keeping at all stages of the Child Protection Process cannot be over emphasised.** Employees/volunteers need to be mindful of the *Data Protection Act and the Freedom of Information Act* (see Appendix Seven).

Adjustments cannot be made to an existing document. In the event of new developments/information, a new document should be completed which will accompany the existing document. These documents should be stored permanently as they belong to Youth Work Ireland North Connaught, not to the person who first made the report.

When an individual makes a report to the statutory authorities, the possibility always exists that he/she may be called to give evidence should legal action be taken, It is therefore important to record details of disclosure and any other relevant information that may have been heard and seen.

7.13 Need for On-going Co-operation between Youth Work Ireland North Connaught and the Statutory Authorities

7.13.1 Effective Inter-agency Co-operation

TUSLA has overall responsibility for the assessment and management of Child Protection concerns, An Garda Síochána has responsibility for the investigation of alleged offences. However, all persons involved with a child protection case may have a particular contribution to make to ensure the child’s future safety and welfare. It is essential, therefore, that a co-

ordinated response is made by all persons involved with a young person deemed to be at risk.

Effective inter-agency co-operation will depend on:

- (a) Understanding and acceptance by all professionals and persons working with children of their responsibilities and roles in the promotion of child welfare
- (b) Mutual trust and sharing of information
- (c) Willingness of personnel to respect the contributions made by each other, irrespective of status and position within agencies and organisations/groups.

If TUSLA or An Garda Síochána decide to pursue a report made by Youth Work Ireland North Connaught, it is likely that a Social Worker will want to speak to the first person who either witnessed an incident of abuse or became concerned about a child. It is also possible that An Garda Síochána may wish to take a witness statement from the person who originally reported the concern; The Designated Liaison Person should make him or herself available as a mediator, if necessary.

Inter-agency and inter-professional co-operation is as important in the later stages of child protection work as it is at the outset. Efforts should be consistently made by all personnel who are working with the child at risk to remain in contact, and to communicate any relevant information to the key worker, usually the TUSLA Social Worker.

7.13.2 Developing and Maintaining Inter-Agency Relationships

Within Youth Work Ireland North Connaught, there are networks of professionals working in the field of Child Protection and Welfare. It can be very helpful to make formal or informal contacts between organisations, on an inter-agency basis, sharing events such as training sessions, conferences or inter-agency meetings. The existence of on-going contacts between organisations in normal circumstances can greatly assist and facilitate good co-operation, when events such as disclosure or discovery of child abuse have to be investigated.

Section Eight: Action to be taken when an Allegation is made against Employees, Mandated Persons, Volunteers, or other members of Youth Work Ireland North Connaught

8.1 Introduction

Youth Work Ireland North Connaught should ensure that employees/mandated persons/volunteers are aware of the internal line management reporting procedures for dealing with allegations of abuse against volunteers, employees or other members of the organisation. The organisation should also be aware of Employment Legislation and any other Employee Relations Policies. When an allegation of abuse is made against an employee or volunteer, the organisation has a dual responsibility in respect of both the child and the employee/volunteer or other accused person. These guidelines are offered to assist the project 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. Youth Work Ireland North Connaught should, as a matter of urgency, take any necessary protective measures to ensure that no child is exposed to unnecessary risk.

8.2. General Procedures

There are two sets of procedures to be followed when allegations of abuse are made against volunteers or employees in Youth Work Ireland North Connaught:

- (a) The reporting procedure in respect of the child
- (b) The procedure for dealing with the alleged abuser.

The Designated Liaison Person will normally have responsibility for the child. He or she will also deal with allegations made against an employee or volunteer. The Chairperson of YWINC will have responsibility for dealing with allegations made against the Designated Liaison Person. The Designated Liaison Person should follow the standard reporting procedure outlined in Section 7.6.

The possibility of collusion of other members of staff should be recognised. It will be necessary for An Garda Síochána and senior staff within the organisation to agree their strategy for investigation and remain in contact. *The Protections for Persons Reporting Child Abuse Act, 1998* applies equally to organisations/groups provided they report the matter 'reasonably and in good faith'.

There are various situations in which allegations may be made involving persons associated with the organisation. The most common are:

- (a) An allegation of abuse against an employee within the organisation
- (b) An allegation of abuse against a volunteer within the organisation
- (c) A complaint or allegation against a young person who is involved with the organisation.

Though the duty to report remains the same in each situation, individual procedures may differ slightly, and are detailed as follows:

8.3. Procedure Where a Complaint or Allegation is Made Against an Employee

If an allegation is made against an employee, the matter should be reported to the Designated Liaison Person. If an allegation is made against the Designated Liaison Person, it should be reported to the Chairperson. Action taken in reporting an allegation against an employee should be based on an opinion formed reasonably and in good faith. All allegations should be assessed promptly and carefully. It will be necessary to decide whether a formal report should be made to TUSLA - this decision should be based on reasonable grounds for concern as outlined in Section 5.2

The following steps should be taken:

- (a) The main priority should be 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 measures should be proportionate to the level of risk and should not unreasonably penalise the employee financially or otherwise unless this action is necessary to protect children. Legal advice should be sought in this regard.
- (b) If a decision is made to report the matter to TUSLA, the Designated Liaison Person should follow the standard reporting procedure outlined in respect of the child. The Designated Liaison Person should inform the employee that an allegation has been made and explain the nature of that allegation. The employee should be afforded the right to respond. The response should be noted and passed to TUSLA if a formal report is being made. The Designated Liaison Person should also notify TUSLA of any other organisation working with children with which the alleged abuser is thought or known to be involved.
- (c) The parents / carers of the child should be informed immediately of the complaint against the employee unless by doing so you endanger the child. Advice should be taken from the statutory authorities as to how this might best be done.
- (d) The follow up on an allegation of abuse against an employee should be made in consultation with TUSLA and An Garda Síochána. An immediate meeting should be arranged with these two agencies for this purpose
- (e) After the consultations referred to above have taken place, and when pursuing the question of the future position of the employee, the Designated Liaison Person/Chairperson should advise the employee of the situation and should follow the agreed procedures.
- (f) The Youth Work Ireland North Connaught Club should ensure that any actions taken by them do not undermine or frustrate any investigations being conducted by TUSLA or An Garda Síochána. It is strongly recommended that Youth Work Ireland North Connaught maintains close liaison with the relevant authorities to maintain this co-operation
- (g) The person accused will need support pending an investigation. It would be unwise for this to be provided within the organisation and external services should be accessible to the employee for this purpose.

These procedures apply in all cases, including those cases where the employee is employed or contracted on a part time or consultancy basis.

8.4. 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. All allegations should be assessed promptly and carefully. It will be necessary to decide whether a formal report should be made to TUSLA this decision should be based on reasonable grounds for concern as outlined.

The following steps should be taken:

- (a) The main priority should be to ensure that no child is exposed to unnecessary risk. The Designated Liaison Person should as a matter of urgency take the necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalise the volunteer unless this action is necessary to protect children.
- (b) If a decision is made to report the matter to TUSLA, the Designated Liaison Person should follow the standard reporting procedure outlined in Section Seven in respect of the child, The Designated Liaison Person should inform the volunteer that an allegation has been made against him / her and explain the nature of that 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 Designated Liaison Person should also notify TUSLA of any other organisation working with children with which the alleged abuser is thought to be involved. TUSLA if appropriate, will include these organisations in any investigation.
- (c) The parents/carers of the child should be informed immediately unless by doing so, the child is endangered. Advice should be taken from the statutory authorities as to how this might best be done.
- (d) The follow up on an allegation of abuse against a volunteer should be made in consultation with TUSLA and An Garda Síochána. An immediate meeting should be arranged with both agencies for this purpose.
- (e) After these consultations, and when pursuing the question of the future position of the volunteer, the Designated Liaison Person should advise the volunteer of the situation and agreed procedures should then be followed.
- (f) The Designated Liaison Person should ensure that any actions taken by him/her do not undermine or frustrate any investigations being conducted by TUSLA or An Garda Síochána. It is strongly recommended that the Designated Liaison Person maintain close liaison with authorities to ensure close co-operation between the parties.
- (g) The person accused will need support pending an investigation, it would be unwise for this to be provided within the organisation, and external services should be accessible to the volunteer for this purpose.

8.5. Procedure to be Followed Where an Allegation is Made Against Another Young Person

If an allegation is made against a young person involved with Youth Work Ireland North Connaught, it should be considered a Child Protection issue for both the child/young person involved and Child Protection Procedures should be adhered to for both the victim and the alleged abuser, The parents/guardians of the child/young person concerned should be informed immediately. Advice should be taken from the Statutory Authorities as to how this might best be done. Decisions regarding the future participation in the Project/Service of the young person alleged to have committed abuse should be made at management level.

8.6. Application of Fair Treatment

Employees/volunteers 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 outcome of any investigation and its implications for their future employment or contractual arrangements with the organisation. The investigation should be completed as soon as possible. The fact that 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 allegations are thoroughly assessed, and a decision reached.

Section Nine: Joint Working between Tusla and An Garda Síochána

9.1 Tusla and An Garda Síochána

Joint working between Tusla and An Garda Síochána forms an integral part of the child protection and welfare service. If Tusla suspects that a crime has been committed and a child has been wilfully neglected or physically or sexually abused, it will formally notify the Gardaí without delay. The specific focus of An Garda Síochána concerning child abuse and neglect is on preserving life; vindicating the human rights of each individual; and preventing, investigating and detecting criminal offences. On the basis of the investigation, An Garda Síochána may prepare a file for the Director of Public Prosecutions, who will decide whether to initiate a prosecution.

Where a child is at immediate risk of harm, Tusla and An Garda Síochána will work together to ensure the safety of the child. If a member of the Gardaí has reasonable grounds for believing that there is an immediate and serious risk to the health or welfare of a child, and it would not be sufficient for the protection of that child to await the making of an application for an emergency care order by Tusla, they may, under section 12 of the Child Care Act 1991, remove the child from danger and bring them to a place of safety. The child is then delivered to the care of Tusla as soon as possible. An emergency out-of-hours social work service provides social work consultation and advice to the Gardaí. The Gardaí have access to an on-call social worker and placements for children who need them due to the immediate risk to their safety. Tusla has a network of emergency foster carers available to receive a child removed from their family in an emergency.

If, in the course of their duties, the Gardaí become aware of a child welfare and protection concern, it should be formally reported to Tusla. As members of An Garda Síochána are mandated persons under the Children First Act 2015, if the concern is at or above the threshold of a mandated concern, this should be reported to Tusla, as outlined in Chapter 3 of this Guidance.

A protocol (Tusla and An Garda Síochána Children First - Joint Working Protocol for Liaison between both Agencies) is in place between the two agencies that details how they cooperate and interact in dealing with child welfare and protection concerns. This protocol specifically covers the formal communication required between the two agencies about notifications of child welfare or protection concerns and record keeping about joint working and recording of decisions. You can find this protocol on the websites of both agencies. (www.tusla.ie and www.garda.ie).

9.1.1 Joint specialist interviews

Joint specialist interviews are conducted in cases where it is deemed necessary by both the Gardaí and Tusla. Tusla and An Garda Síochána have joint responsibility to ensure that specialist interviewer training is provided to Tusla staff and members of An Garda Síochána involved in the joint investigation of child welfare and protection cases and subsequent intervention. The aim of this training is to develop specialist expertise in the interviewing of children who may have been abused. It will also enable members of each service to fully understand each other's role and responsibilities and to learn how to work collaboratively. Joint working between social work and policing services involved in the investigation of child

abuse is recognised internationally as providing children with a less traumatic investigation experience and better outcomes where criminal and social care enquires run in parallel.

9.1.2 What Happens after a Concern is Reported?

The main responsibility for the care and protection of children rests with their parents/guardians. Some parents/guardians are unable to provide adequate care for their children for a range of reasons and these families need help and support. Early intervention by family support services, where unmet needs have been identified, may help to prevent any deterioration of the current difficulties of the family. It may also assist in encouraging the positive factors already in place in the family.

Tusla operates through duty teams of social workers that receive child protection reports, assess and prioritise referrals and provide protective interventions to children and their families. Each team deals with the concerns that arise in its specific geographical area by reference to the home address of the child. You can find contact details for each team on the Tusla website (www.tusla.ie)

The following is a description of the general process undertaken by Tusla when dealing with reports of a concern about a child. It begins at the point where a concern is received, through the assessment of what level of concern exists, to linking the child and the family with the appropriate services. A detailed diagram of the pathway of a child welfare or protection concern that is reported to Tusla can be found in Appendix 4.

9.1.3 Receipt of Concerns

Tusla receives reports of concerns in person by phone by email or in writing. The first consideration about a referral is the immediate safety of the child. Tusla social workers receiving reports of a concern treat all child welfare and protection concerns seriously, whatever their source. Reports of concerns are reviewed by Tusla to decide whether they are appropriate to Tusla's welfare and protection services and, if so, what intervention is appropriate to meet the needs of the child and their family.

If the concern is not Tusla's welfare and protection services, Tusla will give information and advice on the most appropriate ways of addressing the needs of the child and their family.

9.1.4 Initial Checks

When a report is received, a Tusla social worker will check to see if there is a record of any previous contact with the child's family. They may also contact other professionals (such as the general practitioner, teacher, public health nurse, speech and language therapist, child care worker, family support worker, psychologist) to see if they have any concerns about this child. The aim of this process is to help the social worker understand the child's history and circumstances, identify unmet needs, and determine if there is a risk of harm to the child. This will allow the social worker to decide on the most appropriate response.

If no child welfare or protection concerns are found, then the information gathered is recorded and kept on a confidential file. This file can be reviewed by Tusla social workers if further

concerns arise or more information comes to light. If concerns are found after the initial checks, further evaluation involving an assessment of all aspects of the child and family's circumstances will follow to identify any necessary interventions, Depending on the level of need or risk of abuse identified, an intervention will generally take the form of family support services or formal social work intervention.

9.1.5 Social work assessment of a concern

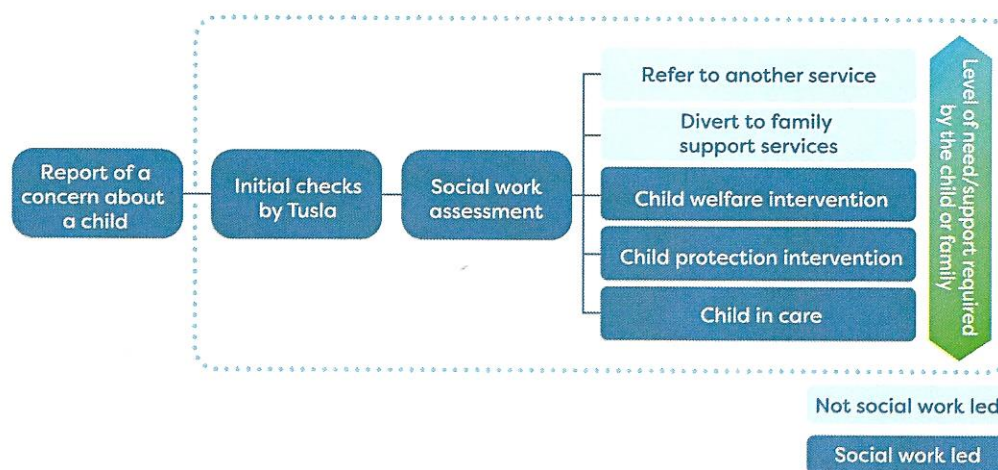
If it is decided that an assessment is needed, the social worker will contact the family to ask for their cooperation in carrying out an examination of the child's and family's needs. The aim is to work in cooperation with parents or guardians to determine the appropriate supports or interventions to ensure the safety and welfare of the child.

There are a number of possible outcomes to the social worker's assessment:

- The case is closed to Tusla. For example, it is not appropriate to Tusla's child welfare and protection services or no unmet need or risk in relation to the child was found. Where appropriate, the case may be referred to another support service or specialised service not operated by Tusla (e.g. mental health or disability services).
- A family support service may be initiated by the social worker if the assessment indicates that the child has some unmet needs, but is not at risk of harm. Tusla provides and works with a range of community-based support services that deliver practical supports to children and parents.
- The child is found to have welfare needs that require a Tusla social work-led response and intervention.
- There is a child abuse concern that requires a child protection social work response and intervention by Tusla. Where the harm is deemed to be abusive the concern is reported to the Gardaí. A child Protection Conference may be arranged and the child may be listed on the Child Protection Notification System.

9.1.6 Tusla Response to a Concern:

Tusla response to a concern:



9.1.7 Concerns which require Family Support Services

Many reports to Tusla will not relate to a child protection risk to the child but will indicate that the parents/guardians are in need of help because a child's needs are not being adequately met. Tusla has a range of professionals who offer advice and support to families. They include family support workers, social workers, family therapists, social care staff, play therapists and youth workers. These professionals help families work through difficult issues, ensure that children have a stable environment to live in, and provide support for parents who are finding it hard to cope.

Where the reported concern falls below the threshold for child protection intervention by Tusla, but the family may benefit from other services, a Child Welfare Plan/Family Support Plan may be made. This will outline the steps to be taken to support the child and family. It could involve helping the parent through direct one-to-one work, parental modelling and assistance, a play or afterschool programme for the child, or practical support, such as arranging domestic help or referring for appropriate assessments. These could include psychological or psychiatric assessment of the child and/or parental assessment for mental health or addiction problems.

9.1.8 Concerns which require Child Protection Intervention

Where serious concerns of ongoing risk of significant harm are identified during the assessment and interventions, or where a social worker has concerns that progress is not being made under the Child Welfare Plan/Family Support Plan, a plan of action is prepared. This is done by consulting with the parents and appropriate professionals to protect the welfare and safety of the child. A Child Protection Conference will be held to decide whether it is necessary to put the child's name on the **Child Protection Notification System (CPNS)** and if so, to agree a **Child Protection Plan**. In general parents are invited to attend the Child Protection Conference, unless there are concerns that to do so could put the child at further risk.

9.1.9 Child Protection Notification System

The Child Protection Notification System (CPNS) is a secure database that contains a national record of all children who have reached the threshold of being at ongoing risk of significant harm and for whom there is an ongoing child protection concern. The list is there to help a small group of relevant professionals make decisions about the safety of a child. Access to the CPNS is strictly confined to Tulsa social workers, members of An Garda Síochána, out-of-hours general practitioners and hospital medical, social work or nursing staff. If you are a parent, you will be notified if your child's name is on the CPNS. When it is decided that your child is no longer at ongoing risk of harm, your child's record will be changed from active to inactive.

9.1.10 Child Protection Plan

The Child Protection Plan applies to those children who are listed on the Child Protection Notification System. It is a list of actions that help to reduce the risk of harm to the child and to promote their welfare. The plan makes clear the steps to be taken and who is responsible for each part of the plan. Children who are on Child Protection Plans continue to live at home, unless it emerges that a child is at ongoing risk, or if the Child Protection Plan is deemed not to

be working. These cases may result in a decision to remove the child from the home.

Tusla is committed to ensuring that children are supported to live at home with their families, near their friends and schools, and within their own communities. Children are only removed from their home setting when Tusla has formed the view that, at least for the time being, their health, development or well-being cannot otherwise be ensured.

This is usually done by agreement with the parents. However, where agreement cannot be reached, Tusla will apply to the courts for one of a number of care orders to ensure the safety and well-being of the child concerned. When this happens, every effort is made to place children within their extended family (relative foster care) or in a foster care placement. Most children who come into care are placed in a family setting. Where this is not possible or appropriate, a child may be placed in a Children's Residential Service, a care facility usually located in a community setting. Every effort is also made to keep siblings together when it is necessary to remove them from their parents' care.

While the assessment/planning process is taking place, the allocated social worker will review the progress of the interventions and other information from specialist professionals involved with the family and will revise the assessment of risk accordingly. The allocated social worker will remain in close contact with the child and family, make arrangements for assessments and consult with other professionals who see the child regularly. The key consideration is to identify the type of intervention required to ensure that the child's needs are being met and that the child is kept safe.

When an assessment of a child protection concern finishes, Tusla will decide whether the allegation of abuse is rounded or unfounded. Tusla will liaise with the Gardaí for investigation of the criminal aspects of the case, and formal sharing of information with third parties will be considered. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

9.1.11 Sharing information with a third party

Allegations can be made by a child or an adult about current or past child protection concerns. The person who allegedly caused this harm may continue to pose a risk to any child with whom they have contact either in the course of their personal or professional lives. The child's welfare is the paramount consideration and, in a situation where a child is deemed to be at immediate and serious risk, Tusla will take all necessary steps to ensure the child's immediate safety. This may include sharing information with relevant third parties prior to informing the person who has allegedly caused the harm.

Tusla has an obligation under the Child Care Act 1991 to promote the welfare of children and therefore, is required to take any necessary and appropriate steps to share information with relevant third parties to ensure that effective protective measures can be taken to safeguard a child's welfare. This may involve sharing information with relevant third parties so that they, as responsible adults, can take the necessary protective action. Third parties in this context may include partners, family members or employers on a need to know basis.

Where a child is not at immediate or serious risk Tusla has a duty to ensure, where possible, that any action taken is in accordance with natural justice and fair procedures. In particular, the person allegedly causing the harm has a right to be informed of the allegations against them and to be given a reasonable opportunity to make a response. Any information provided will

form part of the assessment processes and information will not be shared with a third party until a conclusion is reached that the concerns are 'founded' and that there is a belief that a child or children may be at potential risk of harm.

Tusla has developed internal procedures to guide staff when assessing allegations of abuse against an individual. These procedures require staff to promote the welfare of the child while also taking account of Tusla's co-existing obligation to protect the rights of the accused and to adhere to the principles of natural justice.

9.1.12 Rights of Parents

Parents often find the investigation and assessment process to be very difficult and intrusive. Social workers should try to form respectful and constructive relationships with families and their children. If you are a parent of a child being assessed by Tusla, you should be told why and given the opportunity to respond. Concerns about your child should be explained to you. You should also be given information about the functions, role and powers of Tusla. Tusla should explain both your and your child's legal rights. Your views and the views of your child, where appropriate, should be sought.

You should cooperate with the assessment process and if you are unsure about any of the recommendations made, you should ask what they mean for your child and family. Tusla should explain how these changes are in the best interests of your child.

If no concerns are found, you may request that the social worker contacts each of the agencies they have consulted to let them know the result of the assessment.

9.1.13 Rights of Children

Child protection interventions should always be child-centred and consider each child in the family as an individual. This means giving them the opportunity to express their views with a focus on how they are experiencing their home life. Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in matters and decisions that may affect their lives. Where there are concerns about a child's welfare or safety, there should be opportunities provided for their views to be heard independently of their parents/guardian. A proper balance must be struck between protecting children and respecting the rights and needs of parents/guardians and families. Where there is conflict, Tusla should seek to put the child's welfare first.

9.1.14 Feedback to persons reporting concerns

Tusla will normally acknowledge reports that you make about a child and may contact you for further information, if necessary. However, it is not possible for Tusla to keep you informed on the progress or outcome of the case. While you may be frustrated at the lack of follow-up information, this is necessary to protect the privacy of those involved. If you continue to have concerns about the safety of a child, or should new information come to light after the concern has been reported to Tusla, you should bring this to the attention of Tusla.

9.1.15 Complaints Procedure

If you are dissatisfied with the service you have received from Tusla, there is a complaints procedure. First, it is best to try to resolve the complaint at a local level. If this is not possible, you can make a formal complaint to Tusla for investigation by the complaints officer. You can find information on how to make a formal complaint on the Tusla website (www.tusla.ie)

APPENDICES

Appendix One: Principles of Youth Policy

A1.1 Introduction

Youth Work Ireland North Connaught works mostly with children from the age of 8 years up. Thus the methodology and the ethos of the organisation is based on youth work values, as discussed below. Youth Work Ireland North Connaught strives to meet these principles in its work.

Youth policy is based on an assessment and understanding of the social and economic conditions prevailing in Irish society today, and an appreciation of young people's needs and changing circumstances at the beginning of the twenty-first century. It is based on the assumption that if all young people are to become self-reliant, responsible and active participants in their community life and in society at large, they should be enabled to develop the capacity for critical reflection and informed action without which genuinely active citizenship is impossible.²

A1.2 Core Values and Principles of Youth Work

A1.2.1 Core Principles

The organisation of youth work should be guided by a set of core principles.

Quality Youth Work:

- Is a planned and systematic educational experience implemented outside of the formal school curriculum by voluntary youth organisations and groups
- Is an active mode of learning which promotes an experiential learning model where young people are involved in learning by doing, in real life situations, and reflecting in a structured manner upon the experiences encountered
- Involves young people on a voluntary basis and begins with issues and areas of interest and concern to them
- Is a mutually beneficial, enjoyable and fun experience for both youth workers and young people
- Is a partnership between volunteers, employees and young people involving adults working with but not for young people in a manner that prioritises the active participation of young people as partners in the process
- Is based primarily on the voluntary involvement of adults as voluntary youth workers and is set in a community context
- Recognises that inequalities exist in society and seeks to raise the level of awareness of young people about society and how to act upon it
- Provides structures whereby young people participate in decision making, planning, organising and evaluation
- Enables communities to contribute to meeting the needs of their own young people.
-

² See Final Report of the National Youth Policy Committee (Costello Report) Dublin Stationery Office, 1984

A1.2.2 Voluntarism

The voluntary principle has been a consistent feature and long established principle of youth work in Ireland. The three key components of this principle are the following:

- Non-compulsory — young people are involved on a voluntary basis
- Non-paid — the majority of people working with young people do so on a voluntary basis
- Non-statutory — youth work in Ireland is provided in the main by voluntary youth organisations and groups.

A1.2.3 Participation

Real participation of young people is crucial in order to enable young people to become critically aware and active citizens.

A1.2.4 Integration

Youth work provision should be considered, not in isolation but in the framework of broader national, social and economic policies.

The above principles contribute to the overall development of quality standards in youth work and in the context of child protection give a framework within which young people can be catered for in a safe and encouraging environment.

A1.3 Adults and Young People in Partnership

Youth work offers a facility for adults and young people to work in partnership within a youth group. The nature of this relationship allows young people the space and opportunity to develop and explore an agreed developmental programme, in a non-formal educational manner. Volunteers and employees offer essential support to members at a crucial stage in their lives by listening to them, advocating on their behalf and assisting them on the basis of equality of opportunity to organise and participate in a range of activities delivered by their own particular youth group. All of this takes place through a developed partnership between the young person and the volunteer/employee.

A1.4 Policies and Guidelines

Youth Work Ireland North Connaught has adopted a set of policies and guidelines relevant to its work and to the ethos of the organisation. This helps to ensure that standards are set for the on-going professional delivery of all aspects of quality services, and provides a standard for evaluation.

A1.5 Youth Work and Child Protection

The programme of Youth Work Ireland North Connaught allows children and adults to work together in a safe environment, through a challenging programme of social educational and recreational activities. Training in relation to this Child Protection Policy should be provided within the organisation. This in turn will ensure that all aspects of YWINC work including recruitment, training, programme delivery and the day to day running of the organisation take place within an agreed framework, safe structures and a developmental environment. It will also facilitate a preventative approach, which may pre-empt situations vulnerable to the occurrence of abuse.

Appendix Two: The Rights of the Child

A2.1 Introduction

A Child Protection Policy should give due consideration to both the rights of the child and the rights of adults while also seeking to protect both groups in their association and work with each other.

In promoting the development of children, Youth Work Ireland North Connaught has a responsibility to support children to develop sufficient knowledge and confidence to reject any behaviour from their peers or from adults which may threaten them in any way. To achieve this, children should be facilitated to recognise their rights and obligations to one another and to adults. Good quality youth work approaches recognise this requirement, and recognises the need to implement the rights and obligations of the child and the adult. It has now been reinforced by current policy in relation to children.

A2.2 United Nations Convention on the Rights of the Child

The rights of children have been clearly outlined in the **United Nations Convention on the Rights of the Child**, an international agreement that was adopted by the UN in 1989 and ratified by Ireland in 1992. The Convention represents a set of minimum standards - the bottom line - in protecting children's rights. It is a binding international treaty and as a signatory, Ireland is obliged to implement its contents.

A2.3 Definition of 'child'

For the purpose of the Convention "a child" means anyone who is under 18 years of age. In Ireland, the Child Care Act 1991 defines a child as any person under the age of 18 years, excluding a person who is or who has been married.

A2.4 The UN Convention and Youth Work

A2.4.1 Youth Work Tenets

Good quality youth work approaches should recognise and implement the fundamental tenets of the UN Convention, particularly in relation to the rights of children to care and protection. Youth work will ensure that children's rights and needs are balanced by nurturing their capacity to take responsibility and develop into active, participating citizens. Thus, it is clear that there is a relationship between what the Convention seeks for and on behalf of young people, and what youth work professes to deliver on a daily basis.

A2.4.2 What Rights do Children Have?

A substantial number of rights are contained in the UN Convention on the Rights of the Child, Significant rights as they relate to Youth Work are:

- Children having a say in their education
- Protection of the environment in which children live
- Reasonable standards of living
- Protection from violence, abuse and exploitation
- Protection of children cared for away from home and for children with a disability

- Children being able to use their own language, enjoy their own culture and practice their own religion
- Reasonable standards of health and development
- Children suspected of committing a crime and children convicted of crimes shall be treated in a way that promotes their sense of dignity and worth and aims at reintegrating them into society.

Children's rights may be summarised under the following headings:

Provision

Rights to minimum standards of health, education, social security, physical care, family life, play, recreation, culture and leisure, and adequate standards of living;

Protection

Rights of children to be safe from discrimination, physical abuse, exploitation, substance abuse, injustice and conflict.

Participation

Rights of children to a name and identity, to be consulted and taken account of, to have access to information, to have freedom of speech and opinion, and to challenge decisions made on their behalf.

Appendix Three: Volunteer Application Form



YOUTH WORK IRELAND NORTH CONNAUGHT

CONFIDENTIAL

VOLUNTEER APPLICATION FORM

1. Name _____

2. Address _____

Tel. No. (Daytime) _____ (Evening) _____

3. Date of Birth ____/____/____ Place of Birth _____

4. Occupation _____

5. Please outline why you wish to become a volunteer:

6. Please give details of youth training/any previous experience/ involvement in youth activity/clubs.

7. Do you suffer from any illness/disability/medical condition which may at times affect your ability to work with young people? If so, please give details:

8. Times available (Please state times when you will be available)

| Daytime | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-----------|--------|---------|-----------|----------|--------|----------|--------|
| Morning | | | | | | | |
| Afternoon | | | | | | | |
| Evening | | | | | | | |

Please supply the name, address, telephone numbers and position of two people (non-relative) referees, who know you well and are aware of your volunteer application and can provide us with a reference. Please note, if you have a previous involvement in a voluntary/community organisation, at least one of your two referees must come from a senior member of that organisation.

1. _____

2. _____

Tel. No. _____

Tel . No. _____

Position _____

Position _____

Declaration: (Confidential)

I confirm that nothing within my personal or professional background deems me unsuitable for a position which involves working with children and young people.

I declare that the above information is true and agree that I will abide and accept conditions of participation.

Signed: _____

Date: _____



Your Ref:

| |
|--|
| |
|--|

Form NVB 1

Vetting Invitation

Section 1 – Personal Information

Under Sec 26(b) of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it is an offence to make a false statement for the purpose of obtaining a vetting disclosure.

| | | | | | | | | | | | |
|------------------------|--|---|---|---|---|---|---|---|---|---|---|
| Forename(s): | | | | | | | | | | | |
| Middle Name: | | | | | | | | | | | |
| Surname: | | | | | | | | | | | |
| Date Of Birth: | <table border="1" style="display: inline-table;"> <tr> <td>D</td><td>D</td><td>/</td><td>M</td><td>M</td><td>/</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td> </tr> </table> | D | D | / | M | M | / | Y | Y | Y | Y |
| D | D | / | M | M | / | Y | Y | Y | Y | | |
| Email Address: | | | | | | | | | | | |
| Contact Number: | | | | | | | | | | | |
| Role Being Vetted For: | | | | | | | | | | | |

Current Address:

| | |
|-------------------|--|
| Line 1: | |
| Line 2: | |
| Line 3: | |
| Line 4: | |
| Line 5: | |
| Eircode/Postcode: | |

Section 2 – Additional Information

Name Of Organisation:

I have provided documentation to validate my identity as required *and* I consent to the making of this application and to the disclosure of information by the National Vetting Bureau to the Liaison Person pursuant to Section 13(4)(e) National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. Please tick box

Applicant's Signature:

Date:

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| D | D | / | M | M | / | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|---|---|

Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.

Appendix Four: Volunteer Reference Form

YOUTH WORK IRELAND NORTH CONNAUGHT

VOLUNTEER REFERENCE FORM



Confidential

_____ has expressed an interest in becoming a volunteer with this organisation and has given your name as a referee.

This post involves substantial access to young people and as an organisation committed to the welfare and protection of young people, we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with children or young people.

If you have answered yes, we will contact you in confidence.

| | | | |
|-----|--|----|--|
| Yes | | No | |
|-----|--|----|--|

If you are happy to complete this reference form, all information contained on the form will remain confidential and will only be shared with the applicant's immediate supervisor, should they be offered a volunteer position. We would appreciate you being extremely candid in your evaluation of this person.

How long have you known this person? _____

In what capacity? _____

What attributes does this person have which you would consider makes them a suitable volunteer? _____

How would you describe their personality? _____

Please rate this person on the following (please tick)

| | Poor | Average | Good | Very Good | Excellent |
|----------------------|------|---------|------|-----------|-----------|
| Responsibility | | | | | |
| Maturity | | | | | |
| Self-Motivation | | | | | |
| Motivation of others | | | | | |
| Energy | | | | | |
| Trustworthiness | | | | | |
| Reliability | | | | | |

Signed _____ **Date** _____

Occupation _____

Appendix Five:

**Standard Forms for Reporting Child Protection and/or Welfare
Concerns**

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.
Fields marked with an * are mandatory.

| | |
|---|--|
| 1. Tusla Area (this is where the child resides)* | |
|---|--|

| | |
|---------------------------|--|
| 2. Date of Report* | |
|---------------------------|--|

3. Details of Child

| | | | |
|--------------------|--------------------------|-----------------------|--------------------------|
| First Name* | | Surname* | |
| Male* | <input type="checkbox"/> | Female* | <input type="checkbox"/> |
| Address* | | Date of Birth* | |
| | | Estimated Age* | |
| | | School Name | |
| | | School Address | |
| Eircode | | | |

4. Details of Concerns*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see '*Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns*' for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

| | | | |
|------------------------------|--------------------------|-----------------------|--------------------------|
| Child Welfare Concern | <input type="checkbox"/> | | |
| Emotional Abuse | <input type="checkbox"/> | Physical Abuse | <input type="checkbox"/> |
| Neglect | <input type="checkbox"/> | Sexual Abuse | <input type="checkbox"/> |

6. Details of Reporter

| | | | |
|--|--|----------------------|--|
| First Name | | Surname | |
| Address If reporting in a professional capacity, please use your professional address | | Organisation | |
| | | Position Held | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| Is this a Mandated Report made under Sec 14, Children First Act 2015?* | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Mandated Person's Type | | | | |

7. Details of Other Persons Where a Joint Report is Being Made

| | | | |
|--|--|----------------------|--|
| First Name | | Surname | |
| Address If reporting in a professional capacity, please use your professional address | | Organisation | |
| | | Position Held | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |

| | | | |
|--|--|----------------------|--|
| First Name | | Surname | |
| Address If reporting in a professional capacity, please use your professional address | | Organisation | |
| | | Position Held | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |

8. Parents Aware of Report

| | | | | |
|---|-----|--------------------------|----|--------------------------|
| Are the child's parents/carers aware that this concern is being reported to Tusla?* | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| If the parent/carer does not know, please indicate reasons: | | | | |

9. Relationships

| | | | |
|--------------------------|--|----------------------|--|
| Details of Mother | | | |
| First Name | | Surname | |
| Address | | Mobile No. | |
| | | Telephone No. | |
| | | Email Address | |
| Eircode | | | |

| | | | | |
|----------------------------------|-----|--------------------------|----|--------------------------|
| Is the Mother a Legal Guardian?* | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|----------------------------------|-----|--------------------------|----|--------------------------|

| | | | |
|--------------------------|--|----------------------|--|
| Details of Father | | | |
| First Name | | Surname | |
| Address | | Mobile No. | |
| | | Telephone No. | |
| | | Email Address | |
| Eircode | | | |

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

| | | | | |
|----------------------------------|-----|--------------------------|----|--------------------------|
| Is the Father a Legal Guardian?* | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
|----------------------------------|-----|--------------------------|----|--------------------------|

10. Household Composition

| First Name | Surname | Relationship | Date of Birth | Estimated Age | Additional Information e.g. school, occupation, other |
|------------|---------|--------------|---------------|---------------|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

11. Details of Person(s) Allegedly Causing Harm

| | | | |
|---------------|--------------------------|---------------|--------------------------|
| First Name* | | Surname* | |
| Male* | <input type="checkbox"/> | Female* | <input type="checkbox"/> |
| Address | | Date of Birth | |
| | | Estimated Age | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |
| Occupation | | Organisation | |
| Position Held | | | |

| | |
|--|--|
| Relationship to Child | |
| Address at time of alleged incident | |
| If name unknown please indicate reason | |

| | | | |
|---------------|--------------------------|---------------|--------------------------|
| First Name* | | Surname* | |
| Male* | <input type="checkbox"/> | Female* | <input type="checkbox"/> |
| Address | | Date of Birth | |
| | | Estimated Age | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |
| Occupation | | Organisation | |
| Position Held | | | |

| | |
|--|--|
| Relationship to Child | |
| Address at time of alleged incident | |
| If name unknown please indicate reason | |

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

| Profession | First Name | Surname | Address | Contact Number | Recent Contact e.g. 3/6/9 months ago |
|---------------------|------------|---------|---------|----------------|--|
| Social Worker | | | | | |
| Public Health Nurse | | | | | |
| GP | | | | | |
| Hospital | | | | | |
| School | | | | | |
| Gardaí | | | | | |
| Pre-school/ crèche | | | | | |
| Other | | | | | |

13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

Please ensure you have indicated if this is a mandated report in section 6.
Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

14. For Completion by Tusla Authorised Person on Receipt of Report

| | | | | |
|--------------------|--|---------|--|------|
| Report Received by | | | | |
| First Name | | Surname | | Date |

| |
|------------------------------------|
| Mandated Report Acknowledgement by |
|------------------------------------|



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Child Protection and Welfare Report Form

*MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)*

| | | | | | |
|------------|--|---------|--|-----------|--|
| First Name | | Surname | | Date Sent | |
|------------|--|---------|--|-----------|--|

| | |
|------------------------------|--|
| Authorised Person Signature* | |
| Date* | |

| | | | | |
|------------------------|-----|--------------------------|----|--------------------------|
| Child Previously Known | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Allocated Case No | | | | |

Child Protection and Welfare Report Form (CPWRF) – Guidance Notes – November 2017:

Tusla – Child and Family Agency has a statutory responsibility under the Child Care Act 1991 and the Child and Family Agency Act 2013 to promote the protection and welfare of children. Tusla therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

Reports should generally be made using the electronic Child Protection and Welfare Report Form, which is available at <http://www.tusla.ie/children-first/publications-and-forms/>

This report form is for use by:

- Any professional, individual or group involved in services to children, including Tusla personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.
- Professionals and individuals involved in the provision of child protection and welfare related services in the community who have service contracts with Tusla.
- Mandated persons under the Children First Act 2015, as specified in Schedule 2 of the Act.
- Designated Liaison Persons in any organisation.
- Any member of the public who has a child protection or welfare concern which they believe should be reported to Tusla.

Please fill in as much information and detail as is known to you. This will assist Tusla and the Social Work Department in screening the report, assessing the level of risk to the child or the support services required, and when necessary in assigning a priority status to the case. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

In section 6 of the form, you must indicate whether the report is a mandated report and, if so, your category of profession under "Mandated Person's Type".

Tusla aims to work in partnership with parents and others. If you are making this report in confidence, you should note that Tusla cannot guarantee absolute confidentiality for the following reasons:

- A Court could order the information be disclosed.
- Under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.
- Any individual against whom allegations of abuse are made has a right to fair procedures; however at times this right may need to be secondary to the protection of children at risk. The right of fair procedure applies equally to adults, adolescents and children who have allegations made against them.

You should also note that in making a 'bona fide report', you are protected under the Protection for Persons Reporting Child Abuse Act, 1998.

Consideration must also be given to responsibilities under the Criminal Justice (Withholding of Information on Offences against Children and

Vulnerable Persons) Act 2012, which are in addition to any reporting requirements under the Children First Act 2015 or Children First: National Guidance.

If you are unsure if you should report your concerns, please telephone the Tusla duty social worker and discuss your concerns with them (see <http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/> for local contact details).

A MSWord version of the Child Protection and Welfare Report Form may be accessed <http://www.tusla.ie/children-first/publications-and-forms/>

Retrospective Abuse Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.
Fields marked with an * are mandatory.

| | |
|---|--|
| 1. Tusla Area (this is where the person subject to allegations of abuse resides (PSAA))* | |
|---|--|

2. Reporter Details if Third Party*

| | | | |
|---|--|----------------------|--|
| First Name | | Surname | |
| Address If reporting in a professional capacity, please use your professional address | | Organisation | |
| | | Position Held | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |

| | |
|---|--|
| Reporter's relationship to adult complainant | |
|---|--|

| | | | | |
|---|-----|--------------------------|----|--------------------------|
| Is this a Mandated Report made under Sec 14, Children First Act 2015?* | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Mandated Person's Type | | | | |

3. Details of Person Disclosing Abuse (Adult Complainant)*

| | | | |
|-------------------|--------------------------|-----------------------------------|--------------------------|
| First Name | | Surname | |
| Male | <input type="checkbox"/> | Female | <input type="checkbox"/> |
| Address | | Date of Birth | |
| | | Estimated Age | |
| | | Previous Address, if known | |
| Eircode | | | |

4. Type of Abuse Being Reported*

| | | | |
|------------------------|--------------------------|-----------------------|--------------------------|
| Emotional Abuse | <input type="checkbox"/> | Physical Abuse | <input type="checkbox"/> |
| Neglect | <input type="checkbox"/> | Sexual Abuse | <input type="checkbox"/> |

5. Details and Description of Alleged Abuse*

| | | | |
|----------------------------------|--|---------------------------------------|--|
| Date of alleged abuse | | Period of alleged abuse | |
| Location of alleged abuse | | Reason for report at this time | |



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Retrospective Abuse Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Further Detail (include, if known, age of adult complainant at time of abuse, age of PSSA at time of abuse). Please attach additional sheets if necessary.

6. Details of Person Subject to Allegations of Abuse (PSAA)

| | | | |
|--------------------|--------------------------|----------------------|--------------------------|
| First Name* | | Surname* | |
| Male* | <input type="checkbox"/> | Female* | <input type="checkbox"/> |
| Address | | Date of Birth | |
| | | Estimated Age | |
| | | Mobile No. | |
| | | Telephone No. | |
| Eircode | | Email Address | |
| Occupation | | | |

7. Details of PSAA's Social and Employment Status

8. PSAA Household Composition

| First Name | Surname | Relationship | Date of Birth | Estimated Age | Additional Information e.g. school, occupation, other |
|------------|---------|--------------|---------------|---------------|--|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

9. Does the PSAA Have Contact with Children?*

Yes No

If Yes, please complete information below. If No, proceed to 10.

| Details of Child | | | |
|-----------------------|--|-----------------------|--|
| First Name | | Surname | |
| Address | | Mobile No. | |
| | | Telephone No. | |
| | | Email Address | |
| | | Date of Birth | |
| Eircode | | Age | |
| Parent/Carers' | | Parent/Carers' | |

Retrospective Abuse Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

| | | | |
|--|--------------------------|-----------------------------|--------------------------|
| Names | | Names | |
| Relationship to Adult Complainant | | Relationship to PSAA | |
| Frequency of Contact, if known | | | |
| Male | <input type="checkbox"/> | Female | <input type="checkbox"/> |
| | | Unknown | <input type="checkbox"/> |

Please attach additional sheets for additional children, if necessary.

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| 10. Based on information known at this time, is the PSAA known to the Tusla Social Work Department? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| If yes, please provide detail: | | | | |

| | | | | |
|---|-----|--------------------------|----|--------------------------|
| 11. Based on information known at this time, is the adult complainant known to the Tusla Social Work Department? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| If yes, please provide detail: | | | | |

| | | | | |
|--|-----|--------------------------------|----|--------------------------|
| 12. Based on information known at this time, has a report been made to An Garda Síochána? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Garda Name: | | Telephone No. | | |
| Garda District: | | Email: | | |
| Address: | | PULSE ID Number: | | |
| | | Date Notification Made: | | |
| Eircode | | Date Report Made | | |

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| 13. Is the PSAA aware of this report? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| If yes, please provide further details: | | | | |

| | | | | |
|--|-----|--------------------------|----|--------------------------|
| 14. Any Additional Information | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| Please provide any further information that will assist Tusla in assessing and prioritising this report: | | | | |

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Retrospective Abuse Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

under the Child Care Act 1991 to promote the protection and welfare of children. Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla’s responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

Please ensure you have indicated if this is a mandated report in section 6.
Thank you for completing the report form.

15. For Completion by Tusla Authorised Person on Receipt of Report

| Report Received by | | | | |
|--------------------|--|---------|------|--|
| First Name | | Surname | Date | |

| Mandated Report Acknowledgement by | | | | |
|------------------------------------|--|---------|-----------|--|
| First Name | | Surname | Date Sent | |

| Authorised Person Signature* | |
|------------------------------|--|
| Date* | |

| | | | | |
|------------------------|-----|--------------------------|----|-------------------------------------|
| Child Previously Known | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| Allocated Case No | | | | |



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Retrospective Abuse Report Form (RARF) – Guidance Notes – November 2017:

The term retrospective abuse refers to abuse that an adult experienced that took place during their childhood. In terms of retrospective abuse, a report needs to be made to Tusla where there may be a current or potential risk to children from the person against whom there is an allegation.

Retrospective abuse is also known as historic(al) abuse.

This report form is for use by:

- An adult who is disclosing childhood abuse
- Any professional, individual or group involved in services dealing with adults who are attending counselling, psychotherapy, and or any type of emotional wellbeing or support services.
- Any professional, individual or group involved in adult health or mental health or other relevant services
- Any professional, individual, service involved with caring for children and young people in the community
- Professionals and individuals involved in the provision of child protection and welfare related services in the community who have service contracts with Tusla.
- Mandated persons under the Children First Act 2015, as specified in Schedule 2 of the Act.
- Designated Liaison Persons in any organisation.

Section 2 of this Form allows for people/professionals (known as Third Party) to make a report on behalf of another person (so called 'adult complainant'). In this section, you must indicate whether the report is a mandated report and, if so, your category of profession under "Mandated Person's Type".

Please fill in as much information and detail as is known to you. This will assist Tusla and the Social Work Department in screening the report, assessing the level of risk and when necessary in assigning a priority status to the case. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

Tusla aims to work in partnership with adult complainants, persons subject to abuse allegations, parents and others. If you are making this report in confidence, you should note that Tusla cannot guarantee absolute confidentiality for the following reasons:

- A Court could order the information be disclosed.
- Under the Freedom of Information Acts 1997 and 2003, the Information Commissioner may order that information be disclosed.
- Any individual against whom allegations of abuse are made has a right to fair procedures; however at times this right may need to be secondary to the protection of children at risk. The right to fair procedure applies equally to adults, adolescents and children who have allegations made against them.

You should also note that in making a 'bona fide report', you are protected under the Protection for Persons Reporting Child Abuse Act, 1998.



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Consideration must also be given to responsibilities under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, which are in addition to any reporting requirements under the Children First Act 2015 or Children First: National Guidance.

If you are unsure if you should report your concerns, please telephone the Tusla duty social worker and discuss your concerns with them (see <http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/> for local contact details).

A MSWord version of the Retrospective Abuse Report Form may be accessed at <http://www.tusla.ie/children-first/publications-and-forms/>.

Appendix Six: Useful Addresses and Telephone Numbers

Contacts for TUSLA Children & Family Services

| | | |
|----------------|---|------------------------------------|
| Sligo | Sligo Town & surrounding areas Markievicz House, Barrack Street, Sligo | (071) 9155133 |
| | South County Sligo: One Stop Shop, Teach Laighne, Humbert St, Tubbercurry | (071) 9120062 |
| Leitrim | Social Work Department, Community Care Office, Leitrim Road, Carrick on Shannon, Co. Leitrim | (071) 9650324 |
| Mayo | Ballina Social Work Team, Ballina Health Centre, Mercy Road, Ballina, Co. Mayo | (096) 21511 (096) 24841 |
| | Castlebar Social Work Team, St. Mary's Headquarters, Castlebar, Co. Mayo | (094) 9042283/4 |
| | Swinford Social Work Team, Swinford Health Centre, Aras Attracta, Swinford, Co. Mayo | (094) 9050133 |

An Garda Síochána

Sligo

| | |
|----------------------------------|----------------------|
| Sligo Garda Station | (071) 9142031 |
| Ballymote Garda Station | (071) 9183333 |
| Tubbercurry Garda Station | (071) 9185002 |

Leitrim

| | |
|---|----------------------|
| Carrick on Shannon Garda Station | (071) 9620021 |
| Manorhamilton Garda Station | (071) 9855014 |

Mayo

| | |
|--------------------------------|----------------------|
| Swinford Garda Station | (094) 9251115 |
| Castlebar Garda Station | (094) 9022222 |
| Ballina Garda Station | (096) 20560 |

Appendix Seven: Relevant Legislation Relating to the Storage of Information

Data Protection Act 2018

The Act only applies to the automatic processing of personal data. It gives a right to every individual, irrespective of nationality or residential status, to establish the existence of personal data, to have access to any such data relating to him and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they store is collected fairly, is accurate and up-to-date, is kept for lawful purposes and is not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep, and imposes on them a special duty of care in relation to the individual about whom they keep such data.

There are only three exclusions under the Act:

- (a) data relating to State Security
- (b) information that is required by Law to be made available to the public
- (c) personal data kept only for personal or recreational purposes.

Freedom of Information Act 2014

This Act enables members of the public to obtain access to the greatest extent possible consistent with the public interest and the right to privacy, to information in the possession of public bodies.

Main Features of the Act

The Act has established three new statutory rights:

- (a) a legal right for each person to access information held by public bodies
- (b) a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading
- (c) a legal right to obtain reasons for decisions affecting oneself.

In addition, an independent Office of the Information Commissioner has been established under the Act to review decisions relating to FOI made by public bodies. The Act is also designed to protect the privacy of individuals and, in general, requires the prior consent of an individual before releasing personal information about them. Where the release of social work or medical records contains information that would be harmful to a person's well-being, the release may be made to a Health Professional who acts on the person's behalf. Under the Act, there are regulations and guidelines relating to access by parents to their children's records: these emphasise that the overriding concern is the best interests of the child.

Child Protection Policy Statement

The welfare and safety of its youth members is the foremost priority of Youth Work Ireland North Connought. Our Volunteers, Staff, Students and Board of Directors should endeavour to ensure that young people are protected and kept safe from harm while taking part in the programmes and activities of Youth Work Ireland North Connought. In law a child is defined as someone under the age of 18 years, who is not or has never been married (Child Care Act 1991 Children Order 1995).

Youth Work Ireland North Connought's Code of Good Practice and Child Protection Policy are designed to protect children and young people from neglect, physical, sexual and emotional harm or abuse.

Youth Work Ireland North Connought provides its Volunteers, Staff, Students and Board of Directors with information to help them understand the various categories of child abuse, what situations might constitute reasonable grounds for concern and advice on how to respond to disclosure.

Youth Work Ireland North Connought's Code of Good Practice is based on and consistent with the current Child Protection Guidelines (Children First) and legislation in the Republic of Ireland.

Youth Work Ireland North Connought is committed to listening to children and young people and recognises that "each child has a right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure" (UN Convention on the Rights of the Child). The UN Convention on the Rights of the Child should be respected in all aspects of youth work engaged in Youth Work Ireland North Connought.

Youth Work Ireland North Connought has a procedure for vetting adults who apply for membership of the organisation and re-vetting every 3-5 years or as required. This procedure is subject to regular review to ensure compliance with best practice.

Youth Work Ireland North Connought requires its adult members to attend specified training courses, which include child protection modules, relevant to the appointment they wish to hold and to commit to future training as may be required.

Youth Work Ireland North Connought provides training which it is hoped assists its adult members on familiarity with the recognition of child abuse, how to respond to disclosures made to them by a young person, and how to report such disclosures in accordance with the Youth Service's procedures.



Appendix Eight: Declaration



Youth Work Ireland North Connaught

Declaration

I _____ have applied for the position of _____ and wish to state that there is no reason why I am unsuitable to work with children under 18 years.

I commit to adhere to Youth Work Ireland North Connaught Child Protection Policy.

I acknowledge that I have read and understood the Child Protection Policy.

I understand and agree that breaches of this commitment will be processed through the organisation's grievance procedure and/or disciplinary procedures as appropriate.

This declaration will form part of my contract with Youth Work Ireland North Connaught, which will also include:

- Garda Vetting
- Child Protection Training
- Two References (not family members)

Signed :

Witnessed:

Applicant

Youth Work Ireland North
Connaught

Position: _____

Youth Work Ireland North Connaught

Child Protection Policy

for

Parents / Guardians

March 2022

What can you, as a parent/guardian, expect from Youth Work Ireland North Connaught?

- The safety and welfare of young people is of paramount importance.
- Parental involvement is actively encouraged in all services provided/offered by Youth Work Ireland North Connaught.
- Parental consent is required for membership, engagement with, and specific activities such as trips etc.
- Parents are required to provide their contact details, child medical details and allergies where relevant.
- All staff/volunteers employed or involved with Youth Work Ireland North Connaught will/must have received Child Protection Training and Garda Vetting. No adult person is allowed to work with any young person engaged with Youth Work Ireland North Connaught without having received Child Protection Training and obtaining Garda Vetting.
- All staff, volunteers and students, whether temporary or permanent, receives induction training in Youth Work Ireland North Connaught's Child Protection Policy.
- All staff, volunteers and students, whether temporary or permanent, is required to sign up to our Child Protection Policy.
- Training, information and policies are updated regularly and communicated to all parties involved in the organisation.
- A Code of Behaviour, involving the following elements, is in place:
 - Appropriate adult supervision and ratios.
 - Appropriate relationships and boundaries between leaders/workers and young people.
 - Appropriate physical contact.
 - Appropriate language.
 - Appropriate behaviour when addressing challenging behaviour.
 - Procedures for dealing with bullying.
 - Consideration for off-site activities and overnight trips away.
 - Consideration for one-to-one/outreach/detached youth work.
 - Safe use of technology, including internet use and mobile technology.
 - Safe use of transport.
 - Consideration for working with children with special needs or vulnerable young people.
- Parents will be informed of any accident or incident involving their child while engaged with Youth Work Ireland North Connaught.
- Parents have a right to access information on their child which may be both stored and/or shared by Youth Work Ireland North Connaught.
- Confidentiality of all information about young people engaged with Youth Work Ireland North Connaught is of paramount importance. Personal information is treated with the utmost respect. Information will only be shared on a 'need to know' basis in the best interest of the young person.
- In line with Youth Work Ireland North Connaught's organisational duty to care the following is in place:
 - A Designated Liaison Person
 - Relevant Person

- Mandated Persons
 - Information on definitions of abuse as per Children First.
 - Information on reasonable grounds for concern.
 - Reporting procedures with clear role and responsibilities for all involved.
 - Guidelines in relation to dealing with disclosure.
 - Reference to verbal and written reports being made to the TUSLA without delay.
 - Reference to informing parent/guardians that a report is being made to the TUSLA.
 - A standard reporting form to TUSLA.
 - Out of social work hours or any emergency situation will be notified to the Gardaí.
 - All relevant telephone numbers i.e. local TUSLA duty social work numbers, addresses, Gardaí telephone numbers.
 - Mechanism for recording concerns that may not need to be reported to the TUSLA.
 - Procedures for reporting retrospective disclosures by an adult.
- Parents will be informed of any report being made to the statutory services, unless this is not appropriate to the situation.
 - Parents who wish to make a complaint can contact Mr Pat Forde, Designated Liaison Person for Youth Work Ireland North Connaught.

Email: patforde@ncycs.ie
 Telephone : 071 9144150
 Address: Youth Work Ireland North Connaught
 Rockwood Parade, Sligo.

Appendix Ten: Child Protection Policy for Young People

Youth Work Ireland North Connaught

Child Protection Policy

for

Young People

March 2022

What can you, as a young person and member, expect from Youth Work Ireland North Connaught?

- Your safety and welfare is of paramount importance.
- All staff and volunteers have been Garda vetted, received Child Protection Training, and signed up to the Child Protection Policy of Youth Work Ireland North Connaught.
- All staff and volunteers adhere to our Child Protection Code of Behaviour.
- You will also be required to follow a Code of Behaviour which will be explained to you.
- You will always be treated with respect.
- You have a right to feel safe and secure while involved with Youth Work Ireland North Connaught.
- You have the right to be heard and involved in decision making while involved with Youth Work Ireland North Connaught.
- If you are worried or concerned about anything while involved with Youth Work Ireland North Connaught, you should talk to your leader or a member of staff.
- If someone is hurting you in anyway, you should tell someone you trust. Remember, it is never OK for someone to hurt you. It's not your fault.
- If someone is hurting you, the leaders in the club/member of staff, will have to talk to someone who can help.
- Your personal information will be treated with respect and shared only on a 'need to know' basis.
- You should always be told the truth, and everything should be explained to you.
- If you wish to make a complaint, you can contact the assigned person in Youth Work Ireland North Connaught.

Email: patforde@ncyics.ie
Telephone: 071 9144150
Address: Youth Work Ireland North Connaught
Rockwood Parade, Sligo.

Guidance Sheet 1

Dealing with Bullying

The material in this Guidance Sheet has been adapted from 'Our Duty to Care' (Department of Health and Children, 2002) and from 'Lets Beat Bullying' (NYCI, 2006)

Bullying

Bullying is usually carried out secretly and in an atmosphere of fear. A youth member who is being bullied may be too afraid to tell anyone about it or may have difficulty communicating that they are being bullied for a variety of reasons. It is important then that youth workers should be aware of the signs that might indicate a young person is being bullied.

Potential Indicators of Bullying;

- Physical signs (unexplained bruises or scratches).
- Damage to personal belongings.
- Having money or personal belongings stolen.
- Frequent loss of subs or pocket money.
- Having few friends.
- Frequently the target of jokes.
- Cyber Bullying – receiving threatening/abusive texts, emails or comments on social networking sites.
- Hesitant of coming to meetings or taking part in activities.
- Fearful behaviour (fear of walking to meeting, taking a different route or asking to be driven).
- Unexplained changes in behaviour (stressed, withdrawn, stammering, moody, irritable, upset, distressed).
- Not eating
- Anxiety (indicated by nail biting, fearfulness).
- Attempting suicide or hinting at suicide.

NB: There are other possible reasons for many of these indicators.

Preventing Bullying – A whole group approach

An anti-bullying charter and the group's responses to bullying incidents should be agreed with young people, volunteers, parents. A range of possible responses are outlined below. A whole group approach is recommended. This means working with the bully and with the group of young people to help everyone understand the hurt that the behaviour causes. This makes the problem a 'shared concern' of the group. A whole group approach, where the behaviour and its consequences are discussed by everyone in the group, helps to avoid driving the problem underground or escalating it, as might occur by solely taking a 'punishment of the bully' approach. This is called the 'No blame approach' (see below).

Developing an anti-bullying Charter

An anti-bullying charter is a clear statement that bullying of any form is unacceptable in the group. The charter should be drawn up with the input of youth workers and it should be framed in simple language:

Sample Charter

- The Club/Project is a place where every member can feel secure
- The Club/Project is a place where everyone is respected
- We do not tolerate physical violence.
- We do not tolerate name calling or verbal abuse
- We do not tolerate threatening behaviour
- We do not tolerate nasty jokes, comment or rumours
- We do not tolerate bullying by text or e-mail
- We will take bullying seriously and will report any bullying we see to a Leader.
- Tackling bullying is the responsibility of everyone in our club/project.
- Every member of our club/project will be treated equally and fairly
- Every member of our club/project will be supported and listened to.

Practical Steps to Prevent and Counter Bullying

- Use young people as a resource in countering bullying and to foster a “permission to tell” culture in the group.
- Let young people know who they should tell if they are being bullied themselves or if someone else is being bullied.
- Reassure young people that they will be listened to and that an intervention will be made if they are being bullied.
- Teach young people to co-operate, negotiate and help others, particularly new or different children.
- Include stories and role plays on how to deal with a bully in ordinary group activities.
- Never tell a young person to ignore the bullying or to take the law into their own hands by retaliating.
- Make every young person aware of how a bullying incident will be dealt with in the group. Parents and guardians should also be made aware of this.
- Apply these procedures fairly and consistently.

The following strategies can be used to respond to an incident of bullying;

The No Blame Approach

This approach focuses on the feelings of the bullying target rather than on blame and punishment. It allows the group to think about the effect of bullying on the target and to come up with a solution to the bullying to prevent it from happening again.

- Talk to the target and allow them to express their feelings.
- Ask their permission to allow their feelings to be shared with the group and reassure that their name will not be revealed.
- Meet with everyone involved - perpetrators and bystanders.

- Ensure the severity of the topic is understood by everyone.
- Share the feelings of the target with the group without identifying the target.
- Ask them to express how they would feel if the bullying was happening to them.
- Ask them for suggestions as to how the bullying can be overcome and prevented from happening again - note all positive responses.
- Hand over responsibility to the group - give them a time frame to implement the solutions proposed and arrange a follow-up meeting.
- Follow up with the group and with target to ensure the plan has been implemented.
- Continue to monitor the situation through on-going dialogue with the whole group.

Additional strategies / interventions may be required depending on the seriousness of bullying incidence, the outcome achieved with the no-blame approach, the involvement of parents, or other particular circumstances that may arise.

Separate the Parties

If it is possible, the perpetrator might be removed to another section for a period while further action is taken. Separating the perpetrator and the target for a time allows for an opportunity to address the situation while ensuring the target is not at risk of continued bullying. This strategy might be used in the more serious incidents of bullying.

Denial of privileges (with the opportunity to redeem oneself)

Loss of privileges (e.g. withdrawal of permission to participate in a particular activity or trip) might be used to reinforce the message for the perpetrator that bullying is unacceptable behaviour and that it has consequences. The hope would also be that the perpetrator would, as a result of loss of privilege, understand the impact of their actions or behaviour on the target.

Support Peer Bystanders

Bystanders are those who are not directly involved in bullying behaviour but are aware that it is taking place. Bystanders may do nothing about the bullying out of fear that they themselves may become a target.

Although not directly involved in the behaviour, bystanders may intentionally or unintentionally condone the bullying by providing positive reinforcement to the perpetrator by passively observing the bullying, making encouraging gestures, or laughing.

Bystanders play a vital role in creating an anti-bullying environment, therefore everyone in the group should be encouraged to speak up if they observe bullying behaviour or are aware that it is taking place. Bystanders should also be encouraged to befriend the victim of bullying behaviour.

Parental Involvement

If a young person is being bullied their parents / guardians should be made aware of the situation.

Dealing with the parents of a target of bullying;

1. Invite the parents to meet to discuss what has happened based on the information available.
2. Assure the parents that you are pleased that they have taken the time to see you.

3. Allow the parents to express their feelings, uninterrupted.
4. Accept their feelings on the bullying, even if these feelings may seem excessive to you. Use calm supportive language.
5. State categorically that bullying is not acceptable and that you intend to act positively. Assure the parents that you will keep in touch to update them on progress.
6. Keep a record of any meetings and action taken in response to the issue.

(‘Let’s Beat Bullying’, NYC1, 2006)

Dealing with the parents of a perpetrator of bullying

Consideration needs to be given around informing the parents of a perpetrator of bullying as this may make the situation worse or result in excessive parental discipline for the perpetrator. If in doubt advice should be sought from colleagues or support staff.

1. Invite the parents to meet to discuss what has happened based on the information available.
2. Assure the parents that you are pleased that they have taken the time to see you.
3. Inform the parents in a clear objective manner about their child’s behaviour.
4. Ask the parents if they know of any reason for this alleged behaviour e.g. a recent bereavement or home circumstances.
5. Begin with a summary of the group’s anti-bullying policy and emphasise the parents agreement to it.
6. Seek the parents help in communicating the seriousness of the incident to their child and enlist their co-operation.
7. Where necessary, and based on the seriousness of the bullying behaviour, inform the parents of the consequences that the group considers appropriate (e.g. verbal warning, loss of privileges) and enlist their cooperation.
8. Keep a record of any meetings and action taken in response to the issue.

(‘Let’s Beat Bullying’, NYC1, 2006)

Note: Careful on-going monitoring of the situation will be required whatever strategy is used.

Suspension or expulsion of the perpetrator

It should be made clear in an anti-bullying policy that, as a last resort only, suspension or expulsion may result for the perpetrator. If all other efforts made to combat and prevent the perpetrator from bullying others have failed, suspension or expulsion may be the only way to secure the welfare and safety of the target. This should be communicated clearly to everyone - young people, parents and volunteers.

Guidance Sheet 2

Use of Technology Policy

Continuing advances in technology e.g. mobile phones, email, internet, have broadened the means and speed by which people can communicate and share information. These technologies have also brought the need to ensure that they are used for their positive benefits and to minimise the potential negative or harmful uses for which they can be used.

Sensible use of Mobile Phones

A mobile phone can be a great communication method and potentially a safety tool for everyone, including children.

However staff, volunteers and students need to be aware of the potential difficulties associated with communicating with a young person via the young person's personal mobile phone. There is always a potential for phone calls or text messages to be misinterpreted by the young person or by their parents.

Staff, volunteers and students are advised that other methods of communication are available. Communications about youth work arrangements can be made through a parent's mobile phone. Alternatively, groups can explore using a Group Text service (e.g. Tacu Text for Parents).

Prior parental consent should be obtained for young people to be contacted directly on their mobile phones about youth club/projects.

Mobile phones can be used by some people to bully others by sending threatening and unpleasant text messages, and picture messages, either directly to their victims or to spread malicious rumours. This is not harmless and should be treated in the same manner as any other form of bullying.

Young people should be advised to save any scary messages or offensive pictures and to always tell an adult (e.g. parent, teacher, volunteer, youth worker) immediately. If messages are stored, it is usually possible to trace the culprit so that they can be quickly identified.

Staff, volunteers and students should advise young people of the need to use mobile phones with care, not to be tempted to use their phone to bully others and not to allow others to use their mobile phone.

Mobile phones can be a safety tool particularly when on outdoor activities such as hill walking. However it can happen in the event of an emergency that the mobile phone may not work due to bad reception so the reliance on a phone should never replace the skill competencies required for specific activities.

If staff, volunteers, students gives his or her mobile as the contact phone when on activity then ensure that the facility to keep the phone constantly charged is available and that the phone is maintained in credit.

Camera Phones

Camera phones should be used safely and responsibly.

Respect Others.

Pictures can be very powerful and stir up strong emotions. Camera phone users should respect the private lives of others and not take or distribute pictures of other people if it could invade their privacy.

Staff, volunteers, students and young people should not send pictures that are obscene, indecent or menacing and should be sensitive about other people's gender, colour, religion or personal background.

Children should be advised to avoid sending a picture or video to someone they don't know very well. Apart from not being sure what that person will do with it, a picture may contain something that could help them trace or find out more about the child. Clues in the picture may be in the background – number or front of a house, a street name, school uniform and these snippets of information may help those who want to harm children.

When commissioning professional photographers or inviting the press to an activity the staff member in charge should ensure they are clear about Youth Work Ireland North Connaught's expectations of them in relation to child protection. Professional photographers/film/video operators wishing to record an activity should seek accreditation from the staff by producing their professional identification for the details to be recorded. The staff member should then:

Provide a clear brief about what is considered appropriate in terms of content and behaviour.
Issue the photographer with identification which should be worn at all times.

Keep a record of accreditations.

Inform staff, volunteers, students and parents that a photographer will be in attendance at the activity and check that they consent to both the taking and publication of films or photographs.

Not allow unsupervised access to children or one-to-one photo sessions.

Not approve/allow photo sessions outside the activity or at a child's home.

Anyone concerned about any photography taking place should discuss his or her concerns with the staff member in charge or the Designated Liaison Person.

Camera phones can be used to make children safer. Older children, for example using a taxi, can send a picture of the car's registration to a friend before they begin the trip, or can simply use the phone to show parents where they are.

Use of Mobile Phones on Activities

Groups should, with parents and young people, develop a policy on the use of mobile phones during youth activities. This policy should be communicated to all parents and youth members.

The policy could include:

Confirmation that when on activities the staff member is the primary point of communication and is to be contacted if there is an emergency or change to previously agreed arrangements. That the usage of mobile phones including text messaging or playing games cannot be allowed to be a distraction from a safe awareness of the environment.

That the usage of mobile phones including text messaging or playing games cannot be allowed to interfere with full participation in the activity.

That when on camps or overnight activities there is a stated preferred time period when parents may make contact if they wish. Parents should be advised that contact outside of this time may not be possible due to the nature of the activities.

Consider that use of phones while away can worsen rather than alleviate homesickness. In this context it can be good to encourage children sometimes to consider 'no news is good news'

Social Media

Introduction

This document is aimed at clarifying some of the issues surrounding the use of social networking websites within youth work. While this document will not reference specific issues on individual social networking sites it will give an overview and best practice approach on how they should be used.

Social networking offers a world of possibilities to youth work. Many young people in youth work are already users of sites such as Facebook and Twitter, and as such, it can be a great avenue to encourage youth work outside of the meeting nights and activities. However, it is essential to ensure that you keep both yourself and the youth members safe online and, as an adult in youth work, you have a key role to play in actively promoting these safety guidelines.

A Common Sense Approach

A common sense approach will be the basis of Youth Work Ireland North Connaught's Social Networking Guidelines. While social network profiles are easy to set up and use, it is important that you keep a professional distance online, just as you would in the 'offline' world. Think carefully about how any digital communication might appear to a third party. Compared with a conversation in the real world, technology increases the potential for messages to be taken out of context, misinterpreted and/or forwarded to others. The use of sarcasm and innuendo are not appropriate and it is essential to remember that you are in a position of trust. If you have a website or have set up a social networking site for your Youth Group, bear in mind that once you place something there, it is in the public domain, which means people can access it, change it and share it with others.

Managing Content

When setting up a Section or Group social networking account, we recommend that you:

- Monitor the site consistently (on a daily basis)
- Have at least two administrators, but preferably more.
- Provide an e-mail address for users to contact the administrator(s)

Having multiple trusted Administrators means that inappropriate posts (see below) are far more likely to be identified and removed quickly, and providing a contact e-mail address means that other users can let you know if they come across any inappropriate material. It is also beneficial to post some information regarding your expectations of users, both adult and youth (for example, in Facebook you could post this as a 'Note').

When choosing a name for your social media account, please observe the following:

Social media accounts, pages or events should not be prefixed with "Youth Work Ireland North Connaught"

Social media accounts can use "Youth Work Ireland North Connaught" at the end of the account name.

Guidance for Youth Workers/Volunteers

Youth workers/volunteers should take on board the following guidelines while using social networking sites:

Remember you are in a position of trust as a youth worker/volunteer.

Remember that some sites have an age restriction for example; Facebook has a minimum age of 13 so be aware some members in your group may not be able to join.

Conduct yourself in an appropriate way, as you would face to face - be aware of what you say and how you say it.

Don't engage in one to one conversations with young people via chat facilities or instant messaging this is the same as going into a private room with a young person and closing the door.

Do not provide personal details about young people on social networking sites (this includes full name, school name, e-mail address, date of birth etc.)

Always ensure you have parental permission to use any photos of young people and only use their first names on any caption.

Only use appropriate photos, the sort that you would be happy putting on a public notice board - remember that everyone can view them.

If you are concerned about the way a young person is attempting to contact you, report it immediately to your Youth Worker (or appropriate member of YWINC).

If you sign yourself up to social networking sites you need to be aware that content is regularly updated.

Don't use your personal social networking account to communicate with young people.

Youth members should not be friends with your personal profile, however, while this statement makes sense it is not very practical in some cases and a common sense approach should be used:

Only have youth members on your personal profile that you would socialize with outside of work.

You should not add new youth members that come into your section to your personal profile, only to the 'Group' or 'Like Page'.

Monitor places where interaction occurs including walls, discussion boards, comments on photos, tagging of pictures and 'Group' or 'Fan Pages'.

Only set up pages for events, activities or groups for which you are responsible.

ALL communications with YWINC should be done through their parents or guardians, not directly.

What are inappropriate posts?

If a post (content) contains any of the following, the post(s) should be removed from the site immediately and the user should be blocked (if possible):

Pornography or nudity

Inappropriate language

Graphic or gratuitous violence

Sensitive or personal information

Bullying, intimidation or harassment

Hate speech, threats or attempts to incite violence

Unlawful, misleading, malicious or discriminatory content

SPAM or advertising for a product or service that is not directly related to YWINC.

Also remember that posts must comply with the terms of use of whatever social networking website you are using.

Occasionally a young user may unthinkingly post something inappropriate (such as mild profanity or mildly inappropriate images). In cases such as these it is fair to give the user a warning, or simply remove the offending post. There would be no need to block or report the user unless the problem persists. If you find a post that presents you with serious cause for concern, take further action appropriate to the circumstances.

What if the post contains criticism of Youth Work Ireland North Connaught?

YWINC encourages and supports constructive criticism and debate amongst its members in online social networking websites. Discussions of this nature can help resolve issues for individuals, and can also provide excellent feedback to YWINC's management on areas where we need to improve. However, we do ask that our members be mindful when posting criticism, and to be aware that online posts can be seen by any number of other users.

If a user has a genuine complaint, please advise them to follow correct procedures as per YWINC's Code of Good Practice. You should e-mail youthservices@eircom.net. If you have discovered content, either positive or negative, that you think YWINC should know about.

Safety for young people

Most children and young people assume they are safe when using the internet because they are in their own home. They will usually assume that the person they are chatting with is who they say they are and most of the time this is true. However, the only way to protect young people is to teach them to understand the online environment - including the risks it poses - so that they can learn to stay safe themselves. This is even more important now that the Internet is available on many mobile phones.

It's a good idea to share this basic advice with young people:

Never give out personal information to online friends. This includes an instant messaging ID, e-mail address, mobile number, school name and any pictures of you, your family or friends. If something is published online, anyone can access it, change it or share it with others. Keep personal social network profiles private so only your approved friends can see your information. Only approve friends that you actually know.

Use webcams with caution and only with family and friends who are already known in the real world, as images can be recorded, copied, changed and shared.

Do not post inappropriate images of yourself online, which send out the wrong impression and make you vulnerable.

Remember that online friends are just that and if they are not known to you in the real world, they may be lying about who they are, their age, gender etc.

Children and young people should never meet up with a person they have met online unless they take a parent or trusted adult with them.

Think before opening files from people you do not know in the real world. They may contain anything from a virus to an inappropriate image or video and should be deleted.

Know how to block someone online and report them to owners / abuse department of the website

If you feel uncomfortable. You should tell a parent or trusted adult about this as well.

YWINC Support

This policy is a self-enforcing policy. If you use social networking sites on behalf of YWINC without following these guidelines then YWINC may not be in a position to support you should a problem arise.

Additional Resources

<http://www.webwise.ie/>

A safety site used in Schools that has lots of information about how to use websites, the Internet and technology safely. This site is geared towards young people who are starting to experience these areas.

<http://www.facebook.com/safety>

Facebook's Safety Centre. This area has lots of information about how to use Facebook safely and the tools they have to protect yourself online.

<http://twitter.com/about/security>

Twitter's security page with information on how to report problems or abuse on twitter.

Additional Contacts

If you have a concern about the health safety and well-being of a youth member please contact the Child Safeguarding Officer in YWINC on 071 9144150

Guidance Sheet 3

Medications

When holding or administering medications for young people it is advised that;

- Procedures are agreed with parents around managing prescription medication for their child. These will by necessity depend on the comfort level and/or experience of the youth workers/volunteer involved, and may vary from group to group. Key issues include:
 - Clarity around the role of youth workers in relation to holding medications, administering medications, or supervising the self-administration of medications.
 - The agreed circumstances on children carrying and self-administering medication.
 - The necessity for prior written parental consent for any medicines to be given or self-administered.
- Youth workers/volunteers should never give non-prescribed medicine to a young person unless there is prior parental permission, which should be recorded. Aspirin or medicines containing 'Ibuprofen' or 'Paracetamol' must never be administered to someone under the age of 16 unless prescribed by a doctor.
- Parents should be required to check with their General Practitioner if unsure as to whether their child can self-medicate.
- If a young person refuses to take their medicine youth workers/volunteers should not force them to do so but should record the refusal and notify parents immediately. Procedures should be agreed in advance with parents for such a situation and these should be implemented.
- Appropriate arrangements should be made for the safe storage of medicines on camps/trips.

Parents should inform the youth workers/volunteers in charge of their child about:

- The type of medication their child is taking.
- The amounts to be taken and at what intervals.
- If the young person is managing / self-administering, and the amounts of medication that they have with them.
- Any pre-administration requirements (e.g. the need to take food before the medication).
- Any known side effects of the medication.
- What might constitute an emergency in relation to the medication.
- What action to take in an emergency and who to contact.

When holding medicines youth workers/volunteers should ensure that the medicines are provided in the original container as dispensed by a pharmacy and include the instructions for prescription. It is advisable that youth workers check the container to ensure that the details include:

- The name of the child.
- The name of the medicine.
- The dosage to be taken.
- The method of administration.
- The frequency of administration.
- Potential side effects (e.g. drowsiness, rash, headaches).
- The expiry date.

The management of medications on meetings, trips or camps should always form part of the risk assessment carried out by the group in advance of the activity. These procedures should be reviewed and updated regularly, and before every away trip.

Guidance Sheet 4

Transport

When it is necessary to pre-plan that youth workers transport children to or from an activity/ event there are a number of issues that need to be considered. Youth workers/Volunteers should be mindful that:

- Parental consent forms have been obtained and are with the Leader in Charge - present for the duration of the activity.
 - They have appropriate insurance cover. It is advised that youth workers/volunteers check with their Insurance provider that their insurance policy is adequate.
 - Vehicles used have appropriate child safety restraints and booster seats/ cushions.
 - They ensure that children and adult passengers wear a seat belt at all times.
 - They ensure that children are restrained in the appropriate booster seat/ cushion for their weight and height (see <http://www.rsa.ie/childsafetyincars/> for further information.)
 - Appropriate adult/ youth supervision ratio is maintained.
 - They have a point of contact and mobile phone should they break down.
 - Parents are informed of the place and time that children are to be collected.
 - Arrangements are put in place for the possibility of 'Late Collections'. Youth workers/volunteers should have contact details for parents and parents should have contact details for drivers so that contact can be made in relation to emergencies or late collections.
 - Youth workers/volunteers should be fully registered members and therefore have gone through the Reference checking and Garda vetting process.
 - Children should be made aware in advance of what adults they will be travelling with and should be comfortable about the arrangements. If a child exhibits or expresses discomfort with the transport plans then alternative arrangements should be discreetly made for that child. Where the person about whom the child expresses anxiety is not the parent/legal guardian, it would be appropriate to contact the parent/legal guardian seeking the alternative option for the child's transport home.
- Youth workers/volunteers making private arrangements with other parents to give car lifts to their child(ren) should also be mindful of their responsibilities in relation to the above issues.
 - It is recommended that youth workers/volunteer should always have another youth worker/adult present if giving car lifts to children. Should an unplanned circumstance arise where this is not possible it is advisable that there be a minimum of two children present for the entire journey.
 - Should an emergency situation arise where it is unavoidable that a youth worker/volunteer must make a journey alone with a child, this should be recorded, and the child's parent and the Group Leader should be informed as soon as possible.
 - Parents, who are not youth workers/volunteers may co-operate to organise transport for their children to and from activities or events. This would constitute a private arrangement between the parents and the responsibilities in relation to those arrangements lie with them.

- Groups that have their own mini bus should also ensure that there is appropriate insurance cover, that drivers have the appropriate license to drive the vehicle and have been through the reference checking and vetting processes, and that vehicles are fitted with appropriate safety restraints and are in a roadworthy condition. Drivers should ensure that seat belts or other safety restraints are worn by children and other passengers.
- Accidents/losses directly involving motor vehicles or aircraft are not covered by the Youth Service's policies. When trailers are attached to a vehicle, they must fall under that vehicle's third party liability cover.

Guidance Sheet 5

Sexual Offences as set out in the Children First Act 2015 [as amended by Section 55 of the Criminal Law (Sexual Offences) Act 2017]

Schedule 3 of the Children First Act 2015 sets out offences for the purposes of paragraph (a) of the definition of 'sexual abuse' in section 2 as:

1. Rape
2. Rape under section 4 of the Criminal Law (Rape)(Amendment) Act 1990.
3. Sexual assault.
4. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
5. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
6. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
7. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993 (soliciting or importuning for purposes of commission of sexual offence).
8. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
9. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 17 years).
- 9A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).
10. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998:
 - (a) Section 3 (child trafficking and taking, etc., child for sexual exploitation);
 - (b) Section 4 (allowing child to be used for child pornography);
 - (c) Section 4A (organising etc. child prostitution or production of child pornography);
 - (d) Section 5A (participation of child in pornographic performance).
11. An offence under section 5 of the Criminal Law (Human Trafficking) Act 2008 in so far as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person).
12. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).
13. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).
14. An offence under any of the following provisions of the Criminal Law (Sexual Offences Act 2017):
 - (a) Section 4 (invitation etc. to sexual touching);
 - (b) Section 5 (sexual activity in the presence of child);
 - (c) Section 6 (causing child to watch sexual activity);

- (d) Section 8 (use of information and communication technology to facilitate sexual exploitation of child).

Guidance Sheet 6

Tusla's Response to Reports

Once Tusla receives a report, its first consideration is always the immediate safety of the child. Tusla checks all reports and information on the day they are received. Emergency action is taken if it is necessary to protect the child. Some reports may not need the intervention of Tusla and can be dealt with through other types of services. A lot of children can be kept safe from harm and have their needs met through this wide range of excellent health, education and social supports. These include pre-schools, schools, youth projects, the Gardaí, the public health nurses and local community family support services. Tusla works together with all these services at local level in what are called Child and Family Support Networks.

Screening process

When Tusla receives a report, they 'screen' or review the information to see if the child's needs could be met through these other services. If so, they direct the reporter to these services. Through this screening process, Tusla also consider where children's needs might be more complex but do not need an assessment led by social workers. These children are referred to their early intervention response, which is detailed below.

In cases that do need an assessment, Tusla assign them to a social worker to begin this assessment process. The purpose of the assessment is to gather and analyse information on:

- The danger or risks of harm to the child
- The factors that are making it harder to keep the child safe
- The strengths or safety that are present in the family
- The things that need to change for the child and family

The assessment involves meeting and talking to the child, parents, their extended family network and other relevant professionals. For a child to be kept safe, you must involve all those who are naturally connected to the child through personal or professional relationships.

Response Pathways

When the assessment is finished, there are a number of outcomes, which Tusla call their response pathways.

Response Pathway 1: Early Intervention

Some children and families will need more help at times. Tusla know that if this can be provided as early as possible, they can work to stop problems or difficulties getting worse. Tusla works with a range of support services that can help families at this point. Also Tusla has developed Meitheal. Meitheal is a national practice model designed to ensure that the needs and strength of children and their families are well identified, understood and responded to quickly. This is so that children and families get the help and support needed to improve children's outcomes and realise their rights. It is an early intervention, multiagency (when necessary) response, suited to the needs of an individual child or young person. The lead practitioner is identified to liaise with the family. They can be any practitioner who is working with the specific child/young person and can be drawn from the statutory or community/voluntary sectors.

Response Pathway 2: Child Welfare

Where children have met the threshold for 'reasonable grounds for concern' under *Children First: National Guidance* but the social work team after an assessment has found the child has not been abused, the team by law must provide a welfare response. From the assessment it should have also been identified that there is a strong willingness, motivation and ability by parents or carers to deal with the harm the child may have experienced. This response and intervention may also involve a number of different agencies but is led by a Tusla social worker or a social care worker. The aim is to develop a plan with the child, their parents, their family network and professional network that helps the family understand and overcome their difficulties and keep the child safe from any future harm or abuse.

Response Pathway 3: Child Protection

Where the child has experienced significant harm believed to be abusive, the child receives a child protection response. In many of these cases, there may be strong evidence that a parent's willingness, motivation and ability are severely limited. Because abuse is suspected, all these matters are referred to the Gardaí in line with *Children First: National Guidance*. If children are believed to have been abused and at ongoing risk of significant harm, a Child Protection Conference must take place. The aim of the Child Protection Conference is to develop a plan with the child, their parents, their family network and professional network that helps the family understand and overcome their difficulties and keep the child safe from any future harm or abuse. If the Child Protection Conference finds that the child is at ongoing risk of significant harm, they are placed on the Child Protection Notification System (CPNS). The CPNS is a national record of every child for whom there are ongoing child protection concerns.

Response Pathway 4: Alternative Care

In some cases, children may need to be placed in care to ensure their immediate or ongoing safety. In such circumstances Tusla will always look to the child's extended family and friends' network to provide this care with their support before they consider other care options. They

will also work with families and professionals to try and return children to the care of their parents and family as soon as they can be assured that it is safe to do so.

Youth Work Ireland North Connaught

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