

## **CHILD PROTECTION POLICY**

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## MYFRC Child Protection Policy 2023



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## 1. Executive Statement

The issue of child protection and welfare concerns are a complex issue which has an impact on all areas of society, including participation in recreation activities.

Protecting children from abuse is a responsibility that we must all undertake. Through the implementation of strategies that assist in preventing child abuse from occurring, the MYFRC has taken a pro-active role in relation to child protection and welfare. These strategies will help to foster a safe and positive environment for children and young people to participate in physical activities.

In addition, the development of Child Protection and Welfare Policy provides the Organisation with an excellent risk management tool for developing prevention strategies and for the effective management of child abuse issues within the service.

Information contained in this document will create a framework and provide direction for staff, volunteers, members and parents of children and young people involved in the MYFRC.

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**MYFRC Chairperson**

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**Date**

## 2. Policy Statement

We in the Mountmellick Youth & Family Resource Centre (MYFRC) are committed to practice which protects children from harm and ensures “positive care” for the children and the families. Staff and volunteers in this organisation accept and recognise our responsibilities to develop awareness of the practices which cause children harm. We will endeavour to safeguard children above all else by putting the welfare of the children first and following predetermined procedures to report all cases of suspected abuse to the authorities, and to listen, hear and observe the actions of every child taking them as individuals.

The guiding principles of MYFRC set out our beliefs, values, and codes that we wish to uphold in relation to the protection and welfare of children and young people. Our guiding principles will reflect our commitment to protecting and promoting the rights of children and young people in our practice, including their right to be protected, treated with respect, listened to and to have their own views taken into consideration in all decisions affecting them. We will seek to ensure that no child or young person is disadvantaged or treated differently because of gender, social or ethnic background, family status, sexual orientation, religion or disability.

The MYFRC is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by the MYFRC.

The MYFRC aims to:

Provide children with a safe environment where they have the right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives.

Ensure that all staff of the MYFRC are aware of their responsibilities arising from recent child protection national’s guidance and legislation.

- 1991 Child Care Act;

- UN Convention on the Rights of the Child;
- Children First Act 2015;
- Children First: National Guidance.
- National children strategy 2006,
- Better Outcome Brighter Futures Tusla 2015-2020)

## **Rationale**

This policy will focus on the identification and response to concerns which management, workers or volunteers may have regarding the protection and welfare of children.

This policy promotes the care and protection of children participating in the activities of the MYFRC and provide information and direction for employees, volunteers and members of the organisation.

This policy will assist the MYFRC in establishing coordinated strategies for dealing with the problem of child protection and welfare in a responsible, effective and consistent manner.

## **3. Objectives of Policy**

Through the development of this policy the MYFRC's objectives are to:

1. Provide information to assist staff and volunteers in dealing with all forms of child protection and welfare concerns.
2. Provide comprehensive guidelines relating to risk minimisation and reporting/ notification procedures
3. Provide direction to all staff and volunteers regarding their responsibilities under child welfare and protection legislation and policies.
4. Promote and adopt the MYFRC's principles for child protection and welfare amongst staff, volunteers, and parents of children participating in the organisation's programmes.

## Scope of Policy

The Child Protection and Welfare Policy of the MYFRC is applicable to all management and staff (paid, voluntary, permanent or casual) of the MYFRC.

All staff members are obliged to read, become familiar with and adhere to the Policy. **If for any reason a staff member feels that they are unable to adhere to the Policy, the Manager should be informed immediately.**

## 4. Definitions

This chapter outlines the principal types of child abuse and offers guidance on how to recognise such abuse. Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. In the Children First Act 2015 **‘a child’ means a person under the age of 18 years, excluding a person who is or has been married.**

**4.1 Neglect** – 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.

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 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.

**4.3 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 10 CHILDREN FIRST National Guidance for the Protection and Welfare of Children 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.

#### **4.4 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.

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

**4.5 Peer Abuse** - In some cases of child abuse the alleged perpetrator may be a child. This form of abuse is referred to as ‘Peer Abuse’. As outlined in the Children First guidelines

*“In a situation where a child abuse is alleged to have been carried out by another child, the child protection procedures should be adhered to for both the victim and the alleged abuser, that is, it should be considered a child care and protection issue for both children”.*

**6.6 Bullying-** can be defined as repeated aggression be it verbal, psychological or physical conducted by an individual or group against others. The behaviour is intentionally aggravated and intimidating and occur mainly in social environments. It includes behaviour such as teasing, taunting, threatening, hitting and extortion behaviour by one or more students against the victim. This also incorporates any form of E bullying or use of social media or technology to cause harm.

Extreme forms of bullying behaviour would be regarded as physical or emotional abuse. Only serious incidents of bullying should be referred to the Health Service Executive. **Coco’s Law** creates two new offences which criminalize the non-consensual distribution of intimate images:

The first offence deals with the distribution or publication of intimate images without consent and with intent to cause harm. The penalties applicable can be an unlimited fine and/or 7 years imprisonment.

The second offence deals with the taking, distribution or publication of intimate images without consent even if there is no specific intent to cause harm. This offence will carry a maximum penalty of a  5,000 fine and/or 12 months imprisonment.

## **Expectations**

Staff, volunteers and parents are often seen as role models. They have significant influence on the children they come into contact with and therefore have significant responsibilities.

The MYFRC expects that all Staff, volunteers and parents whether paid or unpaid, who participate in organised activities under the banner of this Organisation will commit to implementing by the MYFRC child protection and welfare policy.

## **Policy Review of Document**

We will review our guiding principles and child safeguarding procedures at least every two years, or sooner if necessary due to service issues or changes in legislation or national policy

## **5. Reporting Procedures**

The following section will detail the procedures to be taken by staff and volunteers in the reporting of child protection concerns.

### **5.1 Rationale**

The MYFRC acknowledges that issues regarding child abuse and the reporting of suspected or disclosed child abuse is highly sensitive, and should be dealt with in a confidential manner.

The MYFRC has developed these notification procedures to ensure that confidentiality is maintained throughout the process and that consistent procedures for reporting are adhered to.

The MYFRC will be proactive in its role to protect children and encourage an open environment that allows employees and members to be aware of their rights and responsibilities within the Organisation. The safety and care of children and young people are of paramount importance to the MYFRC Team

## 5.2 Disclosures

In the event of a child/young person disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the staff member/volunteer involved. The following are guidelines to support the worker/volunteer in this:

- React calmly and be as natural as possible. Do not panic. Be aware that disclosure can be very difficult for the child.
- Listen carefully and attentively; take the young person seriously. Give them the time and opportunity to tell you as much as they are able and wish to.
- Reassure the young person that they have taken the right action in talking to you;
- Do not promise to keep anything secret. At the earliest opportunity explain to the child that you acknowledge they have come to you as they trust you however you are sharing this information only with people who understand this area and can help.
- Ask questions for clarification only. Do not ask leading questions. Do not pressure the child to disclose information to you. Allow the child to use their own language.
- Check back with the child/young person that what you have heard is correct and understood.
- Do not express any opinions or judgement about the alleged abuser as the child may love or strongly like the alleged abuser while also disliking what was done to them.
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record.
- Ensure that the child/young person understands the procedures which will follow.



- Pass the information to the DLP, do not attempt to deal with the problem alone. Agree measures to protect the child.
- Treat the information confidentially.
- It is important that the staff / volunteers continue to maintain a supportive relationship with the child by maintaining a positive relationship with the child. Keep the lines of communication open by listening carefully to the child and continue to include the child in the usual activities.
- Any further disclosures should be treated as a first disclosure and responded to as indicated as above.

## 6. Designated Personnel

To deal appropriately with these issues and to ensure that the confidentiality of all parties involved is maintained, one person within the MYFRC will be designated as the Designated Liaison Person (DLP).

The DLP is responsible for reporting any allegations of child abuse that occur in The MYFRC to Tusla or the Garda Síochána.

If the DLP is not available then the most senior person within the MYFRC should be notified.

### **Designated Liaison Person:**

**Name:** Mike Farrell      **Position:** Manager      **Phone:** 087 6444963

### **Deputy Designate Liaison People:**

**Name:** Niamhie Mooney      **Position:** Youth & Family Development Worker  
**Phone:** 086 0488148



**Name:** Sarah Bergin

**Position:** Family & Community Development Worker

**Phone:** 086 8177596

## **Role of the Designated Liaison Person**

The DLP in the MYFRC has the ultimate responsibility for ensuring that the child protection and welfare policy of the MYFRC is promoted and implemented. A Deputy DLP in the MYFRC will take over the responsibilities of the DLP if they are unavailable for a significant amount of time.

The Role of the DLP in MYFRC will have the following responsibilities.

- Be fully familiar with MYFRC’s responsibilities in relation to the safeguarding of children.
- Have good knowledge of your organisation’s guiding principles and child safeguarding procedures.
- Ensure that the organisation’s reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla.
- Receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Tusla exist.
- Consult informally with a Tusla Duty Social Worker through the Dedicated Contact Point, if necessary.
- Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their organisation, using the Tusla Web Portal or the Tusla Child Protection and Welfare Report Form.
- Inform the child’s parents/guardians that a report is to be submitted to Tusla or The Garda S och ana, unless:
  - Informing the parents/guardians is likely to endanger the child or young person.
  - Informing the parents/guardians may place you as the reporter at risk of harm from the family.
  - The family’s knowledge of the report could impair Tusla’s ability to carry out an assessment. Record all child protection or welfare concerns, or allegations of

child abuse, brought to your attention as well as any action taken in response to these concerns.

- Provide feedback to the referrer, as appropriate.
- Ensure that a secure system is in place to manage and store confidential records.
- Act as a liaison with Tusla and The Garda Síochána, as appropriate.
- Where appropriate, jointly report with a mandated person.

## 7. What Should be Reported?

Some incidents **may seem minor**; however, they may in fact reveal more serious concerns of misconduct or a pattern of behaviour that requires further scrutiny. All people associated with the MYFRC should be aware of the indicators for child abuse and sexual abuse so that they may make an informed decision on what to report.

If you have reasonable grounds to suspect that a child participating in any organised activities conducted by the MYFRC is at risk report the matter to the DLP. The DLP may undertake an informal consultation with the Duty Social Worker.

### 7.1 Reporting a Concern

1. Any person within the MYFRC who has witnessed, been informed of, or suspects that abuse in any form is taking place, or has occurred has a duty to ensure that his/her Line Manager/ DLP is informed.
2. In the absence of the Designated DLP there will be a nominated Deputy.

### 7.2 Responsibility to Report Child Abuse

Everyone must be alert to the possibility that children with whom they are in contact may be experiencing abuse or have been abused in the past. This is an important responsibility for staff and volunteers when working with children and young people.

The guiding principles in regard to reporting children abuse are summarised as follows:

- The safety and well-being of the child or young person must take priority
- Reports should be made without delay to TUSLA
- While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse.
- The staff member or volunteer should complete the Report Form

### **7.3 Written Notification**

Verbal notification of alleged child abuse must be followed up in writing within one working day by the DLP to Tusla using the child protection notification form provided. (Child Welfare Referral as per portal instructions)

### **7.4 Investigation**

It is not the responsibility of persons within the MYFRC to take it upon themselves to determine whether the suspected allegation disclosed true or false. This responsibility belongs with Tusla or the Garda Síochána.

Depending on the nature of the allegations and the extent of the situation, Tusla will determine the manner in which the matter will be investigated. This may involve the Garda Síochána.

The reporting procedure for dealing with disclosures, concerns or allegations of child abuse is outlined in the following steps:

- The employee or volunteer who has received a disclosure of child abuse or who has concerns of abuse, should bring it to the attention of the DLP immediately.
- The DLP will assess and review the information that has been provided. The DLP may contact the HSE for informal advice relating to the allegation, concern or disclosure.
- Where a formal report is made the HSE may then liaise with An Garda Síochána. It is likely that the Tusla will want to speak to the person who first made the report to clarify facts and the circumstances of the report.

**In the event of an emergency and the unavailability of the Tusla, a report should be made directly to An Garda Síochána.**

In making a report on suspected or actual child abuse, the individual must ensure that the first priority is always for the safety and welfare of the young person and that no young person is left in an un-safe situation.

Parents/guardians of the child will be informed of the allegation, concern or disclosure by the DLP unless doing so is likely to endanger the child.

### **7.5 Information required when making a report**

The more information which is gathered and put together on the Standard Report Form which has been adopted by the MYFRC the easier it will be for Tusla to assess an allegation, concern or disclosure of abuse. Reports, which are made anonymously, will be followed up by Tusla but this may take longer and will make it more difficult for the professionals involved to assess the situation. If a person is unsure about the case, it may be useful to talk over the issue with the DLP or with Tusla's Duty Social Worker before making an official report.

## **8. Confidentiality**

In matters of child protection, an employee/volunteer should never promise to keep secret, any information which is divulged. It should be explained to the person making a disclosure that this information cannot be kept secret but only those who need to know, will be told.

It is essential in reporting any case of alleged/suspected abuse that the principle of confidentiality applies. The information should only be shared on a 'need to know' basis and the number of people that need to be informed should be kept to a minimum. Sharing of such information for the protection of a child is not a breach of confidentiality.

At MYFRC we will follow our key practice points in relation to Confidentiality as outlined below

- Where child protection and welfare concerns arise, information must be shared on a ‘need to know’ basis in the best interest of the child/young person with the relevant statutory authorities and with parents/guardians.
- No undertakings regarding secrecy can be given. Those working with children/young people and families and in adult services should make this clear to parents/guardians and to the child/young person.
- The proportionate provision of information to the statutory agencies necessary for the protection of a child is not a breach of confidentiality or data protection.
- Parents/guardians and children/young people have a right to know if personal information is being shared, unless doing so could put the child/young person at further risk or may put the reporter at risk.

## **The Protections for Persons Reporting Child Abuse Act, 1998**

This Act provides immunity from civil liability to persons who report child abuse ‘reasonably and in good faith’ to the designated officers of the Tusla or An Garda Síochána.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded internally by the organisation as future suspicions may lead to the decision to make a report. The earlier suspicions may provide important information for Tusla or An Garda Síochána (Our Duty of Care).

## **9. General Reporting Guidelines**

Our reporting procedures, will consider the following:

The worker at MYFRC will consult with and report the concern to internally, i.e. the Designated Liaison Person.

Recording Our obligation to record the details of the concern and the decisions and actions taken as below:

- Immediate risk to the child – Action to be taken where there is thought to be an immediate risk to the child.
- Allegations of abuse by a child – Where the person allegedly causing harm to a child is another child (peer abuse), reports will be made to Tusla for both children.
- If we are unsure if we need to make a report we will seek an information consultation from Tusla by contacting the Laois Dedicated Contact Point which is located in a Tusla Area comprising of Laois, Offaly, Longford and Westmeath. The duty social work office covering Laois is located in Westmeath. (see contact details below)
- Child and Family Agency, Primary Care Centre, Harbour Road, Mullingar, Co Westmeath 044 9353997
- Out of Hours Social Work Service – 0818 776 315

If a member of staff or volunteer has a suspicion that a member of the MYFRC is being abused, s/he should follow the reporting procedure to ensure that the matter is brought to the attention of the DLP who will arrange gather all relevant information to establish reasonable grounds for concern. Fill out the Standard Form for Reporting Child Protection and/ or Welfare Concerns to Tusla. The purpose of this screening will be to establish whether there appears to be “reasonable grounds for concern”

1. If the **reasonable grounds** for concern are established at any stage, DLP will notify the Tusla and Garda Síochána as appropriate.

*Children First: National Guidance for the Protection and Welfare of Children lists the following as reasonable grounds for concern:*

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way;
- Any concern about possible sexual abuse;
- Consistent signs that a child is suffering from emotional or physical neglect;
- A child saying or indicating by other means that he or she has been abused;
- Admission or indication by an adult or a child of an alleged abuse they Committed.

- An account from a person who saw a child being abused.
2. The DLP will support the person suspected of being abused to access if medical attention is required. In the case of the children, parents consent will be sought and parents will be supported to access medical attention for their child. **THE CHILD'S WELFARE IS OF PARAMOUNT IMPORTANCE**
  3. Follow-on investigations will be externally led.
  4. If, following a Preliminary Screening or otherwise, an investigation is commenced by the Tusla and /or Garda Síochana, the MYFRC and employees and volunteers will co-operate with any such investigation. The Designated DLP will act in a liaison and facilitative role in this event. **REMEMBER:** one has the duty to report as much factual information to Tusla/An Garda Síochána.
  5. If the Tusla investigation involves a validation procedure, the DLP and will be made available to the validation team, if requested.
  6. All records of Alleged Incidents of Abuse regarding staff in the MYFRC will be accessible to the Chairperson of the MYFRC Board of Management.

If the Designated Liaison Person in MYFRC decides not to report a concern to Tusla, the following steps will be taken:

- The reasons for not reporting are to be recorded;
- If any actions are taken as a result of the concern, these should be recorded;
- The worker or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla;
- The worker or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or The Garda Síochána.
- The worker or volunteer who raised the concern should also be reassured that if they do choose to report to Tusla, they are covered by the Protections for Persons Reporting Child Abuse Act 1998.

## 9.1 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.

Mandated persons are people who have contact with children and/or families who, by virtue of their qualifications, training and experience, are in a key position to help protect children from harm. Mandated persons include key 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 Children First Act 2015, Schedule 2, provides a full list of people who are classified as mandated persons.

## 9.2 Establishing reasonable grounds for concern.

1. In the event of a concern being reported in respect of physical abuse, sexual abuse, emotional abuse; the DLP will try establish if there is reasonable grounds for concern in conjunction with others as appropriate.

Children First: National Guidance for the Protection and Welfare of Children lists the following as reasonable grounds for concern:

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way;
  - Any concern about possible sexual abuse;
  - Consistent signs that a child is suffering from emotional or physical neglect;
  - A child saying or indicating by other means that he or she has been abused;
  - Admission or indication by an adult or a child of an alleged abuse they committed;
  - An account from a person who saw a child being abused.
2. The exploration for reasonable grounds will be carried out as soon as possible following the emergence of the concern.

3. A screening will review the written account of the expressed concern and other relevant documentation. This may involve consultation with the social worker who is the TUSLA representative.
4. Where the DLP outlines that reasonable grounds for concern have been established the DLP will report to TUSLA through the portal

A file record will be maintained of all initial concerns and outcomes. External bodies (Tusla, Garda Síochána) will be invited to review these procedures from time to time in the interests of demonstrating transparency and accountability. Due care will be taken to maintain confidentiality.

### **9.3 Record Keeping**

The DLP and the Deputy DLP are responsible for keeping the following records related to Child Protection in a locked filing cabinet. This is kept within a locked office area accessible only by DLP and Deputy DLP of MYFRC. The DLP and the Deputy DLP are the only officers who have access to these records unless they involve a staff member or volunteer and the MYFRC Chairperson needs to know:

- Any concerns about the safety and welfare of children/young people while working with the MYFRC;
- Any disclosures, concerns or allegations of child abuse;
- The follow up to any complaints, disclosure, concerns or allegations, including informal advice from Tusla, reports to Tusla and informing parents/guardians;
- Any bullying complaints related to the MYFRC work with children/young people and the follow up actions;
- Signed acceptance forms of the MYFRC Child Protection Policy by staff members, people on short term contracts, staff/volunteers from other agencies working on MYFRC projects.
- All Garda Vetting Forms;
- All Parental/Guardian Consent Forms.

- Records will be factual and include details of contacts, consultations and any actions taken.

At MYFRC our child protection policy will include the sharing of records with Tusla where necessary for the protection or welfare of a child.

*Note: A record of Garda Vetting forms are kept on file. Access will be restricted to the DLP and the Deputy DLP. TUSLA are also updated on Garda Vetting through the TUSLS reregistration process*

## **9.4 Keeping Parent and Guardians Informed**

The MYFRC will keep parents and guardians informed of all aspects of the programme that their child is involved in. It is our policy to share information relating to the programme of activities, trips away, transport to and from events, etc. with the parents/guardians. At MYFRC we believe it is best practice to inform parents/guardians that will be reporting a concern about a child, however, we will not inform parents that a report is being made if by doing so the child will be placed at further risk or if the family's knowledge of the report could impair Tusla's ability to carry out an assessment. We will also not inform the family if the person making the report reasonably believes it may place them at risk of harm from the family. We will also consider which staff member is the most appropriate person to talk to parents/guardians.

## **9.5 Staff**

The MYFRC staff handbook should be referred to for the following:

- Staff recruitment
- Staff contracts both permanent and short term

## **Training**

All staff of the MYFRC will be expected to participate in relevant training from time to time. Those working directly with children/young people must have received some training on the

issue of child protection, child welfare, mental health, etc. and any other training that the Manager or Board deem necessary to good practice,

Where young people, under 18 years, are assisting in the work of the MYFRC, they will receive appropriate information on the MYFRC Child Protection Policy. These young people will always work in partnership with or under the supervision of an adult. Induction training for any new staff will include training on the MYFRC child protection policy.

In-house training will be used to ensure workers and volunteers are familiar with the organisation's guiding principles and child safeguarding procedures;

### **We will advise new staff members at induction on**

- How child safeguarding training, appropriate to the specific roles and responsibilities of various staff members, will be provided or sourced;
- How mandated persons will be provided with specific training in relation to their statutory responsibilities under the Children First Act 2015;
- How specific training for those with additional responsibilities, such as DLPs/Deputy DLPs or members of management committees will be provided or sourced;
- How and within what timeframe our organisation will provide or source appropriate child safeguarding refresher training for all workers;
- How our training strategy will be resourced.

### **Action to be taken when an allegation is made against a staff member or volunteer**

All allegations against a staff member or volunteer will be dealt in the steps outlined below while also referring to the MDA Staff handbook which deals with grievance procedures.

Where an allegation of abuse is made against an employee of the MYFRC, there are two procedures that the MYFRC will put in place:

#### **The reporting procedure in respect of the child;**

- Priority is to protect the child
- No child or young person is exposed to unnecessary risk
- The agreed reporting procedure to Tusla must be followed without delay, including informing parents where appropriate
- Management to be alerted to the allegation
- Due regard to confidentiality

**The procedure for dealing with the employee.**

- Protective measures proportionate to the level of risk
- Liaison with Tusla and An Garda Síochána, as appropriate
- Fair procedure and rules of natural justice followed
- Worker informed of allegation and given opportunity to respond
- Parents/carers informed of actions planned and taken
- All stages recorded

The staff member who receives the concern/allegation of physical, sexual, emotional abuse or neglect reports the incident to the DLP. Should the complaint be against the line manager, the complainant will make his/her concerns known directly to the Designated Liaison Person. The MYFRC have a disclosure policy in place to protect a staff member from a whistle blowing incident.

In the case of the allegation being against an employee of the MYFRC, the same person will not deal with both the young person and the alleged abuser. Employment/contractual issues will be dealt with separately. The DLP will follow the normal reporting procedure in the MYFRC. As the DLP is the Manager of the MYFRC he/she will take the necessary steps in conjunction with the MYFRC Chairperson to deal with the employee, keeping in the mind the MYFRC Staff Handbook.

If there is an allegation or suspicion in relation to the Manager, the Chairperson of the MYFRC Board will deal with all aspects.

If an allegation is made against an employee of the MYFRC the following steps will be taken:

- The MDA Manager will deal with all aspects of the case relating to the employee.
- The allegation will be assessed by the DLP to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities, at this point. The DLP may wish to contact TUSLA for advice on the issue.
- The safety of the child is the first priority of the MYFRC and all necessary measures will be taken to ensure that the child is safe. The measures taken will be proportionate to the level of risk.
- The MYFRC will ensure that no other children/young people are at risk during this period and will inform other relevant statutory agencies and parents/guardians as appropriate.
- The measures which can be taken to ensure the safety of children and young people can include the following: suspension of duties of the person accused, re-assignment of duties where the accused will not have contact with children/young people, working under increased supervision during the period of the investigation or other measures as deemed appropriate.
- If a formal report is being made the employer will notify the employee that an allegation has been made and what the nature of the allegation is. The employee has a right to respond to this and this response should be documented and shared with the statutory agencies if making a referral.
- The MYFRC will ensure that the principle of ‘natural justice’ will apply whereby a person is considered innocent until proven otherwise.
- The MYFRC will work in co-operation with An Garda Síochána and TUSLA and any decisions on action to be taken in regard to the employee will be taken in consultation with these agencies.

- The person against whom the allegation is made will need support during this period and the MYFRC will provide advice on how to access the relevant support services.

In the case of an allegation being made against a volunteer within the MYFRC the DLP will deal with the issue as outlined in the steps above.

## **Staff Management and Workers**

Staff meetings are organised by the Manager and are held on a monthly bases. The Manager holds staff supervision meetings with staff on an individual bases on a regular basis. Additional meetings will be organised outside of these set times to discuss any issues or concerns the Manager or staff member has. All staff supervision is outlined in the MYFRC Supervision Policy. Where a staff member is working with a child protection issue the Manager will meet with them to discuss the matter. If there is a need for the staff member to meet with a counsellor this will be arranged.

## **10. Code of behaviour for Staff and Volunteers**

### **10.1 Practice Guidelines**

Good practices of behaviour will be encouraged and praised. There is open communication which defines clearly for our pupils what behaviour is acceptable and what behaviour is unacceptable. At all times, there will be a distinction made between the child and his/her behaviour. This establishes the parameters of appropriate behaviour and helps the child to develop his own sense of responsibility to foster self-growth.

Our code of behaviour values mutual respect and through the positive interaction of leaders, parents, management, and the wider community, it is hoped to reinforce this idea.

## 10.2 Ethical Principles for Youth Work

- Staff treat young people with respect, valuing each individual and avoiding negative discrimination,
- Respect and promote young people rights to make their own decisions and choices, unless the welfare or legitimate interests of themselves or others are seriously threatened,
- Promote and ensure the welfare and safety of young people,
- Contribute towards the promotion of social justice for young people and in society.

Safe practice is essential in our work and we have put in place the following procedures to govern our work with children and young people. The MYFRC Code of Behaviour details the guidelines to be taken by staff while working with the young people.

- All staff and those assisting the MYFRC in our work are aware of the good practice guidelines and are familiar with the overall child protection policy of the office;
- Children and young people involved with our work are informed of our guidelines and procedures;
- Parents of children involved with our work are also informed of our guidelines and procedures;
- When organising events/meetings for children/young people or their attendance at events/meetings, the following information/documentation is requested by the MYFRC in relation to each child/young person attending the event/meeting:
  - A Parental Consent Form – particularly for events involving long distance travel or overnight stays; (see sample in Appendix 9)
  - Contact details for the family/guardians, including emergency contact numbers;
  - All relevant medical information;
  - Information relating to any special needs which the child or young person may have in terms of access, diet, language assistance, etc.;

- An appropriate ratio of adults to young people is put in place for each meeting or event held by the MYFRC. The ratio may vary depending on the particular situation, the age of the participants and their dis/ability or other special needs (Where activities involve being away from home overnight, appropriate gender based supervision will be provided where possible).
- All adults working with young people directly, including those providing overnight supervision, will have received Garda vetting;
- Inappropriate behaviour/language by the children/young people will not go unchallenged;
- A system is in place for recording any incidents or accidents while the child is in the care of the MYFRC (see sample form at Appendix 4 & 5);
- A clear system of registration and departure of participants is in place at all events;
- There are clear channels of communication and access to staff in the office if parents/guardians or children/young people wish to voice their concerns if there is something they are not happy about;
- The MYFRC will make every effort to ensure that during its events, the physical surroundings will be comfortable, fully accessible and appropriate for the work being undertaken;
- Employees and volunteers should not take a young person in their car.
- While we recognise that sometimes it is appropriate for staff to work on a one to one basis with a child or young person, staff/volunteers should not spend excessive amounts of time alone with an individual child/young person. Where an adult needs to meet with a child/young person alone, the door should be left open and another adult informed of the meeting;
- There should be no unnecessary physical contact between an adult and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child.

- The MYFRC respects and promotes the principles of equality and diversity and works with all children in a culturally sensitive way within the context of the Irish constitution and law and the UN Convention on the Rights of the Child.

## 11. Parental Involvement

During enrolment of the child or young person into the MYFRC the parents are informed of the MYFRC Child Protection Policy and a Code of practice is issued to parents. The parents are updated on the activities of the MYFRC through regular correspondences and are updated regularly. If there is an incident with a child in relation to their behaviour a staff member contacts the parents by phone or meets them in person to discuss the situation. Parents are also represented on the MYFRC Board of Management.

Children can **only** partake in activities in the MYFRC if their parents/guardians have given written consent. Consent forms will be made available to all parents/guardians before any activity takes place. Parents are encouraged to take part in activities that the MYFRC organises.

### 11.1 Children or Young Persons Involvement

Children are informed of their right to be treated with respect during our youth work activities. The MYFRC delivers a range of programmes to the young people and throughout our programme plans the emphasis is on the development of the child's self esteem and confidence.

The MYFRC has a Teen Leader programme in place that meet regularly and can discuss any concerns or issues they may have in relation to the MYFRC.

### 11.2 Complaints Procedures for MYFRC

#### Complaints for Parents/Guardians

MYFRC welcomes all children and parents/guardians' views in our service. It is the policy of our service to give careful attention and a prompt and courteous response to any and all

suggestions, comments or complaints received thereby ensuring the service is meeting family's needs. This policy is a requirement of the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018.

If a parent/guardian has a comment or concern with the service, they should highlight this to the service manager Mike Farrell, as soon as possible. If Parents/Guardians wish they can discuss this with a staff member/manager/Board member as early as possible in order for it to be resolved quickly and informally. However, if a parent/guardian has a formal complaint the following procedure should be followed:

### **Complaints procedure**

- If a parent/guardian wishes to make a complaint they should contact the staff/manager /Board member to discuss and, hopefully, resolve the matter on the spot.
- Should the matter remain unresolved then the complaint must be put in writing to the service or the nominated person on the management Committee
- A written acknowledgement of the complaint will be sent as soon as possible (within 2-3 days)
- If the complaint is related to the behaviour of a staff member of the MYFRC, they will be informed that a formal complaint has been made and be given the full details in the interest of fairness. If this is considered a potential disciplinary matter the staff member may be removed from the situation until a full investigation has been completed. The staff member will be given support during this time.
- A full investigation of the complaint will occur by the Manager within 10 working days.
- If required, an external party will support the investigation.
- The investigation panel will be comprised of the MYFRC Manager, the Chair Person of the Board of Management and at least one member of the staffing subcommittee.

- In relation to an individual complaint, membership of the investigation panel will not be comprised of any person directly involved in the complaint or related to the complainant or staff member to ensure there is no conflict of interest.
- Following a full investigation, the complainant will be notified in writing of the outcome (within 15 working days)
- Confidentiality will be of the utmost importance when dealing with all complaints and comments.
- In the case of a child protection matter a confidentiality agreement may be broken, however the staff/board member should only disclose information to the appropriate authority i.e. Tusla or An Garda Síochána.
- Parents/guardians will have the opportunity to appeal the decision of the investigation. The procedure will recommence.
- Our compliant template can be found at the end of this policy.
- This policy will be available and communicated to parents/guardians/staff and school age Young People.
- This policy will be reviewed in July 2020.
- Our complaints procedure for staff is located in MYFRC Staff Handbook.

Please note all complaint records will be retained for a period of 1 year following the formal logging of the complaint. If disciplinary procedures were activated as a result of the complaint, the complaint record will be retained for 1 year following the completion of the procedures.

## **Complaints for Young People**

MYFRC welcomes all Young People's views in our service. It is the policy of our service to give careful attention and a prompt and courteous response to any and all suggestions, comments or complaints received thereby ensuring the service is meeting the Young People's needs.

If a Young Person has a comment or concern with the service, they should highlight this to the service manager Mike Farrell or to a staff member/manager/Board member as early as possible in order for it to be resolved quickly and informally. However, if a Young People has a formal complaint the following procedure should be followed:

### **Complaints procedure**

- If a Young Person wishes to make a complaint they should contact the staff/ manager /Board member(whoever the Young Person feels most comfortable speaking to) to discuss and, hopefully, resolve the matter on the spot. Parents/Guardians will be notified unless staff/manager/board feel it puts the Young Person at risk.
- Should the matter remain unresolved the staff/manager/board member/parent/guardian can support the Young Person to put the complaint in writing to the service or the nominated person on the management Committee
- An acknowledgement of this would be verbal and documented on an incident report sheet which is then reported to the Manager and will be acknowledged on the day it is received.
- Where a complaint is related to a staff member of the MYFRC, the staff member will be informed that a formal complaint has been made and be given the full details in the interest of fairness. The Young Person will be supported in their understanding of this process and will be kept informed on its progression.
- The Young Person will be offered to meet with the staff to resolve the issue with the present of their parent/guardian and another member of staff/board. If this is considered a potential disciplinary matter the staff member may be removed from the situation until a full investigation has been completed. The staff member will be given support during this time.
- A full investigation of the complaint will occur by the Manager within 10 working days.
- The investigation panel will be comprised of the MYFRC Manager, the Chair Person of the Board of Management and at least one member of the staffing subcommittee.

- In relation to an individual complaint, membership of the investigation panel will not be comprised of any person directly involved in the complaint or related to the complainant or staff member to ensure there is no conflict of interest.
- This panel can change to ensure child friendliness.
- Following a full investigation, the Young Person will be notified that there will be a meeting to discuss the outcome (within 15 working days).
- Confidentiality will be of the utmost importance when dealing with all complaints and comments.
- In the case of a child protection matter a confidentiality agreement may be broken, however the staff/board member should only disclose information to the appropriate authority i.e. Tusla or An Garda Síochána.
- Young Person's will have the opportunity to appeal if they are unhappy with the decision of the meeting. The procedure will restart.
- This policy will be available and communicated to parents/guardians/staff and school age Young People.
- This policy will be reviewed in July 2025.

Please note all complaint records will be retained until the Young Person reaches 23 years of age.

## **Trips Away**

Please see over night away trip away policy.

## Accidents and Incidents Procedures

Emergency contact numbers are displayed in the activity rooms. All staff are trained in First aid and Manual handling are aware of the first aid boxes.

- First Aid boxes are located in each of the MYFRC sites. Any and all accident or incident is reported on the MYFRC incident report form.
- All illness/ medical requirement of all young people must be noted on registration form and staff will liaise with parents where additional information is required.
- All staff have access to the forms and are trained in the completing of the forms.
- Manager reviews all incident forms regularly and signs relevant forms
- Manager is to be notified of any serious incidents or emergencies immediately.
- All contact numbers of parents/ guardians are updated regularly. Each site has a work mobile phone with all parents'/ guardians' numbers on the mobile. A database of parent/guardian and emergency contacts is accessible through work phones
- In the event of an accident or emergency parents / guardians will be contacted.
- Parents / guardians are updated if any incident occurs and that it is recorded and any medical intervention i.e. ice pack, band aid etc and this is logged by staff



Appendix 1

**Application Form 2023-2024**

Name of Young Person: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ Country of Origin: \_\_\_\_\_

\_\_\_\_\_

School Class: \_\_\_\_\_ (September 2023)

Parent/Guardian Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Emergency Contact Person: \_\_\_\_\_

Relationship to Young Person: \_\_\_\_\_ Phone No: \_\_\_\_\_

**Please select which groups your Young Person is interested in:**

Early Bird \_\_\_\_ SHAPES \_\_\_\_ Homework Club \_\_\_\_ Thursday FUN Club \_\_\_\_

**Does your Young Person have any health concerns/allergies/additional needs?**

YES  NO

If **YES** please explain further \_\_\_\_\_

**\*\* All Young People who require inhaler/Epi pen/Penicillin I.D are required to bring it to all MYFRC groups\*\***

I \_\_\_\_\_ (Parent/Guardian) would like to accept a place in the MYFRC on behalf of \_\_\_\_\_. (Young Person) I give permission for \_\_\_\_\_ to take part in all MYFRC activities throughout the term.



I give/do not give permission for \_\_\_\_\_ photograph/Video to be used for purposes of publications regarding Mountmellick Youth and Family Resource Centre

During the year the MYFRC may be delivering a Relationship and Sexual Health Programme. If you would like your Young Person to participate please sign

\_\_\_\_\_.

During the year the MYFRC may be delivering an Alcohol and Drug Awareness Programme. If you would like your Young Person to participate please sign

\_\_\_\_\_.

**\*\*Staff are available to discuss either of the above programmes and parents/guardians will be notified in advance of these programme commencing\*\***

Each application will be considered by the Admissions Committee on its own merit. If adults/Young People want to change the groups offered to them by the MYFRC, it must be done so with the approval of the MYFRC Admissions Committee.

Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Young Person: \_\_\_\_\_ Date: \_\_\_\_\_

**All correspondence from the MYFRC will be made to the parent/guardian who sign this application form.**



Appendix 2

**Acceptance of MYFRC Child Protection Policy**

**Declaration from all staff and volunteers working with children and young people**

Surname \_\_\_\_\_ Forename \_\_\_\_\_

Date of Birth \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Phone Number \_\_\_\_\_

I have read the MYFRC Child Protection Policy and code of behaviour and agree to abide by its contents.

Signature \_\_\_\_\_

Date \_\_\_\_\_

There is no reason why I would be considered unsuitable to work with children or young people.

Signature \_\_\_\_\_

Date \_\_\_\_\_



## Appendix 3

### MYFRC Incident Report

**Date:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**MYFRC Staff:** \_\_\_\_\_

**Other Leaders & Their Location:** \_\_\_\_\_

**YP Involved:** \_\_\_\_\_

**Details of Incident:**

**Actions & Follow Up:**

**Parent Informed Details:**

**Manager Informed Details:**

Date and Time: \_\_\_\_\_

Directives Given:

**Report Completed By & Signature:**

\_\_\_\_\_

## Appendix 4

# Incident Report Sheet Young Person

Name of Child: \_\_\_\_\_

Group: \_\_\_\_\_

Date: / /

Staff Present: \_\_\_\_\_

## **What Happened?**

**1. I was in conflict with:** (circle the answer)

My Friend

Someone in the MYFRC

A staff member

Someone in school

A Youth Leader / Volunteer

**2. It happened:** (circle the answer)

At MYFRC Group

Outside playing

In the Sports Complex

In the hall

### 3. How did it start?

- \_\_\_\_\_ Took something that was mine
- \_\_\_\_\_ Called me names
- \_\_\_\_\_ Hurt me
- \_\_\_\_\_ Kicked me
- \_\_\_\_\_ Pinched me
- \_\_\_\_\_ Did not do what I asked
- \_\_\_\_\_ Hurt one of my friends \_\_\_\_\_

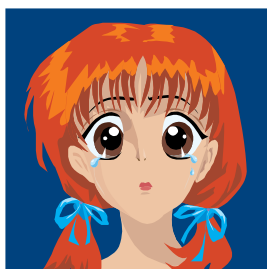
### 4. What happened next?

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### 5. This is how I felt: (circle the answer)

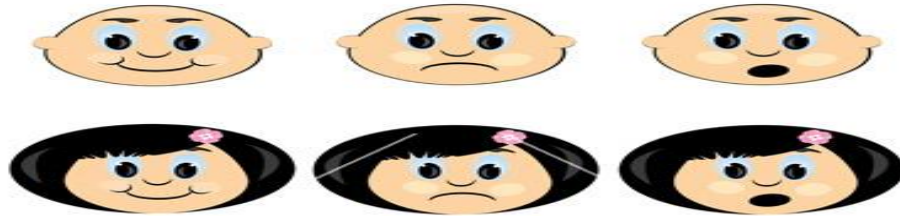


**6. I also felt:**

---

---

**7. This is how I think \_\_\_\_\_ (child's name) felt:**



**8. This is how I think I handled the situation:** (circle the answer)

Very Well

Good

Not very Well

**9. I have agreed to talk to \_\_\_\_\_ (name of child) and a MYFRC staff member to try solve the situation.**

**Following the meeting with the other child**

**We have:** (circle the answer)



Talked about it

Talked to the MYFRC staff

Made an agreement

**I have agreed to:**

---

---

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---

Signed: \_\_\_\_\_

Parent / Guardian

Date: / /

Signed: \_\_\_\_\_

MYFRC Staff

Date: / /

Position: \_\_\_\_\_

Manager: \_\_\_\_\_

Date: / /

## Appendix 5

### **Grounds for concern**

The following examples constitute **Reasonable Grounds for Concern**: \*

- 1) Specific indication from the child that s/he was abused
- 2) An account by a person who saw the child being abused
- 3) Evidence, such as injury or behaviour which is consistent with abuse and unlikely to be caused another way
- 4) An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour
- 5) Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

A suspicion which is not supported by an objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern.

It is important that persons reporting suspected child abuse to the TUSLA should establish the basis for their concerns. At the same time, they should not interview the child or the child's parent/carers in any detail about the alleged abuse with first consulting TUSLA; this may be more appropriately carried out a TUSLA Social Worker or An Garda Síochána.

**\* Taken from "Children First – National Guidelines for the Protection and Welfare of Children Page 38 4.32-4.34 Department of Health and Children September**

## Appendix 6

### Recognising abuse & Indicators of Neglect

<b><u>PHYSICAL INDICATORS</u></b>	<b><u>BEHAVIOURAL INDICATORS</u></b>
Constant Hunger	Tiredness, Listlessness
Inadequate/Inappropriate Clothing	Lack of Peer Relationships
Poor Hygiene	Low Self-Esteem
Untreated Illness	Compulsive Stealing/Begging

#### **Indicators of Physical Abuse**

<b><u>PHYSICAL INDICATORS</u></b>	<b><u>BEHAVIOURAL INDICATORS</u></b>
Scratches	Self Mutilation Tendencies
Bite Marks or Welts	Chronic Runaway
Bruises in Places Difficult to mark, e.g. Behind ears, groin	Aggressive or Withdrawn
Burns, especially cigarette burns	Fear of returning home
Untreated injuries	Undue fear of adults

#### **Indicators of Sexual Abuse**

<b><u>PHYSICAL INDICATORS</u></b>	<b><u>BEHAVIOURAL INDICATORS</u></b>
Soreness, bleeding in genital or anal areas	Chronic Depression
Itching in genital area	Inappropriate language, sexual knowledge for age group
Stained or bloody underwear	Making sexual advances to adults or other children
Pain or urination	Low self-esteem

Stomach pains or headaches	Afraid of dark
Difficulty in walking or sitting	Wariness of being approached by anyone
Bruises on inner thighs or buttocks	Substance/drug abuse
Anorexia/Bulimic	

**Indicators of Emotional Abuse**

<b><u>PHYSICAL INDICATORS</u></b>	<b><u>BEHAVIOURAL INDICATORS</u></b>
Sudden speech disorders	Rocking, thumb sucking
Wetting and soiling	Fear of change
Signs of mutilation	Chronic runaway
Attention seeking behaviour	Poor peer relationships
Frequent vomiting	

## Appendix 7

### Contact details of HSE Midland area Social Worker

#### Laois Dedicated Contact Point

Laois is located in a Tusla Area comprising of Laois, Offaly, Longford and Westmeath. The duty social work office covering Laois is located in Westmeath.

DISCUSS/REPORT A CONCERN	
Contact details if you need to report a concern about a child or need to discuss a concern	
	Child and Family Agency, Primary Care Centre, Harbour Road, Mullingar, Co Westmeath
	044 9353997

## Appendix 8

### Relevant Legislation

#### The Child Care Act 1991

The legislative basis for dealing with children in need of care and protection is provided by the Child Care Act 1991

The purpose of the Act is to “up-date the law in relation to the care of children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk.” The main provisions of the Act are:

- The placing of a statutory duty on Health Service Executives to promote the welfare of children who are not receiving adequate care and protection up to the age of 18
- The strengthening of the powers of the Health Service Executives to provide child care and family support services
- The improvement of the procedures to facilitate intervention by Health Service Executives and An Garda Siochana where children are in danger
- The revision of provisions to enable the courts to place children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk, in the care of or under the supervision of regional Health Service Executives
- The introduction of arrangements for the supervision and inspection of pre-school services
- The revision of provisions in relation to the registration and inspection of residential centres for children

Significantly, the Child Care Act, 1991, assigned to Health Service Executives the legal responsibility for promoting the welfare of children who were not receiving adequate care and protection, and required them to regard the welfare of the child as the first and paramount consideration.

## **The UN Convention on the Rights of the Child**

Ireland ratified the UN Convention on the Rights of the Child in 1992.

Particular relevance to Child Protection:

- I. Article 19 states that parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Such protective measure should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow up of instances of child maltreatment described heretofore, and, as appropriate for judicial involvement.

- II. Articles 34 and 35 refer respectively to the protection of children from sexual exploitation and from sale, trafficking and abduction.

### **Domestic Violence Act 1996**

This legislation gives Health Service Executives power to intervene to protect individuals and their children from violence. Section 6 of the Act empowers Health Service Executives to apply for orders for which a person could apply on his/her own behalf but is deterred from doing so through fear or trauma. The consent of the victim is not a pre-requisite for such an application, although s/he must be consulted.

### **Protections for Persons Reporting Child Abuse Act 1991**

The main provisions of the Act are;

The provision of immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to Designated DLPs of Health Service Executives or any member of An Garda Síochana

- The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to, and including, dismissal
- The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities “knowing that statement to be false.” This is a new criminal offence designed to protect innocent persons from malicious reports.

### **The Data Protection Act 1998**

This Act gives the right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him/her and to have inaccurate data rectified or erased. Data Controllers must make sure that the data they keep are collected fairly, are accurate and up-to-date, are kept for lawful purposes, and are not used or disclosed in any manner incompatible with those purposes.

### **Freedom of Information Act 1997**

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. The special provisions of the Act include the following:

- To provide for a right of access to records held by such bodies, for necessary exceptions to that right and for assistance to persons to enable them to exercise it
- To enable persons to have corrected any personal information relating to them in the possessions of such bodies
- To provide for independent review by an Information Commissioner both of decisions of such bodies relating to that right and of the operation of the Act generally
- To provide for the publication by public bodies of guides to their functions and National Guidelines such as these for assistance of the public

The exemptions and exclusions which are relevant to child protection include the following:

- Protecting records covered by legal professional privilege
- Protecting records which would facilitate the commission of a crime

- Protecting records which would reveal a confidential source of information.

## **Children First National Guidance for the Protection and Welfare of Children 2017**

Children First, National Guidance for the Protection and Welfare of Children was launched on October 2nd 2017. This Guidance is a primary reference for all citizens to report concerns and includes the new legislative obligations. It provides clarity between the legislation and the existing non-statutory obligations which will continue to operate for all sectors of society.

Children First Guidance describes the four main types of abuse and sets out the steps which should be taken to ensure that the child or young person is protected from harm. It has been updated to include new information about the Children First Act 2015 and it includes specific information for the professionals and organisations that now have legal obligations to keep children safe. In January 2019 the Children First Guidance was amended by way of an addendum to ensure that online safety is specifically accounted for in child safeguarding statements, as required under the Children First Act.

The *Guidance* also outlines the roles of the main statutory bodies involved in child welfare and protection: Tusla - Child and Family Agency, and An Garda S och na. It contains details of how to report a concern about a child and what happens once the report is received by Tusla.

### **Children First Act 2015**

The Children First Act 2015 was enacted on 19th November 2015 and commenced in full on December 11th 2017.

The Act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children.

Through the provisions of the Act, it is intended to:

- Raise awareness of child abuse and neglect

- Provide for mandatory reporting by key professionals
- Improve child safeguarding arrangements in organisations providing services to children
- Provide for cooperation and information-sharing between agencies when Tusla – Child and Family Agency, is undertaking child protection

The legislation also contains a provision that removes the defence of reasonable chastisement in relation to corporal punishment as part of court proceedings.

The policy intent is that the legislation will operate side-by-side with the existing non-statutory obligations provided for in Children First: National Guidance for the Protection and Welfare of Children (2017).


The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012 and the National Vetting Bureau (Children and Vulnerable Persons) Acts, 2012 - 2016 are additional key pieces of complementary legislation designed to improve child safety and protection.

The full text of the Children First Act 2015 is available at

<https://www.oireachtas.ie/en/bills/bill/2014/30/>

## Appendix 9

### TUSLA Child Protection & Welfare Report Form



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)

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**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**

<b>First Name*</b>	<input style="width: 90%;" type="text"/>	<b>Surname*</b>	<input style="width: 90%;" type="text"/>
<b>Male*</b>	<input type="checkbox"/>	<b>Female*</b>	<input type="checkbox"/>
<b>Address*</b>	<input style="width: 100%;" type="text"/>	<b>Date of Birth*</b>	<input style="width: 100%;" type="text"/>
		<b>Estimated Age*</b>	<input style="width: 100%;" type="text"/>
		<b>School Name</b>	<input style="width: 100%;" type="text"/>
		<b>School Address</b>	<input style="width: 100%;" type="text"/>
<b>Eircode</b>	<input style="width: 100%;" type="text"/>		

**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**

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

**6. Details of Reporter**

<b>First Name</b>	<input style="width: 90%;" type="text"/>	<b>Surname</b>	<input style="width: 90%;" type="text"/>
<b>Address</b> if reporting in a professional capacity, please use your professional address	<input style="width: 100%;" type="text"/>	<b>Organisation</b>	<input style="width: 100%;" type="text"/>
		<b>Position Held</b>	<input style="width: 100%;" type="text"/>
		<b>Mobile No.</b>	<input style="width: 100%;" type="text"/>
		<b>Telephone No.</b>	<input style="width: 100%;" type="text"/>
<b>Eircode</b>	<input style="width: 100%;" type="text"/>	<b>Email Address</b>	<input style="width: 100%;" type="text"/>



An Ghn mhaireacht um  
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Child and Family Agency

## Child Protection and Welfare Report Form

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

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

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

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

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

**8. Parents Aware of Report**

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

**9. Relationships**

**Details of Mother**

<b>First Name</b>		<b>Surname</b>	
<b>Address</b>		<b>Mobile No.</b>	
		<b>Telephone No.</b>	
		<b>Email Address</b>	
		<b>Eircode</b>	

<b>Is the Mother a Legal Guardian?*</b>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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**Details of Father**

<b>First Name</b>		<b>Surname</b>	
<b>Address</b>		<b>Mobile No.</b>	
		<b>Telephone No.</b>	
		<b>Email Address</b>	
		<b>Eircode</b>	





## 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](http://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
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**TÚSLA** 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)*

<b>First Name</b>		<b>Surname</b>		<b>Date Sent</b>	
<b>Authorised Person Signature*</b>					
<b>Date*</b>					
<b>Child Previously Known</b>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
<b>Allocated Case No</b>					