Child Protection Policy

Last reviewed January 2026

Declaration of Guiding Principles

Here at Mother Tongues we provide the following services to children:
We provide creative multilingual workshops for children under six years of age and their carers. These workshops are facilitated by our trained artists. Children must always be accompanied by their careers and are never left alone with the staff.

We believe the following:
1. Our priority to ensure the welfare and safety of every child and young person who attends our service is paramount.
2. Our guiding principles and procedures to safeguard children and young people reflect national policy and legislation and we will review our guiding principles and child safeguarding procedures every two years.
3. All children and young people have an equal right to attend a service that respects them as individuals and encourages them to reach their potential, regardless of their background.
4. We are committed to upholding the rights of every child and young person who attends our service, including the rights to be kept safe and protected from harm, listened to and heard.
5. Our guiding principles apply to everyone in our organisation.
6. Workers/volunteers must conduct themselves in a way that reflects the principles of our organisation.

Child Protection Policy Statement

Mother Tongues are committed to providing a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of *Children First Act 2015*, and the *Children First: National Guidance*, and Tusla's *Child Safeguarding: A Guide for Policy, Procedure and Practice***.**

We have implemented procedures covering:

- Code of behaviour for all staff – whether permanent staff, volunteers, facilitators or interns;
- Reporting of suspected or disclosed abuse;
- Confidentiality;
- Recruiting and selecting staff;
- Managing and supervising staff;
- Circulating information to staff, primary carers and participants;
- Allegations of misconduct or abuse by staff;

• Complaints and comments;
• Incidents and accidents.

This policy will be reviewed annually at the AGM by the Board of Directors.

Date: 10/03/2023

Code of Behaviour for Staff

A Child-Centred Approach

• Treat all children and young people equally.
• Listen to and respect children and young people.
• Create an atmosphere of trust.
• Involve children and young people in decision-making as appropriate.
• Provide encouragement, support and praise (based on effort rather than achievement).
• Use appropriate language (physical and verbal).
• Offer constructive criticism when needed.
• Treat all children and young people as individuals.
• Respect differences of ability, culture, belief, ethnicity and sexual orientation.
• Respect a child's or young person's personal space.
• Discuss boundaries on behaviour and related sanctions, as appropriate, with children, young people and their primary carers.
• Encourage feedback from groups and individuals.
• Use age-appropriate teaching aids and materials.
• Be aware of a child's or young person's other commitments when scheduling activities. Be cognisant of a child's or young person's limitations.

Code of Practice

• Make parents or carers, children and young people aware of our Child Protection Policy.
• Record any incidents and accidents and inform parents or carers promptly.
• Report any child protection or welfare concerns to Tusla or An Garda Síochána (out of hours or in an emergency).
• Have emergency procedures in place e.g., medical assistance, fire safety, etc.

• If working within another organisation (as a contractor) agree on a code of practice and how child protection procedures will be managed.

- When working with groups ensure proper supervision and ratios of adults to children depending on age, ability and activities involved.
- Work in an open and transparent manner – letting children, young people and parents know the structure and content of your programmes.
- Plan and be sufficiently prepared, both mentally and physically for your activity.
- Evaluate work practices on a regular basis.
- Observe appropriate dress and behaviour.
- Maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner as soon as possible.
- Address any difficulties or issues promptly, and keep a written record of issues discussed, agreements reached, names of those involved and dates, as appropriate.
- Maintain open communication with all parties, and invite feedback including comments or complaints.

Inappropriate Behaviours

- Avoid spending excessive amounts of time alone with children/young people;
- Don't use or allow offensive or sexually suggestive physical and/or verbal language.
- Don't single out a particular child/young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention;
- Don't allow/engage in inappropriate touching of any form;
- Don't hit or physically chastise children/young people;
- Don't socialise inappropriately with children/young people, e.g., outside of structured organisational activities.

Physical contact

- Seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch;
- Check with children/young people about their level of comfort when doing touch exercises;
- Health and safety;
- Don't leave children unattended or unsupervised;
- Manage any dangerous materials;
- Provide a safe environment;
- Be aware of accident procedures and follow accordingly.

First Aid

If any child or member of the public requires first aid, please bring them to the attention of the Front of House Manager in an arts venue or to the attention of the designated person in the school or building.

Designated Person and Mandated Person for Mother Tongues

Lacie Raymond, Participation & Learning Coordinator, (089 4642725) has been designated as the person to contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare. It is the responsibility of this person to support and advise staff about policies and procedures in relation to child protection and to ensure that procedures are followed. It is also the responsibility of the Designated Person to liaise with Tusla or Gardaí where appropriate.

Lacie Raymond is also the Mandated Person. Mandated persons have two main legal obligations under the Children First Act 2015. These are:

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

Fernanda Ferrari, Director, (083 461 8188) has been designated as the deputy. The deputy designated liaison person will assume responsibility when the designated liaison person is not available or on leave.

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,

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.'

Reporting Procedures

Reporting procedures for matters relating to a child/young person's safety and welfare. Incident book is on file in the Mother Tongues office in Rua Red, Belgard Square, Tallaght, Dublin 24. This book is stored securely and confidentiality will be maintained.

Reporting a Concern about a Child

Tusla will always be informed if there are reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

The concern will be reported in person, by telephone or in writing — including by email — to the local social work duty service in the area where the child lives.

The information given will include:

- The child's name, address and age
- Names and addresses of parents or guardians
- Names, if known, of who is allegedly harming the child or not caring for them appropriately
- A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)
- Names of other children in the household
- Name of school the child attends
- The name of the person reporting, contact details and relationship to the child

Dealing with a retrospective allegation

Some adults may disclose abuse that took place during their childhood. 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, it should be reported to Tusla.

Types of child abuse and how they may be recognised

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. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer. The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

1. 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.

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

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 a child where it is persistent over time and where there is a lack of other protective factors.

3. 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 the law relating to assault
now apply to a child in the same way as they do to an adult.

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

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.

Circumstances which may make children more vulnerable to harm
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
  - Addiction, including gambling
  - Mental health issues
  - Parental disability issues, including learning or intellectual disability o Conflictual relationships
  - Domestic violence
  - Adolescent parents
- 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.

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. There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour.

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána.

Criteria for reporting: definitions and thresholds

The mandated person is required, under the legislation 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 of the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Sexual Abuse

If the mandated person knows, believes or has reasonable grounds to suspect that a child has been, is being or is at risk of being sexually abused, they 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.

Disclosures of abuse from a child

If the mandated person receives a disclosure of harm from a child, which is above the thresholds set out above, they must make a mandated report of the concern to Tusla. The mandated person is 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 it should be reported 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

Reasonable Grounds For Concern

Reasonable grounds for a child protection or welfare concern include:

- 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 the child being abused

The guiding principles on reporting child abuse or neglect may be summarized as follows:

1. The safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made
2. Reports of concerns should be made without delay to Tusla

Recruitment and Selection Policy Statement

We will ensure that staff are carefully selected, trained and supervised to provide a safe environment for all children and young people, by observing the following principles:

- Roles and responsibilities will be clearly defined for every job (paid or voluntary);

• Posts will be advertised widely;

• We will endeavour to select the most suitably qualified personnel;

• Candidates will be asked to sign a declaration form;

• At least two written references that are recent, relevant, independent and verbally confirmed will be necessary;

• No person who would be deemed to constitute a 'risk' will be employed;

• Some of the exclusions would include:

- any child-related convictions;
- refusal to sign application form and declaration form;
- insufficient documentary evidence of identification;
- concealing information on one's suitability to working with children.

• All staff will be required to consent to Garda clearance, and where available, this will be sought.

• Garda vetting will be carried out where appropriate.

Under Part 1, Section 3 (1)(c) of the *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* it states that the "Act shall not apply to any of the following... (c) the giving of assistance by an individual –
(i) on an occasional basis, and
(ii) for no commercial consideration
at a school, sports or community event or activity, other than where such assistance includes the coaching, mentoring, counselling, teaching or training of children or vulnerable persons."
http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/print#sec3

Staff Management and Policy Statement

To protect both staff (paid and voluntary) and children/young people, we undertake that:

New staff will:

• Take part in a mandatory induction training session;

• Be made aware of the organisation's code of conduct, child protection procedures, and the identity and role of who has been designated to deal with issues of concern;

• Undergo a probationary or trial period.

All staff will:

• Receive an adequate level of supervision and review of their work practices;

• Be expected to have read and signed the Child Protection Policy Statement;

• Be provided with child protection training.

Involvement of Primary Carers

Policy statement on the involvement of primary carers

We are committed to being open with all primary carers.

We undertake to:

- Advise primary carers of our child protection policy;
- Inform primary carers and schools of all activities and potential activities;
- Issue contact/consent forms where relevant;
- Comply with health and safety practices;
- Operate child-centred policies in accordance with best practice;
- Adhere to our recruitment guidelines;
- Ensure as far as possible that the activities are age-appropriate;
- Encourage and facilitate the involvement of parent(s), carer(s) or responsible adult(s), where appropriate.

If we have concerns about the welfare of the child/young person, we will:

- Respond to the needs of the child or young person;
- Inform the primary carers on an ongoing basis unless this action puts the child or young person at further risk;
- Where there are child protection and welfare concerns we are obliged to pass these on to the Duty Social Worker and, in an emergency, the Gardaí;
- In the event of a complaint against a member of staff, we will immediately ensure the safety of the child/young person and inform primary carers as appropriate.

As a child-centred organisation, we are committed to putting the interest of the child/young person first. To that end we will:

- Contact local Health Service Executive and Gardaí where there is a child protection welfare concern;
- Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children;
- Have a designated contact person available for consultation with primary carers in the case of any concern over a child or young person's welfare.

Dealing with allegations against staff

Notes:

- In the event of allegations being made against an employee (staff or voluntary), the protection of the child/young person is the first and paramount consideration.
- The organisation has a dual responsibility in respect of both the child/young person and the employee.
- The same person must not have responsibility for dealing with the child/young person welfare issues and the staff employment issues.
- An allegation against an employee should be assessed promptly and carefully. If reasonable grounds for concern exist, a formal report to Tusla should be made.

Allegation Procedures

- In respect of the child/young person, Lacie Raymond will deal with issues related to the child/young person.

- In respect of the person against whom the allegation is made Jennifer Ahern will deal with issues related to the staff member.
- The first priority is to ensure that no child or young person is exposed to unnecessary risk;
- If allegations are made against the Designated Person, then the Deputy Designated Person should be contacted;
- The reporting procedures outlined in these guidelines should be followed. Both the primary carers and child/young person should be informed of actions planned and taken. The child/young person should be dealt with in an age-appropriate manner;
- The staff member will be informed as soon as possible
    - of the nature of the allegation;
    - the staff member should be given the opportunity to respond;
- The chairperson/head of the organisation should be informed as soon as possible;
- Any action following an allegation of abuse against an employee should be taken in consultation with Tusla and Gardaí;
- After consultation, the chairperson/head of the organisation should advise the person accused and agreed procedures will be followed.

Dealing with allegations against staff

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• The same person must not have responsibility for dealing with the child/young person welfare issues and the staff employment issues.

• An allegation against an employee should be assessed promptly and carefully. If reasonable grounds for concern exist, a formal report to the Health Service Executive should be made.

Complaints and Comments Procedures

A complaints and comments procedure include the following:

In the event of complaints or comments:

• Complaints or comments will be responded to within 3 weeks;

• Lacie Raymond has responsibility for directing complaints/comments to the appropriate person;

• Verbal complaints will be logged and responded to.

Accidents procedure

• External organisations with whom your organisation has dealings must provide proof that they have public liability insurance;

• First-aid boxes available and regularly re-stocked;

• The location of the first-aid box(es) must be made known to staff;

• Availability of first-aid should be in accordance with the organisation's Health and

Safety guidelines. The location of accident/incident books must be made known to staff;

- Children and young people must be advised of risks of dangerous material;
- Record details of risky equipment used and take steps to minimise risk;
- Take cognisance of responsibility for first-aid on off-site trips.

Responsibilities of organisations

Consistent with the principles of Children First, every organisation, both public and private, that is providing services for children or that is in regular direct contact with children should:

- ensure best practice in the recruitment of staff or volunteers, which includes Garda vetting, taking up of references, good HR practices in interviewing, induction training, probation and ongoing supervision and management;
- ensure that staff members or volunteers are aware of how to recognise signs of child abuse or neglect.

APPENDIX I

Relevant legislation

CHILD CARE ACT 1991

This is the key piece of legislation which regulates childcare policy in Ireland. Under this Act, Tulsa 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.

APPENDIX II
Standard Report Form

TUSLA An Ghníomhaireacht um Leanaí agus an Teaghlach Child and Family Agency

STANDARD REPORT FORM

(For reporting CP&W Concerns)

A. To Principal Social Worker/Designate:

1. Date of Report 2.

Details of Child

Name:		Male		Female	
Address:		DOB		Age	
		School			
Alias		Correspondence address (if different)			
Telephone		Telephone			

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	
Address:		Occupation	
		Relationship to client	

Reporter wishes to remain anonymous		Reporter discussed with parents/guardians	

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4. Parents Aware of Report Yes No

Are the child's parents/carers aware that this concern is being reported - Mother		
- Father		
Comment		

5. Details of Report

(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)

TUSLA An Ghníomhaireacht um Leanaí agus an Teaghlach Child and Family Agency

FORM NUMBER: CC01:01:01

STANDARD REPORT FORM

(For reporting CP&W Concerns)

6. Relationships

Details of Mother		**Details of Father**	
Name:		Name:	

Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

7. Household composition

Name	Relationship	DOB	Additional Information e.g. School/ Occupation/Other:

8. Name and Address of other personnel or agencies involved with this child

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:		Age		Male		Female	
Name:			Occupation				
Address:							

10. Details of person completing form

Name:		Occupation:	
Address:		Telephone No's:	
Signed		Date:	

APPENDIX III

Child Safeguarding Statement

Our Child Safeguarding Statement is available on our website.