



Child Protection Policy & Procedure:

Statement: The welfare of the child is paramount to us. Therefore, we want to make sure that the children in the service are protected and kept safe from harm while they are in our care. We do this by:

- Making sure that our staff and students are carefully selected, trained and supervised.
- Having procedures to recognise, respond to and report concerns about children's protection and welfare.
- Making sure all staff are Garda vetted prior to engagement.
- Having clear codes of behaviour for management, staff and students.
- Having a procedure to respond to accidents and incidents.
- Giving parents/guardians, children and staff information about what we do and what to expect from us.
- Letting parents/guardians and children know how to voice their concerns or complain if there is anything, they are not happy about. Having a procedure to respond to these complaints.
- Having a clear reporting procedure to be followed should a staff member have a concern about a child with regard to Children First (2017) and The Children First Act 2015.
- Having a procedure to respond to allegations of abuse and neglect against staff members.
- Having a system where the policy and safeguarding statement is reviewed annually by the Management.



Policy:

Children First: National Guidance for the Protection and Welfare of Children published by the Department of Child and Youth Affairs in 2017 and Our Duty to Care form the basis of our services Child Protection Policy and Procedures.

- This policy is applicable at all times when children are in the care of the service.
- For the purpose of this policy, a “child” means anyone who is under 18 years of age who is not or has not been married.
- All staff and persons who work within the service, must read and understand this policy and procedures and the Child Safeguarding Statement and it will be part of a new staff member's induction training. Clarification on any point may be sought from the Designated Liaison Person or Manager.

Our Statutory Obligations:

One of the main objectives of the Children First Act 2015 is to ensure that our service keeps children safe from harm while availing our service. We will prevent, as far as practicable, deliberate harm or abuse to the children availing of our services. While it is not possible to remove all risk, from our service, we have put in place policies and procedures to manage and reduce risk to the greatest possible extent.

The Act places specific obligations on us including the requirement to:

- Keep children safe from harm while they are using our service.
- Carry out a risk assessment to identify whether a child or young person could be harmed while receiving our services.
- Develop a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage the risks that have been identified. See Child Safeguarding Statement



- Appoint a relevant person to be the first point of contact in respect of our Child Safeguarding Statement.

As part of the policy, our service will:

- Appoint both a Designated Liaison Person (DLP) for dealing with child protection concerns and a Deputy Liaison Person.
- Provide induction training on the Child and Adult Protection Policy to all staff and students and ensure that they understand their obligations as a 'Mandated Person' under the Children First Act 2015.
- Ensure that all staff attend child protection training as appropriate.
- Provide supervision and support for staff and students in contact with children.
- Share information about the Child and Adult Protection Policy with families.
- Ensure this policy will be shared with parents/guardians on enrolment to our service.
- Work and co-operate with the relevant statutory agencies as required.

The Role of the Designated Liaison Persons is to:

- Establish contact with the Duty Social Worker responsible for child protection in the organisations catchment area and ensure that the organisation's Child Protection Policy and procedures are followed where Criteria for Reporting: Definitions and Thresholds are reached, or Reasonable Grounds for Concern exist about individual children.
- Be accessible to all staff.

Ensure that they are knowledgeable about child protection and welfare and that they undertake any training considered necessary to keep updated on new developments.



- Ensure the Child and Adult Protection Policy and Procedures of the service are followed.
- Be responsible, as a Mandated Person, for reporting concerns about the protection and welfare of children to TUSLA – Child and Family Agency or an Garda Síochána.
- Ensure the appropriate information is included in the report to the Child and Family Agency and that the report is submitted in writing (under confidential cover) using the Standard Reporting Form.
- To liaise with Tusla, the Child and Family Agency, a Garda Síochána and other agencies as appropriate [the Mandated Person who has a concern and makes a report also has a responsibility to liaise with the agencies as required]
- To provide information and advice on child protection and training within the organisation.
- Keep relevant people within the organisation informed of relevant issues, whilst maintain confidentiality.
- Ensure that an individual case record is maintained of the action taken by the service, the liaison with other agencies and the outcome.
- Maintain a central log or record of all child protection and welfare concerns in the service.
- Ensure appropriate information is available at the time of referral and that the referral is confirmed in writing, under confidential cover.

Mandated Persons Children First 2017:

Chapter 3. All childcare staff are 'Mandated Persons' under The Children First Act 2015. The Children First Act 2015 places a legal obligation on certain people, 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 and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated Persons include professionals working with children in After School settings.

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.

Mandated Persons within our setting are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse are described in. The threshold of harm for each category of abuse at which Mandated Persons have a legal obligation to report concerns is outlined below.

Neglect:

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected. EMOTIONAL ABUSE/ILL-TREATMENT: Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'.



Emotional abuse:

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

Physical Abuse:

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

Sexual Abuse:

If, as a Mandated Person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla under the Children First Act 2015. Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015. A full list of relevant offences against the child which are considered sexual abuse is set out in Appendix 3 of Children First (2017).

As all sexual abuse falls within the category of seriously affecting a child's health, welfare or development, you must submit all concerns about sexual abuse as a mandated report to Tusla. There is one exception, which deals



with certain consensual sexual activity between teenagers, which is outlined on page 23 Children First (2017).

The service endorses that the Children First (2017) Guidelines advise that the ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on knowledge and information. It is important to note that child abuse is not always readily visible.

Reasonable Grounds for Concern Chapter 2, Page 06 Children First (2017):

The DLPs or Mandated Persons should always inform Tusla when you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. We understand that if this is neglected or ignored, it could result in ongoing harm to the child.

We understand that it is not necessary for us to prove that abuse has occurred to report a concern to Tusla. All that is required of us is that we have reasonable grounds for concern. It is Tusla's role to assess concerns that are reported to it. 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 summarised 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.

Within our setting:

- Confidentiality is of the utmost importance and extends to all areas of our service. Confidentiality is about treating sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful.
- It is our policy to keep all personal information about our children, families, and staff private. Confidential and personal information about our children/parents/guardians will only be shared by the Manager and Designated Liaison Person in relation to child safety, in line with this Child Protection Policy. Any breach of confidentiality by any member of staff will lead to disciplinary action. (For further information see our Confidentiality Policy).

Allegations Against Staff:

As the Manager is the Designated Liaison Person another person should deal with the HR investigation. It is required to separate these issues and manage them independently. Therefore, the Manager will outsource this function to somebody with expertise outside the service. This allows the Manager to deal with TUSLA and the child's family. Policy and Procedure on Response to Allegations of Abuse against Employees, Volunteers and Students: Child Protection is about promoting the welfare of children who attend a Child Care service/school. To this end it also encompasses the monitoring of professional practice within an organisation. An organisation has a legal and moral responsibility to respond to any allegation of abuse either verbal or physical of a child by a member of staff, student or volunteer. This procedure is in line with the guidance given in Children First (2017).



The Manager must privately inform the employee, about whom the allegation is made, of the following:

- The fact that an allegation has been made against him/her.
- The nature of the allegation.
- The employee should be afforded an opportunity to respond.

The Manager should note the response and pass on this information when making a formal report to TUSLA.

- The employee should also be informed of their right to an adjournment of the meeting until such time as they can seek appropriate representation. The action will be guided by the agreed procedures (Disciplinary Procedure), the applicable employment contract and the rules of natural justice. While adhering to the principle of natural justice enshrined within our constitution in relation to the rights of the accused, the vulnerability of the alleged victim must be foremost in our mind, therefore any postponement must be afforded within a reasonable time frame that is 24 hours.
- The parents/guardians of the alleged victim must be informed immediately by the Designated Liaison Person.
- The name or any identifying information of the reporting adult would generally be given to the staff member or worker against whom the allegation has been made by the Manager. There may be exceptional circumstances pending TUSLA advice or consultation, where this may not be the case.
- When an allegation is received it will be assessed promptly and carefully.
- The Manager may then ask the member of staff who the allegation has been made against to leave the premises immediately and they will be suspended on full pay until the matter has been fully investigated.
- However, all allegations may not require a worker to be sent home i.e. allegations of poor practice where increased levels of supervision may be



sufficient until matter is sorted out. Poor practice will be dealt with under the Disciplinary Procedure, as necessary.

- At this point in the process it will be necessary to decide whether a formal report should be made to TUSLA – this decision should be based on reasonable grounds for concern.

- If it is felt that there are grounds for concern all matters relating to the allegations, it should be reported to the Duty Social Worker.

- At this point the Disciplinary Procedure will be invoked. This will be a separate process and will be overseen by the Manager, who may outsource this function, not the Designated Liaison Person.

- Should a staff member, following the investigation, be re-instated with no disciplinary action this should be taken as evidence that no blame/fault/suspicion attaches to them.

- Where the complaint is not upheld, management should ensure that the reputation and career prospects of the staff member concerned are not adversely affected by reason of the complaint having been brought against him/her. The staff member (who had the allegation made against them) should be offered counselling and any other support necessary to restore his/her confidence and morale.

- The staff member who made the complaint should be reassured that management appreciates that the complaint was made in good faith. If required management will ensure that the staff member receives support e.g. external counselling, if requested or warranted.



Record Keeping:

- The service will conform to the provisions of the Data Protection Act 1998 and the Data Protection (Amendment) Act 2003 plus any future amendments.
- Parents/guardians may have access to the files and records of their own children on request but may not have access to information about any other child.
- Only employees involved with a particular child should have access to confidential files and will be used to inform staff on how best to meet the needs of the child.
- Where there are child protection or welfare concerns, observations/ records will be kept on an on-going basis and information shared with Tusla as appropriate.
- These will be stored securely · Procedures are in place for archiving records.
- All records are managed in line with our Data Protection Policy.
- We aim to ensure that all records are factual and written impartially.
- The service will only share information with other professionals or agencies, with consent from parents/guardians or without their consent in terms of legal responsibility in relation to a Child Protection issue.
- Records or reports should not be altered or adjusted, if there are new developments then a new record of this information should be complete

We are committed to:

- Valuing and respecting all children as individuals.
- Listening to children.
- Involving children in decision making s appropriate.
- Encouraging children to express themselves.



- Working in partnership with parents/guardians.
- Promoting Positive Behaviour.
- Valuing differences.
- Implementing and adhering to all relevant policies to keep children safe.

Our service's Designated Liaison Persons are:

Erika Deery - Manager

Lynda Moore - Room Leader Junior Nursery

Saoirse Callaghan - Room Leader Senior Nursery

Keara Kelly - Room Leader Preschool

Tanya Mulhern - School Aged Childcare Room Leader

Kristine Dzerina - School Aged Childcare Room Leader

This policy will be reviewed annually unless amendments are required throughout the year.

Managers Signature:

A handwritten signature in black ink, appearing to read 'E Deery', written over a large, faint, stylized outline of an acorn.

20/07/2023