

Samhlaíocht ✖

CELEBRATING THE ART OF KERRY'S IMAGINATION

**ENSURING THE SAFETY AND WELFARE OF
CHILDREN/YOUNG PEOPLE**

Samhlaíocht Chiarrai

**Child Protection Policy and Code of Behaviour for working with
children/young people**

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1. SAMHLAÍOCHT CHIARRAI

Samhlaíocht Chiarraí was set up in 1992 as a community based Arts organisation. As children form one of the most important sub groups within any community it is acknowledged that in order to ensure the community's full involvement in the artistic life of the county that the following goals need to be achieved.

- Goal one. Children will have a voice in matters which affect them and their views will be given due weight in accordance with their age and maturity.
- Goal two. Children's lives will be better understood; their lives will benefit from the arts and their access to artistic endeavour.
- Goal three. Children will receive quality supports and services to promote all aspects of their artistic development.

INVOLVING CHILDREN AND YOUNG PEOPLE DIRECTLY IN OUR WORK

As the leading community based arts organisation in county Kerry, we aim to directly involve children and young people in many aspects of our work.

SAMHLAIOCHT COMMITMENT TO CHILD PROTECTION

Samhlaíocht Chiarraí is committed to promoting and facilitating the full participation of children and young people in our work. We aim to create a safe and healthy environment for the young people with whom we work and we are committed at all times to ensuring their safety and welfare.

These guidelines are based on "Children First – National Guidelines for the Protection and Welfare of Children" and "Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People". In accordance with these documents, it is good practice for all organisations, which have contact with children and young people to introduce a child protection policy. This policy also helps to provide safeguards and support for staff when they are working with children and young people.

2. STATEMENT OF POLICY

Samhlaíocht Chiarraí is fully committed to safeguarding the well-being of all the children and young people with whom we work. Our policy on child protection is in accordance with “Children First”. Samhlaíocht is committed to promoting the rights of the child including the participation of children and young people in the artistic life of County Kerry.

A set of guidelines have been introduced by Samhlaíocht and all staff and volunteers involved in any event with young participants have agreed to adhere to these guidelines.

The guidelines are set out in this document.

CONTEXT OF THE POLICY

UN Convention on the Rights of the Child

The UN Convention on the Rights of the Child was adopted by the UN in 1989 and ratified by Ireland in 1992. The National Children’s Strategy is based on the UN Convention on the Rights of the Child and as such, sets out the vision for children in Ireland over a ten-year period. We believe that all work with children and young people should, by its very nature, recognise, implement and promote the fundamental tenets of the Convention.

The Child Care Act, 1991 defines a child as someone under 18 years of age who is not married. The UN Convention defines a child as someone under 18 years of age and the National Children’s Strategy in Ireland, similarly defines a child as someone less than 18 years of age, who is not married.

Children First National Guidelines for the Protection and Welfare of Children 1999

The Children First Guidelines were issued by the Department of Health and Children in 1999 and outline procedures, which all organisations dealing with children and young people should put in place. They state that all such organisations should put in place a child protection policy tailored to their specific needs. This policy should outline the procedures and arrangements in place to protect children in line with “Children First”. Equally, the policy will provide protection for staff in Samhlaíocht in their work with children.

Our Duty to Care

Our Duty to Care was published by the Department of Health and Children in October 2002. It offers a practical guide to staff and volunteers who work with children by outlining a number of fundamental principles of good practice.

National Children’s Strategy

The work of Samhlaíocht Chiarraí is centred around the implementation and monitoring of the National Children’s Strategy. The overall vision of the strategy is; *‘An Ireland where children are respected as young citizens with a valued contribution to make and a voice of their own; where all children are cherished and supported by family and the wider society; where they enjoy a fulfilling childhood and realise their potential.’*

3. RECRUITMENT AND TRAINING

Putting in place good procedures in recruitment and training practice is a central element in ensuring the safety and welfare of all adults and young people involved in the organisation.

a. Recruitment

In engaging staff (long term, short term or event based) or volunteers for Samhlaíocht, the following procedures will be followed:

Permanent staff of Samhlaíocht

- The normal recruitment practice of good governance will apply. This includes the applicant providing the names of two referees (not family members) who are contacted and obtaining Garda Clearance;
- Staff will be given a copy of Samhlaíocht Child Protection Policy and code of behaviour and will be asked to sign a document certifying that they have read it and agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people (see Appendix 3).

Staff on short term contracts

- Where short term contracts for staff are awarded for particular pieces of work, a clear job description is developed outlining the responsibilities of the job and the reporting procedure;
- The applicant must supply information of previous, recent experience, particularly all experience relating to working with children/young people;
- The applicant must supply the names of two referees who are relevant to the post (not family members).
- For staff working directly with children/young people, Garda clearance will be sought by Samhlaíocht Chiarraí;
- Staff will be given a copy of Samhlaíocht Child Protection Policy and code of behaviour and will be asked to sign a document certifying that they have read it and agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people (see Appendix 3).

Staff and volunteers from another agency/organisation

- When working with staff/volunteers from another agency/organisation in facilitating an event involving children/young people, such staff/volunteers will be given Samhlaíocht Child Protection policy and code of behaviour and will be asked to sign a document certifying that they have read it and agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people (see Appendix 3);
- For staff/volunteers working directly with children/young people, Garda clearance will be sought by Samhlaíocht;

- If the volunteer/staff has already obtained Garda Clearance through their own organisation, in the previous 18 months, a form should be completed by their organisation confirming this fact and a copy of the Garda Clearance should be forwarded to Samhlaíocht (see Appendix 4).

b. Training

All staff of Samhlaíocht 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.

Where young people, under 18 years, are assisting in the work of Samhlaíocht, they will receive appropriate information on Samhlaíocht Child Protection Policy and national child protection policy at a level suitable to their age and experience. 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 Samhlaíocht child protection policy.

4. KEEPING PARENTS AND GUARDIANS INFORMED

Samhlaíocht Chiarraí 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. It is our practice to inform parents/guardians first in the event of a child disclosing an incident of abuse, unless this could put the child in danger.

5. WORKING IN PARTNERSHIP WITH OTHER AGENCIES

In many instances Samhlaíocht Chiarraí will work collaboratively with other agencies in organising events with children/young people involved. There are many different forms that this work may take. However, where the event is being run in the name of Samhlaíocht, our Child Protection guidelines will apply. The staff/volunteer recruitment practices which apply are listed in Section 4.

6. DEALING WITH CHALLENGING OR DISRUPTIVE BEHAVIOUR

Staff who deal directly with children and young people will be given guidance and support in dealing with difficult behaviour. Samhlaíocht ensures that the safety and welfare of the children and young people is a priority and that staff will deal sensitively and professionally with any difficult issues that may arise. Where instances of challenging or disruptive behaviour occur with children/young people, a record will be kept of this where the instance requires the intervention of a worker or volunteer or where the safety and well being of others are at risk. In a case of such behaviour, two workers/volunteers should be present in dealing with the situation. Staff members who are present at the time, should complete the incident/accident report form (see Appendix 4).

The report of the incident should include:

- The programme or activity which was happening at the time;
- Date of Incident;
- A record of what happened;
- Details of who was involved;
- Details of where and when it happened;
- A record of any significant comments;
- A record of any injury to person or property;
- Details of how the situation was resolved or left.

7. BULLYING

Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical which is conducted by an individual or group against others.

Examples of bullying include:

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion
- Exclusion.

Samhlaíocht will not tolerate any bullying behaviour by children/young people or adults and will deal with any incidents immediately in accordance with Samhlaíocht anti-bullying policy when working with children and young people (Appendix 8).

8. DEALING WITH A DISCLOSURE OF ABUSE

Samhlaíocht Chiarraí values and encourages the full participation of children and young people in many aspects of our work and we strive to ensure that the experience of the child/young person in our work is a happy and productive one. 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;
- Listen carefully and attentively; take the young person seriously;
- Reassure the young person 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/young person that what you have heard is correct and understood;
- Do not express any opinions about the alleged abuser;
- 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 Child Protection Officer, do not attempt to deal with the problem alone;
- Treat the information confidentially.

9. ROLE OF THE CHILD PROTECTION OFFICER

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

The role of the Child Protection Officer involves the following duties:

- To be familiar with “Children First”, National Guidelines for the Protection and Welfare of Children and “Our Duty to Care”, the principles of good practice for the protection of children & young people and to have responsibility for the implementation and monitoring of the child protection and welfare policy of Samhlaíocht;
- To receive reports of alleged/suspected or actual child abuse and act on these in accordance with the guidelines;
- To ensure that training is provided for all new and existing staff in Samhlaíocht on the child protection policy;
- To build a working relationship with the Health Service Executive (HSE), An Garda Síochána and other agencies, as appropriate;
- To ensure that supports are put in place for the young person, employees or volunteers in cases of allegations being made;
- To keep up to date and undertake relevant training on child protection policy and practice, in order to ensure the relevance and appropriateness of Samhlaíocht’s policy and procedures in this area;
- To review Samhlaíocht policy and procedures on child protection on an annual basis and amend as appropriate;
- To ensure that systems are in place for recording and retaining all relevant documentation in relation to child protection issues.

Child Protection Officer for Samhlaíocht

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Deputy Child Protection Officer for Samhlaíocht

Úna Curran
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10.REPORTING PROCEDURE IN RESPECT OF CHILD ABUSE

Samhlaíocht Chiarraí has put in place a standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse.

Definition and Recognising Child 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. Definitions of the four types of abuse, how to recognise abuse and an explanation of “reasonable grounds for concern” are included in Appendix 6, which is based on “Children First – National Guidelines for the Protection and Welfare of Children”.

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 the HSE
- 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 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 Child Protection Officer immediately.
- The Child Protection Officer will assess and review the information that has been provided. The CPO may contact the HSE for informal advice relating to the allegation, concern or disclosure.
- After consultation with the HSE officials, the Child Protection Officer will then take one of two options:
 - Report the allegation, concern or disclosure to the HSE or
 - Not make a formal report to HSE but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The employee/volunteer who made the initial report will be informed if a formal report is not being made to the HSE and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary.
- Where a formal report is made the HSE will then liaise with An Garda Síochána. It is likely that the HSE will want to speak to the person who first made the report to clarify facts and the circumstances of the report.

In an emergency 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 ever left in an un-safe situation.

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

Information required when making a report

The more information which is gathered and put together on the Standard Reporting Form which has been adopted by Samhlaíocht (see Appendix 2) the easier it will be to assess an allegation, concern or disclosure of abuse. Reports, which are made anonymously, will be followed up 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 Child Protection Officer or with a HSE worker before making an official report.

Confidentiality

In matters of child abuse, an employee/volunteer should never promise to keep secret, any information which is divulged. It should be explained to the young person 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.

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 Child Protection Officer, the HSE or An Garda Síochána [see Appendix 7 for further details]

11. ACTION TO BE TAKEN WHEN AN ALLEGATION IS MADE AGAINST A STAFF MEMBER

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

- The reporting procedure in respect of the child;
- The procedure for dealing with the employee.

In the case of the allegation being against an employee of Samhlaíocht, the same person will not deal with both the young person and the alleged abuser. Employment/contractual issues will be dealt with separately. The Child Protection Officer will follow the normal reporting procedure in Samhlaíocht. It will be the responsibility of the Artistic Director Samhlaíocht to deal with a staff member against whom an allegation has been made.

If there is an allegation or suspicion in relation to the Artistic Director, the Deputy Artistic Director will deal with all aspects relating to the Artistic Director.

If there is an allegation or suspicion in relation to the Child Protection Officer, the Artistic Director will deal with all aspects of the case, including the reporting procedure.

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

- The Artistic Director of Samhlaíocht will deal with all aspects of the case relating to the employee.
- The allegation will be assessed by the Child Protection Officer 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 CPO may wish to contact the HSE for advice on the issue.
- The safety of the child is the first priority of Samhlaíocht 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.
- Samhlaíocht will ensure that no other children/young people are at risk during this period and will inform other relevant agencies or parents/carers 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 retained.
- Samhlaíocht will ensure that the principle of ‘natural justice’ will apply whereby a person is considered innocent until proven otherwise.

- Samhlaíocht will work in co-operation with An Garda Síochána and the HSE 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 Samhlaíocht will provide advice on how to access the relevant support services.

In the case of an allegation being made against a volunteer within Samhlaíocht the Child Protection Officer will deal with the issue as outlined in the steps above.

12. COMPLAINTS PROCEDURE IN RELATION TO CHILD SAFETY AND PROTECTION

Samhlaíocht is committed to ensuring the safety and welfare of all children/young people with whom we work. Samhlaíocht has put in place a complaints procedure (Appendix 9) to cover any situations which may arise, when children/young people or their parents/guardians are not happy with the way the children/young people were treated by Samhlaíocht. Complaints regarding the safety and welfare of children/young people should be directed to the Child Protection Officer in Samhlaíocht. Other complaints should be directed to the person with whom the child/young person dealt with or the head of the relevant section in Samhlaíocht.

13. RECORD KEEPING

The Child Protection Officer and the Deputy Child Protection Officer are responsible for keeping the following records related to Child Protection in a locked filing cabinet. The Child Protection Officer, the Deputy Child Protection Officer and the Artistic Director of Samhlaíocht are the only officers who have access to these records:

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

14.LIST OF APPENDICES

Forms

Appendix 1: Parental/Guardian consent form

Appendix 2: Standard form for reporting child protection and/or welfare concerns to a HSE

Appendix 3: Acceptance of Samhlaíocht Child Protection Policy

Appendix 4: Incident/accident report form

Appendix 5: Reference Form

Supporting Information

Appendix 6: Recognising child abuse (Children First guidelines)

Appendix 7: Information on Protection of Persons Reporting Child Abuse Act

Samhlaíocht Policies and Procedures

Appendix 8: Samhlaíocht Anti Bullying Policy when working with children/young people

Appendix 9: Samhlaíocht Complaints Procedure in relation to working with children/young people

APPENDIX ONE

Parental/Guardian Consent Form

For Participation in the _____ of
Samhlaíocht Chiarraí

This parental consent covers all attendance at Samhlaíocht events.

Name of Child / Young Person: _____

Address: _____

Date of Birth: _____

Gender(circle as appropriate): Male Female

Contact Phone Number(s): _____

Name of School / Organisation: _____

Other Relevant Information

(Please mention any medical conditions, special needs or dietary requirements)

Contact details for parent/guardian

1. Name _____

Daytime phone number: Code _____ Local No. _____

Home phone number: Code _____ Local No. _____

Mobile number: _____

Email: _____

2. Name _____
Daytime phone number: Code _____ Local No. _____
Home phone number: Code _____ Local No. _____
Mobile number: _____
Email: _____

In case of a medical emergency:

In the event of illness or accident, I give permission for medical treatment to be administered where considered necessary by a suitably qualified medical practitioner and/or hospital. I understand that every effort will be made to contact me as soon as possible. In an emergency I can be contacted at the following telephone numbers:

I agree to allow the child named above to attend _____ of Samhlaíocht Chiarraí during the period _____ to _____. I understand that there will be suitable supervision while the young people are in the care of Samhlaíocht Chiarraí. I understand that the proceedings may be photographed/videoed and used for promotional purposes.

Signed: _____ Name (block letters) _____
(Guardian) (Guardian)

Signed: _____
(Young person)

Address: _____ Date: _____

Phone No. Code _____ Local No. _____

Relationship to Child/Young Person: _____

APPENDIX TWO

SAMPLE ONLY (Copies of official form available in the office)

Standard Form For Reporting Child Protection and/or Welfare Concerns to the Health Service Executive (HSE)

Private and Confidential

In case of emergency or outside HSE hours, contact should be made with An Garda Síochána.

A. To Principal Social Worker/Designate: _____
This will be printed as relevant to each Community Care Area.

1. Details of Child:

Name: _____ Male Female

Address: _____

_____ Age/D.O.B.: _____

_____ School: _____

1a. Name of Mother: _____ Name of Father: _____
Address of Mother if different to Child: _____ Address of Father if different to Child: _____

Telephone Number: _____ Telephone Number: _____

1b. Care and custody arrangements regarding child, if known:

1c. Household Composition:

Name	Relationship to Child	Date of Birth	Additional Information eg School/Occupation

Note: A separate report form must be completed in respect of each child being reported.

2. 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).

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

Name: _____ Age Male Female

Address: _____

Relationship to Child: _____

Occupation: _____

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

Social Workers: _____

School: _____

Public Health Nurse: _____

Gardaí: _____

GP: _____

Pre-School/Crèche/Youth Club: _____

Hospital: _____

Other, Specify e.g. Youth Groups, After School Clubs: _____

5. Are Parents/Legal Guardians aware of this referral to the Social Work Department?

Yes No

If yes, what is their attitude? _____

6. Details of Person Reporting Concerns:

Name: _____

Occupation: _____

Address: _____

Telephone Number: _____

Nature and extent of contact with Child/Family: _____

7. Details of Person completing form:

Name: _____

Date: _____

Occupation: _____

Signed: _____

Guidance Notes:

The HSE area Boards have a statutory responsibility under the Child Care Act, 1991, to promote the welfare and protection of children in their area.

HSE Area Boards therefore have an obligation to receive information about any child who is not receiving adequate care and/or protection.

This reporting form is for use by:

- HSE Personnel
- Professionals and individuals in the provision of child care services in the community who have service contracts with the HSE
- Designated person in a voluntary or community agency
- Any professional, individual or group involved in services to children who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.

Please fill in as much information and detail as is known to you. (HSE personnel should do this in consultation with their line manager). This will assist the Social Work Department in assessing the level of risk to the child, or support services required. If the information requested is not known to you, please indicate by putting a line through the question. It is likely that a social worker will contact you to discuss your report. The HSE Area Boards aim to work in partnership with parents. If you are making this report in confidence you should note that the HSE cannot guarantee absolute confidentiality as:

- A Court could order that information be disclosed.
- Under the Freedom of Information Act, 1997, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report' you are protected under the Protection for Persons Reporting Child Abuse Act, 1998. If you are unsure if you should report your concerns, please telephone the duty social worker and discuss your concerns with him/her.

APPENDIX THREE

Acceptance of Samhlaíocht Chiarraí 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 Samhlaíocht Chiarraí's 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 FOUR

Incident/accident report form

Name of event/meeting where the incident/accident occurred _____

Date _____

Location _____

Briefly describe what happened _____

Who was involved _____

Any injury sustained? _____

Who dealt with the situation? _____

How was it resolved/dealt with? _____

Any follow up required? _____

Please attach any additional information if required _____

Signature: _____

Name (block letters): _____

APPENDIX FIVE

Reference Form

Confidential

_____ has applied to work with Samhlaíocht Chiarraí and has given your name as a referee.

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

Yes

No

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

If you are happy to complete this reference form, all information contained on the form will remain confidential and will only be shared with the applicant's immediate supervisor, should they be offered a position. It is very important that this reference form accurately reflects your knowledge and experience of the named person.

How long have you known this person ? _____

In what capacity ? _____

What attributes does this person have which you would consider makes them suitable to work with children and young people ?

Please rate this person on the following (Please tick)

	Poor	Average	Good	V. Good	Excellent
Responsibility					
Maturity					
Self Motivation					
Motivation of others					
Trustworthiness					
Reliability					

Signed _____

Date _____

Occupation _____

APPENDIX SIX

Recognising Child Abuse

Definition and Possible Physical and Behavioural Indicators of Child Abuse

Neglect

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point.

Possible indicators of this type of abuse are:

- Frequent minor or serious injuries
- Untreated illness
- Hunger, lack of nutrition
- Tiredness
- Inadequate and inappropriate clothing
- Lack of supervision
- Low self esteem
- Lack of peer relationships

Emotional

Emotional abuse is normally to be found in the relationship between a care-giver and a child rather than in a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Possible indicators of this type of abuse are:

- Unreasonable mood and/or behavioural changes
- Aggression, withdrawal or an 'I don't care attitude'
- Lack of attachment
- Low self esteem
- Attention seeking
- Depression or suicide attempts
- Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed
- A fear of adults or particular individuals e.g. family member, baby-sitter or indeed excessive clinginess to parents/carers
- Panic attacks

Physical

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child.

Possible indicators of this type of abuse are:

- Frequent bruising, fractures, cuts, burns and other injuries
- Torn clothing
- Bite marks burns or welts

- Bruises in places difficult to mark e.g. behind ears, groin
- Undue or unnecessary fear
- Aggressiveness or withdrawn
- Absconding frequently from home

Sexual

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others.

Possible indicators of this type of abuse are:

- Over affectionate or inappropriate sexual behaviour
- Age inappropriate sexual knowledge given the child's age, which is often demonstrated in language, play or drawings
- Fondling or exposure of genital areas
- Hints about sexual activity
- Unusual reluctance to join in normal activities which involve undressing, e.g. games/swimming

Indicators of Abuse are Not Facts

It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than child abuse. A cluster or pattern of signs is likely to be more indicative of abuse. Signs must also be considered in the child's social and family context as child abuse is not restricted to any socio economic group, gender or culture. It is important to always be open to alternative explanations for possible physical or behavioural signs of abuse.

Reasonable Grounds for Concern

The statutory authorities should always be informed when a person has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse. A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute reasonable grounds of for concern.

The following examples would constitute reasonable grounds for concern:

- i. specific indication from the child that s/he was abused;
- ii. an account by the person who saw the child being abused;
- iii. evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused in any other way;
- iv. 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;
- v. consistent indication, over a period of time, that a child is suffering from emotional or physical neglect.

A suspicion, not supported by any objective indication of abuse or neglect, does not constitute a reasonable suspicion or reasonable grounds for concern.

(Children First 1999, 4.3.2 and 4.3.3)

APPENDIX SEVEN

Protection for Persons Reporting Child Abuse

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to the HSE or An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to the HSE and to the Gardaí should be made by the Child Protection Officer, as per the organisation’s policy and guidelines.

Section 3 (1) of the Act states:

“3. (1) A person who apart from this section, would be so liable shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that-

- (a) a child has been or is being assaulted, ill-treated, neglected or sexually abused, or*
- (b) a child’s health development or welfare has been or is being avoidably impaired or neglected,*

unless it is proven that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.

APPENDIX EIGHT

Samhlaíocht Chiarraí

Anti Bullying Policy when working with children/young people

What is bullying?

Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical which is conducted by an individual or group against others.

Examples of bullying include:

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion
- Exclusion

SAMHLAIOCHT Policy on Bullying when working with children/young people

Samhlaíocht will not tolerate any bullying behaviour by children/young people or adults and will deal with any incidents immediately in accordance with this policy. This policy covers:

- Children/young people bullying other children/young people;
- Adults bullying children/young people;
- Children/young people bullying adults.

The policy is as follows:

- All children/young people and adults who participate in activities run by Samhlaíocht will be treated with dignity and respect by adults and by other children/young people and will not be subject to bullying.
- All children/young people and adults who participate in activities run by Samhlaíocht have a responsibility to treat other children/young people and adults with dignity and respect and refrain from bullying behaviour.
- It will be made clear to all children/young people and adults participating in SAMHLAIOCHT events/activities that bullying is not acceptable and that other children/young people and adults should be treated with dignity and respect.
- There will be adequate supervision by SAMHLAIOCHT or other staff/volunteers at all events/activities involving children/young people. This will help to prevent bullying.
- SAMHLAIOCHT or other staff/volunteers will monitor all events/activities run by Samhlaíocht involving children/young people to ensure that no bullying is taking place.
- If an SAMHLAIOCHT or other staff/volunteer witnesses bullying or suspects that bullying is taking place he/she will follow the procedure outlined below.

- If a child/young person witnesses bullying or suspects that bullying is taking place he/she should report it to an SAMHLAIOCHT or other staff/volunteer. Samhlaíocht or other staff/volunteer will follow the procedure outlined below.
- If a child/young person is the victim of bullying he/she should report it to an SAMHLAIOCHT or other staff/volunteer who will follow the procedure outlined below.

Procedure for dealing with bullying

- All reports of bullying will be recorded, investigated and dealt with by an appropriate SAMHLAIOCHT staff member or other staff/volunteer.
- Samhlaíocht or other staff member who has received the complaint or witnessed the bullying will consult with Samhlaíocht Child Protection Officer, if present or the most senior SAMHLAIOCHT staff member present to decide who is the most appropriate person to follow up on the complaint.
- The staff member dealing with the complaint will keep a record of the alleged bullying incident/s and the investigation and action taken.
- The staff member dealing with the complaint will speak separately to all involved in order to get all sides of the story. The staff member should also speak to others who may have witnessed the incident/s, if appropriate. The staff member will interview all involved in a calm manner and will seek answers to what, where, when, who and why.
- If the victim of the alleged bullying is a child their parent/guardian will be informed of the complaint and the outcome of the investigation.
- If the perpetrator of the alleged bullying is a child their parent/guardian will be informed of the complaint and the outcome of the investigation.
- If the perpetrator of the alleged bullying is an adult, the Artistic Director of Samhlaíocht or the parent organisation of the staff member/volunteer (if appropriate) will be informed of the complaint and the outcome of the investigation.
- If the staff member dealing with the complaint concludes that bullying has not taken place, the following action will be taken:
 - The complainant, alleged victim and alleged perpetrator/s will be informed of the outcome of the investigation and the reasons why it was concluded that bullying did not take place;
 - Support will be given to the complainant, alleged victim and alleged perpetrator/s if necessary;
 - A meeting will be arranged between the alleged victim and alleged perpetrator to discuss the issues involved if both are agreeable and it is deemed appropriate.
- If the staff member dealing with the complaint concludes that bullying has taken place, the following action will be taken:
 - The complainant, alleged victim and alleged perpetrator/s will be informed of the outcome of the investigation and the reasons why it was concluded that bullying took place;
 - Support will be given to the victim;
 - A meeting will be arranged between the alleged victim and alleged perpetrator to discuss the issues involved if both are agreeable and it is deemed appropriate;

- A meeting will be held with the perpetrator to discuss the bullying behaviour. They will be informed of the disciplinary action, which will be taken as a result of this bullying behaviour.

Disciplinary action

When the inquiry into the alleged bullying incident has taken place and it has been concluded that bullying occurred, it will be necessary to take some disciplinary action against the perpetrator of the bullying. The disciplinary action should be agreed between at least two staff members of Samhlaíocht and should be appropriate to the seriousness of the incident/s. If the perpetrator of the bullying is a child/young person, the parent/guardian of the child/young person and the child/young person will be informed of the disciplinary action which will be taken. If the perpetrator of the bullying is an adult the following people will be informed of the disciplinary action, which will be taken:

- the Artistic Director of Samhlaíocht;
- the director of the organisation which the adult works for (if relevant); and
- the perpetrator.

The options for disciplinary action include:

- ❖ For serious incidents involving children/young people, sending the child/young person home and not allowing them to participate in any further SAMHLAIOCHT events/activities;
- ❖ For less serious incidents involving children/young people, allowing the child/young person to continue to participate in the event/activity once they have apologised to the victim and stated that they would not engage in any further bullying behaviour. Their behaviour would then be closely monitored;
- ❖ Providing support to the child/young person to get them to understand that their behaviour is not acceptable and monitoring their behaviour;
- ❖ For serious incidents involving a member of Samhlaíocht, transferring the person out of Samhlaíocht or transferring them to an area within Samhlaíocht where they will not have any dealings with children/young people. (All actions taken in relation to SAMHLAIOCHT staff will be in accordance with the Civil Service guidelines on harassment, sexual harassment and bullying and relevant employment law);
- ❖ For offences involving staff/volunteers from other organisations, informing their parent organisation of the offence and not working with that staff member or volunteer again.

APPENDIX NINE

Complaints Procedure in relation to working with children/young people

Samhlaíocht Chiarraí is committed to ensuring the safety and welfare of all children/young people with whom we work. We also try to ensure that children/young people have a positive and enjoyable experience when working with Samhlaíocht.

This complaints procedure aims to cover any situation which may arise, when children/young people or their parents/guardians are not happy with the way the children/young people were treated while they were in Samhlaíocht, working with Samhlaíocht or at an event/activity run by Samhlaíocht or another organisation on behalf of Samhlaíocht.

Who can make a complaint

Complaints can be made by:

- Children/young people involved with Samhlaíocht;
- Their parents/guardians;
- Youth workers/CDB staff members working with the children/young people;
- Other advocates on behalf of children/young people.

How to make a complaint

1. If the complaint is in relation to the safety and welfare of children/young people the complaint should be made to the Child Protection Officer in Samhlaíocht.
2. Other complaints should be made to the person with whom the child/young person dealt with. If you prefer, you can make this complaint to the head of the relevant section in Samhlaíocht.

Information you need to provide

Complaints can be made orally or in writing. By providing the following information you can help to speed up the investigation of your complaint.

- The name and address of the child/young person affected and the project which they were working on;
- If the complaint is being made by a parent/guardian or other adult, the name and address of the parent/guardian or other adult;
- Exactly what you are dissatisfied with;
- The name of the official(s) who dealt with you.
- If your complaint is complicated, you may find it best to put it in writing so that no important detail is overlooked. Remember to send us copies of all relevant documentation/correspondence that you may have.

- If you have special needs that may affect your ability to make a complaint, please let us know at the earliest opportunity. We will make every effort to assist you.

Our standards for dealing with complaints

- If the complaint relates to the safety and welfare of a child/young person, it will be examined in accordance with good practice in relation to the safety and welfare of children/young people;
- We will treat your complaint properly, fairly and impartially and in the best interests of the child/young person;
- We promise that making a complaint will have no implications for your dealings with Samhlaíocht;
- An official other than those originally involved will examine your complaint;
- We will examine and review your complaint and send a reply to you within 20 working days of the receipt of your complaint. Where it is not possible to meet this target, we will inform you and continue to do so until the matter is resolved;
- We will apologise for any mistreatment of the child/young person, explain what happened and put it right wherever possible;
- We will change the way we do things to avoid making the same mistake in future.

Can you appeal?

If you are unhappy about the outcome of the review you can appeal the matter to the Artistic Director of Samhlaíocht Chiarraí within a month of the review.