



**BALLYHOURA DEVELOPMENT CLG**

**CHILD PROTECTION POLICY**

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

**This policy applies to Directors, Employees, Learners, Volunteers & Contractors of Ballyhoura  
Development CLG**

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## 1. STATEMENT OF POLICY

Ballyhoura Development CLG is fully committed to safeguarding the well-being of all the children and young people with whom we work. We are committed to safeguarding the well-being of all children and to promoting the rights of the child including the participation of children and young people in matters that affect them.

This policy has been created by Ballyhoura Development CLG for all staff and volunteers involved in working with children within our organisation with a view to give protection to children and providing a sound structure in which to work effectively with children. Staff in the company should 1) acknowledge the rights of children to be protected, treated with respect, listened to and have their own views taken into consideration and 2) recognise that the welfare of children must always come first, regardless of all other considerations.

The Child Protection Officer will review this policy every two years or more regularly if required. We will review our principles and child safeguarding procedures every two years or sooner if necessary due to service issues or changes in legislation or national policy.

This policy is to be read in conjunction with Ballyhoura Development CLGs other policies, specifically

- After Schools Policy and Procedure Hand Book,
- Recruitment Policy
- Safety Statement
- Working with Vulnerable Adults Policy
- Protected Disclosure Policy

In this document, “child” means a person under the age of 18 years, excluding a person who is or has been married (*Children First*).

***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 Ballyhoura Development CLG Child Protection Policy and Procedures. Additional policies such as Tulsa’s Child Safeguarding: A Guide for Policy, Procedure and Practice (2024), the United Nations Convention on the Rights of the Child and current legislation such as the Children First Act 2015, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998 and the National Vetting Bureau Act.

## 2. SCOPE OF THIS POLICY

The ranges of activities, which Ballyhoura Development CLG participate in, that may involve working with children are as follows:

- Involvement in lead-up work to planned seasonal events, i.e. costume preparation workshops
- Involvement in seasonal events i.e. parades, outdoor events (that take no longer than 1 day)
- Involvement in Family Fun Days
- After Schools and Homework Clubs
- Community Fun days
- Projects focused on or involving participation of young people
- Local Training Initiatives

**Everybody who works with children has a duty of care to them and this is a responsibility, which must be taken seriously.** These guidelines aim to provide information and promote good practice for those involved in working with children through the work of Ballyhoura Development CLG so that staff will be aware of what to do in situations where the safety or welfare of a child may be at risk.

**This policy applies to Directors, Employees, Learners, Volunteers & Contractors**

### **3. RECRUITMENT AND SAFE MANAGEMENT OF WORKERS, CONTRACTORS**

Our guiding principles apply to all paid staff, volunteers, committee/board members and students on work placement within our organisation. All committee/board members, staff, volunteers and students must sign up to and abide by these guiding principles and our child safeguarding procedures on page 16.

#### **Recruitment of Staff & Volunteers**

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.

Ballyhoura Development has a Recruitment Policy and a Volunteer Policy in place.

##### **a. Recruitment**

In recruiting **all core employees**, the following procedures will be followed:

- The normal recruitment practice of the company will apply. This includes the applicant providing the names of two referees (not family members) who are contacted.
- Staff will be given a copy of the Company's Child Protection Policy at their induction which includes the 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**)
- Garda Vetting will be sought for all Ballyhoura Development CLG staff
- Child Protection awareness training will be given to all staff during induction

#### **Recruitment and Selection Procedure in our Afterschool Services/Homework clubs:**

The service's carry out a comprehensive and detailed recruitment procedure in order to protect children attending the services.

All applicants should be made aware and reminded throughout the recruitment period that their application and the follow up process of recruitment will be dealt with in the strictest of confidence. The information supplied by the applicant and any other information supplied on their behalf should only be seen by persons directly involved in the recruitment procedure.

Applicants will receive a clear job description and information on the organisation. Additional information, including a copy of the service's Child Protection Policy should also be supplied to each applicant. *(For further information see our Recruitment Policy)*

## **Garda Vetting:**

The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 make it mandatory for people working with children or vulnerable adults to be vetted by the Garda Síochána National Vetting Bureau. Ballyhoura Development CLG policy is that Garda vetting will be completed **prior to starting work at our service's for employees** working directly with children. Repeat Garda vetting may be completed at any time during a contract of employment and will be completed **at three-year intervals** and records will be held for 5 years. (*See the Garda Vetting Policy for further information*).

**Prospective Job Applicants who have resided overseas for a period of 6 months or more require separate security clearance if their work role involves contact with children or vulnerable adults:**

If you lived in any country for 6 months or more from the date of your 16th birthday other than the Republic of Ireland or Northern Ireland it will be mandatory to provide security clearance for each jurisdiction in which you have resided stating that you have no convictions recorded against you while residing there. All appointments will require satisfactory security clearances. Please note if you require overseas security clearance and are unable to produce it at the time of job offer then the job offer may be withdrawn.

Please see <https://www.hse.ie/eng/staff/jobs/recruitment-process/garda-clearance.html>

### Employees working through job activation schemes

- 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). Referees will be asked to complete a standard form (see Appendix 5) and will also be contacted personally;
- Garda Clearance will be sought by the company for all staff, particularly those working directly with children/young people
- Staff will be given a copy of the 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 5).

### Staff and volunteers from another agency/organisation

- When Ballyhoura employees / volunteers facilitate the work of other agencies/organisations, the policy of the other agency will be the policy in question.
- For staff/volunteers working directly with children/young people, Garda clearance will be sought;
- Garda clearance obtained for a previous post cannot be transferred or considered to provide clearance for a subsequent post.

## **b. Training**

All staff of Ballyhoura Development CLG will be expected to participate in relevant training from time to time. Those working directly with children/young people will be required to participate in Túsla - Child and Family Agency training on the issue of child protection. Induction training for

any new staff will include training on this child protection policy and Child Protection Awareness Training. The need for training will be reviewed annually.

### **C. External Supervision & Support**

Ballyhoura Development CLG provides External Supervision to those who are in 'helping' roles. In addition, all staff are supported and supervised in relation to their individual roles via the Management structure within the Company. Monthly District Team Meetings and Sectoral Team meetings are also in place.

**The Child Protection Officer is a member of the Management Team.** This is to ensure that all reports or concerns come through this person, who also has responsibility for Human Resources.

Individuals who are dealing with / have dealt with a child protection or welfare concern or disclosure can avail of support through counselling supports.

Staff will be expected to inform management of any previous convictions or if they have been given the benefit of the Probation Act. Garda vetting will apply to all Ballyhoura Development CLG staff.

### **Working in a safe environment – Protection of Adults and Children**

Management will ensure a safe environment exists for staff and children by monitoring that all staff:

- Follow intimate care toileting procedures (*For further information see Intimate Care section*).
- Are listened to and any concerns expressed about unacceptable practice or behaviour of colleagues are followed up by management.
- Are supported when dealing with challenging behaviour of children and staff understand and follow positive behaviour management strategies. (*For further information see our Behaviour management policy for the afterschool services*).

### **D. Code of Behaviour for Staff / Volunteers**

Ballyhoura Development CLG commits to treat all children equally in line with the *Equal Status Act 2000-2018* and the *National Disability Strategy (2004)*. With this in mind Ballyhoura Development CLGs staff/ volunteers and contracted leaders should follow a code of behaviour in their dealings with all children.

For the protection of staff, volunteers and children this code of behaviour has been introduced provide clarity on what is expected and what is not accepted, with respect to their behaviour as recommended in ***Our Duty to Care***. Our code of behaviour is kept under regular review.

The Code of Behaviour is given to all staff/ volunteers at induction and it is expected that all staff, students and volunteers are familiar with the code and they will raise any questions arising with their line Manager. All employees have a duty to adhere to the Code of Behaviour and to bring breaches of the code to the attention of the line Manager.

**Staff Should:**

- All staff when working with children should always consider the safety, protection and welfare of the children at all times.
- Get to know each child individually.
- Consider the safety and protection of the children at all times.
- Be aware of risks involved in contact sports & other activities.
- Never physically punish or be verbally abusive to a child.
- Be aware of favouritism i.e. spending a great deal of time with any one child.
- Respect the personal space, safety and privacy of other staff members.
- Be positive with the children.
- Set clear boundaries about acceptable & unacceptable behaviour within the after-school services and other programmes/group activities
- Listen & respond appropriately to the views & concerns of the children.
- Ensure one adult is always present during any activity.
- Respond quickly and appropriately to serious complaints made by a child or their parent/guardian.
- Staff should always follow child protection guidelines as implemented by the After Schools.
- Provide feedback to parents.
- Encourage children to express their feelings in a positive way when conflicts arise between other children.
- Know at all times where & what each child is doing.
- Never make promises to a child you cannot keep.
- Treat all children the same in line with the Equal Status Act 2000-2004.
- Never take children alone on a car journey,
- Never engage in physical horseplay.
- Never do things of a personal nature that children can do for themselves.
- Never contact a child through social networking sites; such as Facebook, Twitter, Snapchat, Instagram and Ask FM.
- Any and all contact in relation to the child about activities/ After Schools should be done only through the parent/ guardian.
- Create a welcoming environment for the children & parents in their service; ensure all staff are friendly to parents.
- Think about time & place when you need to have a serious conversation with parents, never in front of children or other parents.
- Start with positives about the child when speaking to a parent; ensure the parent knows you care for their child.
- Never inappropriately touch (rough-handling, caressing, breast, buttocks & groin- unless it is part of intimate care/first aid), hit, slap or spank if the child is resisting or it's not appropriate for the age or developmental level of the child.
- Never blame, get defensive or take things too personally.
- Any images of children for promotional purposes are prohibited without prior written consent from a parent/ guardian and all images must then be deleted.
- If any staff/ volunteer/ contracted leader is concerned about a child's welfare contact the Child Protection Officer.
- Ideally, staff should not be in a situation where they are alone with a child. However, in certain instances this may be unavoidable. If there is a need to be in a one to one situation with a child, staff should ensure that it is in a public building / place and that there are others nearby and accessible.

- Make sure each child is happy & has fun!!!

**Visitors/Volunteers should:**

Visitors - including inspectors, auditors, contractors, students etc. should never be left alone with the children. If they are going to address the children it is incumbent upon the Management to check their credentials and to ensure that the content of the address is appropriate.

All volunteers will be carefully supervised and monitored by the Manager. Secondary school pupils and students on college placements who may come to the Ballyhoura Development CLG for 'work experience' will also be carefully supervised and monitored and must not be left alone with the children.

**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.

**E. Protected Disclosures under the Protected Disclosures Act 2014**

Ballyhoura Development CLG is committed to maintaining an open culture with the highest standards of honesty and accountability where our workers can report any concerns in confidence.

Whistle-blowing occurs when a worker raises a concern or discloses information which relates to wrongdoing, illegal practices or unethical conduct which has come to his/her attention through work.

The Protected Disclosures policy is intended to encourage and enable workers to raise concerns within our workplace rather than overlooking a problem or "blowing the whistle" externally. Under this policy a worker is entitled to raise concerns or disclose information without fear of penalisation or threat of less favourable treatment, discrimination or disadvantage.

For more detailed information on this please see Ballyhoura Development CLGs Protected Disclosures Policy.

**4. KEEPING PARENTS AND GUARDIANS INFORMED & INVOLVED**

Ballyhoura Development CLG will keep parents and guardians informed and involved in all aspects of the programme that their child is involved in. When a child is registered with a service/ activity the child protection policy will be made available to them. 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. This reporting procedure is set out below.

Ballyhoura Development may communicate to parents/ guardians through email/ phone call/ texts/ flyers to provide information about their child/ change in service with prior consent

For a Ballyhoura co-ordinated event, staff are responsible for ensuring that parental / guardian consent forms are completed and it is the employees responsibility to retain such forms on file.

Ballyhoura Development CLG encourage parental involvement with our services / events as appropriate.

All parents/guardians will be made aware of our policies and procedures in Ballyhoura Development CLG in the form of a parental handbook.

**Partnership with Parents/Guardians in our Afterschool services and Homework clubs:**

The service recognises the importance of working with parents/guardians. It has an “open door” policy where families are always welcome but where the needs of all of the children in our care are always the first priority. Parents/guardians will be made feel welcome and regular exchange of information with parents/guardians and staff will enable a two-way process of support.

Parents/guardians will be made aware of any observations, records and notes kept by us about their children including patterns of behaviour, conversations and any injuries/bruising they may have upon arrival to the service.

All records will be made available upon request and are kept confidentially and securely.

**5. PROCEDURES FOR TRAVEL / ACTIVITIES INVOLVING CHILDREN/YOUNG PEOPLE**

Where Ballyhoura Development CLG arranges for transport by bus for children/young people, we will request consent from the parent(s)/guardian(s) which will indicate an agreed pick-up and drop-off point. Ballyhoura Development CLG will take all reasonable steps to ensure that “Garda cleared” drivers are used when transporting children and young people and that they are accompanied by the required number of Garda cleared adults.

In the case where a child/young person travels with staff of Ballyhoura Development CLG, the staff members will be responsible for the welfare of the young person while travelling and while at the event. A child should never travel with a staff member on their own, or in their own vehicle. All procedures to ensure the safety of the child should be adhered to.

**5.1 CODE OF BEHAVIOUR FOR EVENTS**

- All staff/leaders will show respect and understanding for the children/young people involved;
- Inappropriate behaviour/language will not go unchallenged;
- A list of ‘ground rules’ will be drawn up for each event, with the participation of the children/young people and these will be distributed to all participants and will be signed up to, prior to the event. The ground rules will be displayed in the meeting rooms during the event;
- The privacy of the participants will be respected at all times
- Participants should be encouraged to report to a staff member any cases of bullying and the staff member in charge must be made aware of this;

- Staff/leaders should avoid showing favouritism towards any one participant and should ensure that the relationship is constructive and aims to build the independence and autonomy of the participants.

## **5.2 Management of Day Trips/Outings:**

Ballyhoura Development CLG aims to provide children with a varied and wide experience and from time to time may organise day trips/outings particularly in the afterschool services. It is our policy to ensure the safety and well-being of children during these activities through planning, risk assessment, management and supervision of the activity. In managing and planning these activities we:

- Inform parents/guardians of the proposed outing, method of travel and supervision.
- Seek written consent from the parents/guardians – children will not be able to participate in the activity unless this has been obtained.
- Ensure adequate number of personnel are present and that the children are supervised at all times.
- Ensure that the Manager/person in charge has access to a mobile in case of an emergency.
- A risk assessment of the venue or facility will be carried out and reviewed annually.
- Ensure that adequate insurance is in place for the outing.
- Ensure staff are familiar with emergency procedures.
- Ensure that the method of transport complies with relevant safety requirements and insurance.
- We will ensure that the appropriate staff/child ratios of 1:12 are maintained in line with the Child Care Act 1991(Early Years' Service) (Registration of School Age Services) Regulations 2018 and the risk assessment.
- Where appropriate, parents/guardians may be invited to accompany their children on the outing.
- Emergency contact details for all children will be brought on the trip.
- Safety measures such as: frequent head counts/ roll calls and name tags will be used.
- A first aid box will be brought and a qualified first aider will be present.
- The service does its utmost to minimise risk and ensure safety at all times. However, it is important that staff are prepared for any emergencies that may arise.

## **5.3 TRIPS AWAY**

In the event that an activity or event requires children to stay in a venue overnight the following information applies:

- There should be a discussion and exchange of child protection and welfare policies between Ballyhoura Development CLG and the host venue.
- The event/ activity should be covered under the relevant insurance policy.
- The suitability of the accommodation must match the number of children/ adults needs.
- Ballyhoura Development CLG must pre-visit the accommodation/ venue to ensure that it matches the requirements of the group.
- Child to adult ratios will apply.
- A programme of events will be agreed upon and given to the parent/ guardian.
- Transport will be organised and a Garda vetted driver employed.
- Expectations and roles of leaders, children and parents shall be agreed before the trip.
- Consent forms (**Appendix 1**) shall be filled out and signed by the parent/ guardian. A copy of this should be kept on file.
- A risk assessment shall be carried out before the trip to ensure the health and safety of staff and participants.

- Accident and Emergency procedures should be planned out as a result of the risk assessment.

#### **5.4 LOST CHILD PROCEDURE**

If a child goes missing during an activity / session, the Tutor / Facilitator / Manager should carry out the following while the other volunteers ensure the safety of the remaining children:

- Secure all exits
- Conduct a preliminary search of the area, enlisting the help of any available volunteers
- Notify the Child Protection Officer. If the search is successful and the child is found, sessions / activities can resume.
- Tell the parents what happened, either at pick-up or prior to dismissal if the child walks home.
- Follow up with an incident report

If the preliminary search is unsuccessful and the child is still missing, the Tutor / Facilitator / Manager should:

- Notify the Gardaí,
- The Child's parents / guardians
- Remain in the area until the Gardaí arrive and follow directions given by them
- A full and thorough review of procedures and practices will take place to determine how the incident occurred and changes will be made if appropriate.
- Follow up with an incident report completed and appropriately signed

**NOTE:** In the event the activity is discontinued and the adult ratio is appropriate, one volunteer shall wait for the Gardaí while the remaining adults and children shall return to their base as soon as possible.

#### **6. INTIMATE CARE POLICY**

*Children with specific toileting/ intimate care needs:*

- Parents/ Guardians must inform the relevant staff member that the child may require assistance.
- In all situations where a pupil needs assistance with toileting/ intimate care, a meeting will be convened with the parent/ guardian before the child attend the service/ activity.
- Parents, Guardians, Ballyhoura Development CLG staff members and if appropriate, the child will attend.
- The specific care needs of the child, and how Ballyhoura Development will meet them, will be clarified.
- Personnel involved in this care will be identified.
- Provision for occasions when staff are absent will be outlined.
- Two staff members will be present when dealing with intimate care needs.
- Any changes will be discussed with parent/ guardian and child and noted in writing to the file.
- As far as possible the child will be involved in identification of his / her personal requirements, wishes, changes etc.
- A written copy of the agreement will be kept on file.
- Parents will be notified of any changes from agreed procedures.
- At all times the dignity and privacy of the child will be paramount in addressing intimate care needs.

- Staff will wear protective gloves

### ***Toileting Accidents***

- A change of clothing may not also be available for children due to the range of children's activities Ballyhoura Development CLG. We may ask parent/guardians to provide a full set of labelled spare clothing
- **if a child has an 'accident' of this nature they will, in the first instance, be offered fresh clothing into which they can change.**
- If, for any reason, the child is unable to clean or change themselves, the parents will be notified immediately.
- If staff must clean/ change the child two members of staff familiar to the child will attend to him/ her. Parents will be notified of these accidents
- A record of the incident will be recorded

## **7. WORKING IN PARTNERSHIP WITH OTHER AGENCIES**

In many instances Ballyhoura Development CLG will work 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 another agency, then their Child Protection guidelines will apply, likewise if the event is being run in the name of Ballyhoura Development CLG, then our Child Protection guidelines will apply. The staff/volunteer recruitment practices which apply are listed in Section 3.

## **8. DEALING WITH CHALLENGING OR DISRUPTIVE BEHAVIOUR**

Ballyhoura Development CLG 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.

### **8.1 Managing Severe & Challenging Behaviour in our Afterschool Services/Homework clubs:**

**ABCD: Action Behaviour Choice Decision** is our **evidence based method:**

Severe and challenging behaviours are frequent and repeated actions by a child that impact significantly on other children and the child themselves. The child may also find it difficult to engage in the activities being undertaken. In this type of situation, the behaviour has not improved using the usual behaviour management strategies and may often require more intensive one-to-one support to the child. Staff understand that it is important to recognise in managing severe/challenging behaviour that there is a problem.

Staff will discuss the behaviour problem with the designated person who has overall responsibility for managing children’s behaviour problems to put an action plan together.

At any age	Approach:	Examples of behaviour:
<ol style="list-style-type: none"> <li>1. <b>Approach calmly, stopping any hurtful actions.</b></li> <li>2. <b>Make eye contact with the child</b></li> <li>3. <b>Acknowledge children’s feelings.</b></li> <li>4. <b>Gather information.</b></li> <li>5. <b>Restate the problem and ensure the child understands</b></li> <li>6. <b>Suggest solutions and choose one together.</b></li> <li>7. <b>Be prepared to give follow-up supports for supporting Positive Behaviour</b></li> <li>8. <b>Observe the child</b></li> </ol>	<ul style="list-style-type: none"> <li>• kicking</li> <li>• hitting</li> <li>• bad language</li> <li>• prolonged screaming, breath holding</li> <li>• head banging</li> </ul> <p>Other behaviours may present as the child refusing to engage, being over anxious, avoiding contact with others and unusual behaviours.</p>	

Staff will ensure that instructions or corrections are given in simple words and kept short and that similar phrases are used by all staff and the child’s parents/guardians so that the information been given to the child is consistent.

Where a child is receiving professional support the service will work with the parents/guardians and the professionals to implement the programme or approaches recommended.

## 9. 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. Any form of bullying is **unacceptable** and will be dealt with immediately.

Examples of bullying include:

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

Managing it:

Staff member/volunteers should follow the guidelines below to ensure children/young people do **not experience** bullying by:

- ensuring all children/young people feel safe, happy and secure within our afterschool settings, and other settings within Ballyhoura Development CLG
- To develop positive relationships with all children/young people, and encourage them to speak about their feelings.

### **Signs of a Young Person Being Bullied: identifying it**

- Reluctance to come to the service or participate in activities
- Physical signs (unexplained bruising, scratches)
- Fearful behaviour
- Having few friends
- Change in behaviour
- Not eating
- Anxiety

### **Steps to Counteract Bullying:**

- Model to children/young people how to negotiate, co-operate and help others
- Explain to children/young people that bullying is unacceptable behaviour
- Foster in each child/young person a feeling of self-worth and encourage each child to develop to its full potential
- In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, staff members may need to make a referral to Tusla and/ or An Garda Síochána.

Ballyhoura Development CLG will not tolerate any bullying behaviour by children/young people or adults and will deal with any incidents immediately in accordance with the Ballyhoura Development CLG Anti-Bullying Policy when working with children and young people (**Appendix 7**).

## **9.1 Management of cyber bullying:**

### **What is cyber-bullying?**

Cyber bullying can be defined by the definition of bullying above that occurs over the internet or via mobile phone. Cyber bullying can take many forms which include:

1. Text messages – can be threatening or cause discomfort. Also included here is ‘Blue jacking’ (the sending of anonymous text messages over short distances using Bluetooth wireless technology).
2. Picture/video-clips via mobile phone cameras – images sent to others to make the victim feel threatened or embarrassed.
3. Mobile phone calls – silent calls, abusive messages or stealing the victim’s phone and using it to harass others, to make them believe the victim is responsible.
4. Emails – threatening or bullying emails, often sent using a pseudonym or somebody else’s name.
5. Chat room bullying – menacing or upsetting responses to children or young people when they are in a web-based chat room.
6. Instant messaging (IM) – unpleasant messages sent while children conduct real-time conversations online using MSM (Microsoft Messenger), Yahoo Chat or similar tools.
7. Bullying via websites – use of defamatory blogs (web logs), personal websites and online personal ‘own web space’ sites such as You Tube, Facebook, and Myspace, Snapchat, TikTok or any such site that may be developed in the future. Game consoles which have internet access and internet

gaming opportunities to connect with other users are also a channel which can be misused and abused. Pg 55

**Our policy is to minimise opportunities as much as possible within Ballyhoura Development CLG for cyberbullying.**

- Staff Member phones are to be only used for Ballyhoura business such as contacting work colleagues, parents from the afterschool service, booking trips/activities etc. and Ballyhoura Development CLG recognises that from time to time an occasional personal call may have to be made. However, excessive use of phones for non-business use is not permitted.
- Children in our afterschool services/homework clubs are not permitted mobile phones, computers, gaming consoles, iPods/mp3 players
- Children are not permitted to have a mobile phone switched on while attending the afterschool service. However, we recognise some children/young people may **need access** to their mobile phone **before or after leaving the service to contact parents/ guardians/carers.**
- There is a laptop in our afterschool services however children/young people are not allowed to access them and this prohibits opportunities to engage in any inappropriate activity online. Parents are made aware of this policy at afterschool enrolment and in our policies and procedures handbook.

**Social Media, Social Networking and Blogging:**

- Personal blogs should have clear disclaimers that the views expressed by the author in the blog is the author's alone and do not represent the views of the service. Be clear and write in first person. Make your writing clear that you are speaking for yourself and not on behalf of the service.
- Information published on your blog(s) should comply with our confidentiality policy. This also applies to comments posted on other blogs, forums, and social networking sites.
- Be respectful to the service, management, other employees, customers, partners, and competitors.
- Staff may not use social networking sites to befriend parents/guardians whose children attend the service or to exchange any information about the service or children attending the service.
- Social media activities should not interfere with work commitments. *Refer to Internet and Email Usage Policy.*
- Your online presence may reflect the service.
- Do not publish any information regarding any child, family or colleague.
- Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.
- Company logos and trademarks may not be used.

**Note: Social Networking websites includes a range of websites such as - Facebook, YouTube, Twitter and TikTok etc.**

**9.2 Internet Limitations:**

Information and communication technology (ICT) forms an important platform for communication which is commonly used by adults and children/ young people alike. It is important, when working with children and young people within Ballyhoura Development CLG that we ensure that the use of digital media and ICT is consensual, ethical and not misused to cause harm to an individual.

Ballyhoura Development CLG view the internet is a valuable business tool which gives access to an array of information. In order to prevent it becoming a time-consuming distraction from the afterschool activities, employees are not permitted to use it except for afterschool business related reasons during working hours.

Procedures in place for managing online safety:

- Children are not permitted to have their own mobile phones or any other devices within the afterschool services. This is to prevent the use of digital technologies being used inappropriately that may lead to abuse, both online and offline.
- Access to appropriate sites is permitted to employees for school business purposes and children who are granted permission to use it for school work
- If children need to access the internet for school related work permission will be sought and monitored at all times by a staff member when they are using the internet. Access to any inappropriate sites, or sites with the risk of such materials, is prohibited at all times by staff and children alike.
- No employee is permitted at any time to download files from the internet without the permission of the company. This is for the protection of Ballyhoura Development to reduce the risk of viruses and ensure large storage space are not taken up with unnecessary files.
- Ballyhoura Development has provided access to the internet for business purposes as well as a research tool for staff members and after-school children. The practice of downloading text, pictures, jokes, etc., from the internet and distributing them to other employees or persons outside of the facility is prohibited.

## 10. DEALING WITH A DISCLOSURE OF ABUSE

Ballyhoura Development CLG 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 (Maura Quane)**, do not attempt to deal with the problem alone;

- Treat the information confidentially, subject to the requirements of Children First (2017) and legislation.

#### **Ongoing Support:**

Following a disclosure by a child, it is important that staff continue in a supportive relationship with the child. Disclosure is a huge step for many children.

#### **Staff should continue to offer support, particularly through:**

- Maintaining a positive relationship with the child.
- Keeping lines of communication open by listening carefully to the child.
- Continue to include the child in the usual activities.
- Any further disclosure should be treated as a first disclosure and responded to as in Reporting Procedures in this policy.

If, a Mandated Person, within Ballyhoura Development CLG receives a disclosure of harm from a child, which is above the thresholds set out in **Criteria for Reporting: Definitions and Thresholds** they must make a mandated report of the concern to Tusla. **They are not required to judge the truth of the claims or the credibility of the child.** If the concern does not meet the threshold to be reported as a mandated concern you should report it to Tusla as a *reasonable concern*.

## 10.1 RECOGNISING CHILD ABUSE

*Chapter 3 Page 20 Children First – National Guidance for the Protection and Welfare of Children (2017).*

Mandated Persons within Ballyhoura Development CLG who provide services within the community 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 below. A child may be subjected to one or more forms of abuse at any given time. 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.**

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point.

Example’s may include:

- a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety.
- A child whose height or weight is significantly below average may be being deprived of adequate nutrition.
- A child who consistently misses school may be being deprived of intellectual stimulation.

#### **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’. This abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. Emotional abuse can be manifested in terms of the child’s behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. 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.**

Emotional abuse occurs when a child's developmental 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. Examples may include:

- the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- emotional unavailability of the child's parent/carer;
- unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- premature imposition of responsibility on the child;
- unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- under- or over-protection of the child;
- failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- use of unreasonable or over-harsh disciplinary measures;
- exposure to domestic violence;
- exposure to inappropriate or abusive material through new technology.

#### **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.**

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Physical abuse can involve:

- severe physical punishment;
- beating, slapping, hitting or kicking;
- pushing, shaking or throwing;
- pinching, biting, choking or hair-pulling;
- terrorising with threats;
- observing violence;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;
- fabricated/induced illness
- allowing or creating a substantial risk of significant harm to a child.

### **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)*.

### **Sexual abuse**

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

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child, whether oral, vaginal or anal;
- sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse;
- consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent

to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

#### **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.

Ballyhoura Development CLG 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.

#### 10.2 Complicating factors and circumstances which may make children more vulnerable to harm

Children First: National Guidance for the Protection and Welfare of Children and the Child Protection and Welfare Practice Handbook 2 identify a number of known complicating factors and circumstances which may make children more vulnerable to harm that need to be considered when identifying, responding to and assessing child protection concerns. Complicating factors are features of the child or young person's circumstances that are known to be associated with heightened risk to health, development and welfare.

#### **Complicating factors in child protection**

These are identified in Children First National Guidance for the Protection and Welfare of Children under the following five headings:

1. Parent or Carer Factors
2. Child Factors
3. Community Factors
4. Environmental Factors
5. Poor Motivation or Willingness of Parents/Guardians to Engage.

#### 10.3 REASONABLE GROUNDS FOR CONCERN

##### *Chapter 2, Page 06 Children First (2017)*

The statutory authorities should always be informed when a DLPs or Mandated Persons have **reasonable grounds for concern** that a child may have been abused, or is being abused, or is at risk of abuse or being neglected. We understand that if this is neglected or ignored, it could be resulting on going 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.

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. Admission or indication by an adult or a child of an alleged abuse they committed.
- iv. evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused in any other way;
- v. 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;
- vi. consistent indication, over a period of time that a child is suffering from emotional or physical neglect.
- vii. Any concern about possible sexual abuse.

Abuse is not always committed through personal contact with a child or young person, sometimes it is perpetrated through social media or the use of information and communication technology. Internet and Online Safety must be considered in relation to keeping children and young people safe (please see also, Appendix 8 – Cyberbullying and Appendix 9 – Online Safety) and should be specifically accounted for in procedures to safeguard children.

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.

#### **Recognising Concerns:**

Staff and volunteers may at times be concerned about the general welfare and development of children they work with and they can discuss any concerns with their Manager/Line Manager and/ Designated Liaison Person/officer at any time.

All staff and volunteers should be familiar with the definitions of abuse and the signs and symptoms of abuse as outlined in *Children's First* (2017)

<b>NOTE</b>
<b>All personnel are expected to consult <i>Children First 2017 [Chapter 2, Page 07 Children First (2017)]</i> and the <i>Child Protection and Welfare Practice Handbook</i> for detailed information on the signs and symptoms of abuse.</b>

#### **11. ROLE OF THE CHILD PROTECTION OFFICER (DESIGNATED LIAISON PERSON)**

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

The role of the Child Protection Officer(DLP) involves the following duties:

- To be familiar with “Children First (2017)”, 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 Ballyhoura Development CLG
- 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 Ballyhoura Development CLG who comes into contact with children / vulnerable people on Child Protection Awareness.
- To build a working relationship with Túsla - Child and Family Agency, 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 the Ballyhoura Development’s policy and procedures in this area;
- To review the Ballyhoura Development CLG policy and procedures on child protection every two years and amend as appropriate;
- To ensure that systems are in place for recording and retaining all relevant documentation in relation to child protection issues.

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## **12. REPORTING PROCEDURE IN RESPECT OF CHILD ABUSE**

Ballyhoura Development CLG 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 Section 10.1, 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. Any concern in relation to a child’s welfare or safety should be reported to the Child Protection Officer. A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child Protection Officer.

### **Consequences of Non Reporting**

The Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under the Act is a criminal offence under that legislation. This obligation is **in addition to** any obligations under the Children First Act 2015.

Criminal Justice Act 2006-Section 176, subsection (2) introduced a criminal charge of ‘reckless endangerment of children’. This places a requirement on a person in authority or control over a child or over an abuser not to intentionally or recklessly endanger a child by leaving or placing them in a situation of substantial risk of serious harm or sexual abuse. It states that they have committed an offence if they have not taken reasonable steps to protect a child that they know may be in a risk situation.

Sharing information in relation to a child protection issue to the Child Protection Officer is not a breach of confidentiality or data protection

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 Túsła
- 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 examine the **Criteria for Reporting: Definitions and Thresholds**, assess and review the information that has been provided and determine if **Reasonable Grounds for Concern** are present.
- The Child Protection Officer may contact Túsła for informal advice relating to the allegation, concern or disclosure.
- Unless it would put the child at further risk to do so, the **Designated Liaison Person (CPO) or Manager** will make every effort to contact the parents/guardians to discuss

the concern made by the child. A written record will be kept of this meeting with the parents/guardians.

- After consultation with Túsła officials, the Child Protection Officer will then take one of two options:
  - **Report the allegation**, concern or disclosure to Túsła or
  - **Not make a formal report** to Túsła 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 is considered the **mandated person**, who made the initial report will be informed if a formal report is not being made to Túsła 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 Túsła will then liaise with An Garda Síochána. It is likely that Túsła will want to speak to the person who first made the report to clarify facts and the circumstances of the report.
- In cases of emergency, where a child is deemed to be at immediate and serious risk and a Duty Social worker is unavailable, An Garda Síochána should be contacted. **Under no circumstances should a child be left in a dangerous situation pending TUSLA intervention.**
- Where there are reasonable grounds a report should be made to TUSLA. Each area has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns. The Duty Social Worker will assess the information available. **See Appendix 9 ?**
- Ballyhoura Development CLG shall attend and share information, as required, at formal child protection and welfare meetings as organised by Túsła in relation to a formal report.
- It is also the responsibility of Ballyhoura Development CLG staff to report third party concerns to the Child Protection Officer and the general reporting abuse procedure applies.
- The Túsła Standard Reporting Form will be used to make the report (whereby all details are recorded) and it must be signed by the person making the report. **See Appendix 2**
- Allegations against staff/volunteers of Ballyhoura Development CLG will be dealt with separately and the disciplinary procedure will be followed as necessary.

### **Retrospective Disclosures**

In relation to retrospective disclosures, it is imperative that all child protection concerns are examined and addressed. **Section 3.6 of Children First: National Guidance (2011)** outlines the requirements to establish whether there are current risks, as follows:

#### **Retrospective disclosures by adults:**

An increasing number of adults are disclosing abuse that took place during their childhoods. It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the staff member should report the allegation to the Child Protection Officer without delay.

The reporting requirements under the Children First Act 2015 apply only to information that Mandated Persons, who received or became aware of since the Act came into force, whether the harm occurred before or after that point. However, if they have a reasonable concern about past abuse, where information came to their attention before the Act and there is a possible continuing risk to children, they should report it to Tusla under *Children First (2017) Guidance*.

It is essential that all relevant information in relation to any of the above eventualities is carefully collated and that each agency informs the other of any such concerns during an investigation. The need to refer an adult for counselling, treatment and/or other support services for victims of assaults should also be considered.

**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 Ballyhoura Development CLG (see **Appendix 2 for a sample form**) 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 Túsła 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.

**Confidentiality Statement:**

The Data Protection Acts of 1988 and 2003, and the 2016 General Data Protection Regulation (GDPR) do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. Tusla has the authority to share information concerning a child who is the subject of a risk assessment with a Mandated Person who has been asked to provide assistance. Tusla must only share what is necessary and proportionate in the circumstances of each individual case. Information that Tusla shares with the Mandated Person, if assisting it to carry out an

assessment, must not be shared with a third party, unless Tusla considers it appropriate and authorises in writing that the information may be shared.

Section 17 of the **Children First Act (2015)** makes it an offence to disclose information to a third party which has been shared by Tusla during the course of an assessment, unless Tusla has given written authorisation to do so. Failure to comply with this section, may result in liability of a fine or imprisonment for up to six months or both. This offence can also be applied to an organisation. *Chapter 3, Page 27 Children First (2017)*

### **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, Tusla- Child and Family Agency or An Garda Síochána.

#### **12.1 Mandated Persons:**

- Mandated Persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. ***Remember Mandated Persons, should be aware that the legal obligations under the Children First Act 2015 to report mandated concerns rest with the Mandated Person and not with the designated liaison person.***

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.

#### **NOTE**

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

**A Mandated Person who makes a report to an authorised person is protected from civil liability under the Protections for Persons Reporting Child Abuse Act 1998.**

**Details on how Tusla deals with concerns received can be found in *Chapter 5 of Children First (2017)***

It is important to note that the statutory obligation of Mandated Persons to report under the Children First Act 2015 must be discharged by the Mandated Person and cannot be discharged by the Designated Liaison Person on their behalf. Within Ballyhoura Development CLG the Child protection officer (DLP) will also fulfil the role of the Mandated Person. This means that if, as a CPO, you are made aware of a concern about a child that meets or exceeds the thresholds of harm for mandated reporting, you have a statutory obligation to make a report to Tusla arising from your position as a Mandated Person.

### 13. ACTION TO BE TAKEN WHEN AN ALLEGATION IS MADE AGAINST A STAFF MEMBER, VOLUNTEERS & STUDENTS

Child Protection is about promoting the welfare of children who attend a Child Care Service/School or when working with young people. 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)*

Where an allegation of abuse is made against an employee of Ballyhoura Development CLG, there are two procedures that we 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 Ballyhoura Development CLG, 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 the company. It will be the responsibility of someone outside the community development team of Ballyhoura Development CLG to deal with a staff member against whom an allegation has been made.

If there is an allegation or suspicion in relation to the Child Protection Officer (DLP), the Deputy Child Protection Officer (DDL) will deal with all aspects of the case, including the reporting procedure, and dealing with child's family.

If an allegation is made against an employee of Ballyhoura Development CLG the following steps will be taken:

- The Corporate Manager will deal with all aspects of the case relating to the employee.
- The allegation will be assessed by the Child Protection Officer (DLP) to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities, at this point. The CPO may wish to contact Túsla for advice on the issue.
- The safety of the child is the first priority of Ballyhoura Development CLG 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.
- Ballyhoura Development CLG 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.
- Ballyhoura Development CLG will ensure that the principle of ‘natural justice’ will apply whereby a person is considered innocent until proven otherwise.
- Ballyhoura Development CLG will work in co-operation with An Garda Síochána and Túsla 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 Ballyhoura Development CLG will provide advice on how to access the relevant support services.
- All stages of this process will be documented
- Ballyhoura Development CLG will liaise closely with investigating bodies (Túsla/ An Garda Síochána) to ensure that actions taken by the organisation do not undermine or frustrate investigations.

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

#### **Parents/Guardians and Allegations of Abuse or Neglect against Employees:**

- Parents/guardians have the right to contact the Tusla to report an allegation of abuse or neglect about the employee or service.
- Parents/guardians of children who are named in an allegation of abuse or neglect will be kept informed of actions planned and taken, having regard to the rights of others concerned.
- If there is any concern that a child may have been harmed, their parents/guardians will be informed immediately.

#### **14. COMPLAINTS PROCEDURE IN RELATION TO CHILD SAFETY AND PROTECTION**

Ballyhoura Development CLG is committed to ensuring the safety and welfare of all children/young people with whom we work. Ballyhoura Development CLG has put in place a complaints procedure (**Appendix 10**) 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 Ballyhoura Development CLG. Complaints regarding the safety and welfare of children/young people should be directed to the Child Protection Officer (DLP) in Ballyhoura Development CLG. Other complaints should be directed to the person with whom the child/young person dealt with. In addition, a copy of the complaints policy is available on the website [ballyhouradevelopment.com](http://ballyhouradevelopment.com). If a parent/guardian has a complaint staff should direct them to the complaints section on the Ballyhoura Development CLG website where they can access the required contact information.

#### **Complaints in Afterschool Service/Homework clubs:**

Our children/staff/parents/guardians have the right to voice their opinions and concerns. It is our policy to welcome all suggestions, comments and complaints in relation to our services. Any comments or suggestions can be made to any member of staff. We will give careful attention and prompt and courteous response to any suggestions, comments or complaints. *(For further information see our Complaints Policy).*

## 15. ACCIDENT AND INCIDENT REPORTING PROCEDURE

In the event of an accident or incident an accident / incident form (**Appendix 4**) needs to be completed and kept on file and a copy of the completed form needs to be sent to **Maura Quane mquane@ballyhoura.org** and to **healthandsafety@ballyhoura.org** who will also retain the form on file or re-direct if required.

All staff working with children should follow the below guidelines:

- Emergency numbers should be displayed in all activities/ services where children attend.
- A person trained in First Aid must be on site at all times
- All staff should be aware of arrangements for First Aid
- A First Aid Box should be available
- In Ballyhoura Development CLG services an accident book and an incident book should be used
- All activities/ services and events should be covered under Ballyhoura Developments insurance. If unsure contact the Accounts Department
- Up to date contact numbers and addresses should be kept for parents and workers
- Parents / Guardians will be informed if their child has been involved in an accident or incident.

### **Accidents and Incidents:**

The Safety, Health & Welfare at Work Act, 2005 is the governing legislation and can be used in conjunction with the publication of the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018. It is our policy to promote the health, wellbeing and personal safety of all our children and staff within Ballyhoura Development CLG. Through developing and regularly reviewing accident prevention procedures and child protection procedures. Although we adhere to all safety precautions and follow TUSLA guidelines, accidents can occur.

## 16. 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 (DLP) and the Deputy Child Protection Officer (DDLDP)** are the only officers who have access to these records:

- Ballyhoura Development CLG **The service** will conform to the provisions of the Data Protection Act 1998 and the Data Protection (Amendment) Act 2003 plus any future amendments.
- All records are managed in line with our Data Protection Policy.
- Procedures are in place for archiving records.
- These will be stored securely
- We aim to ensure that all records are factual and written impartially.
- Any complaints about the safety and welfare of children/young people while working with Ballyhoura Development CLG
- Any disclosures, concerns or allegations of child abuse;
- The follow up to any complaints, disclosure, concerns or allegations, including informal advice from Túsła, reports to Túsła and informing parents/guardians

- Where there are child protection or welfare concerns, observations/ records will be kept on an ongoing basis and information shared with Tusla as appropriate.
- 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.
- Any bullying complaints related to Ballyhoura Development CLG work with children/young people and the follow up action;
- Signed acceptance forms of the Ballyhoura Development CLG Child Protection Policy by staff members, people on short-term contracts, staff/volunteers from other agencies working on projects.
- Garda Clearance Forms
- All records will be kept for a minimum of five years with regard to child protection.

Staff working directly with children are responsible for keeping all parental / guardian consent forms.

- 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.
- **the publication of the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018, services should be expected to keep** accurate and up to date records in relation to children, staff and service provision must be kept. These files may need to be accessed for future inspection purposes
- Only employees involved with a particular child should have access to confidential files will be used to inform staff on how best to meet the needs of the child.
- Records or reports should not be altered or adjusted, if there are new developments then a new record of this information should be completed. *(For further information see our policies on Record Keeping and Data Protection)*

*Note:*

1. *A computer record of Garda Clearance is also kept. This will be password protected and access will be restricted to the communications team, the Child Protection Officer and the Deputy Child Protection Officer.*
2. *A record of the Garda Clearances received by Taxi Drivers and Rural Bus Services will be kept by the Corporate Services team for administrative purposes.*

APPENDIX ONE

Parental/Guardian Consent Form

Name of Childcare Activity / Service: \_\_\_\_\_

Location: \_\_\_\_\_

Child's Name: \_\_\_\_\_ DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

Address: \_\_\_\_\_

Sex: Male / Female

Date of Commencement: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Ceased attending \_\_\_\_/\_\_\_\_/\_\_\_\_

Child's Religion: \_\_\_\_\_

**Parent/ Guardian (Two next of kin numbers must be provided)**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Work Contact No: \_\_\_\_\_ Work Contact No: \_\_\_\_\_

With whom is child living? \_\_\_\_\_

**Person(s) authorised to collect child (other than parents)**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Tel: \_\_\_\_\_ Tel: \_\_\_\_\_

**Social care worker (if applicable):** Name: \_\_\_\_\_ Tel: \_\_\_\_\_

**Public Health Nurse:** Name: \_\_\_\_\_ Tel: \_\_\_\_\_

**Nominated emergency contact person:**

Name: \_\_\_\_\_ Tel: \_\_\_\_\_

**Personal Details:**

Doctor/ Nurse: \_\_\_\_\_ Tel: \_\_\_\_\_

Please outline details & special requirements (Allergies, Medical condition (Incl Eczema & Asthma),  
Additional needs: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Does your child have any specific dietary/cultural requirements? Please State:

\_\_\_\_\_

Name of Siblings and/ or close personal relationships in your child's life:

\_\_\_\_\_

State Child's Name: \_\_\_\_\_ Please tick Boxes below.

**Permission to change child**

I/ we hereby give permission for the child named above clothes to be changed should the need arise.

Yes  No

**Permission for outings/application of sun protection Cream**

I/we hereby give permission for the child named above to partake in walks and other outings outside the childcare service grounds, on the understanding that the adult/child ratio as required by legislation and insurance will be adhered to at all times.

Yes  No

I/we hereby give permission for staff to apply or assist in the application for sun protection cream:

Yes  No

**Accident and/ or Emergency Consent form**

I/we give permission to the management of Ballyhoura Development CLG to act on my behalf in case of emergency/accident and to take such action as may be necessary for the benefit of my child.

This decision is to be taken by the staff person in charge at the time of the emergency.

Yes  No

Permission for contact via phone call/ text message/ flyer by Ballyhoura Development CLG staff

Yes  No

Amendments of contact details:

Tel Number: \_\_\_\_\_

Address: \_\_\_\_\_

Sign: \_\_\_\_\_ Date: \_\_\_\_\_

I/ we agree to abide by the policies and procedures of Ballyhoura Development CLG, of which I have received a copy.

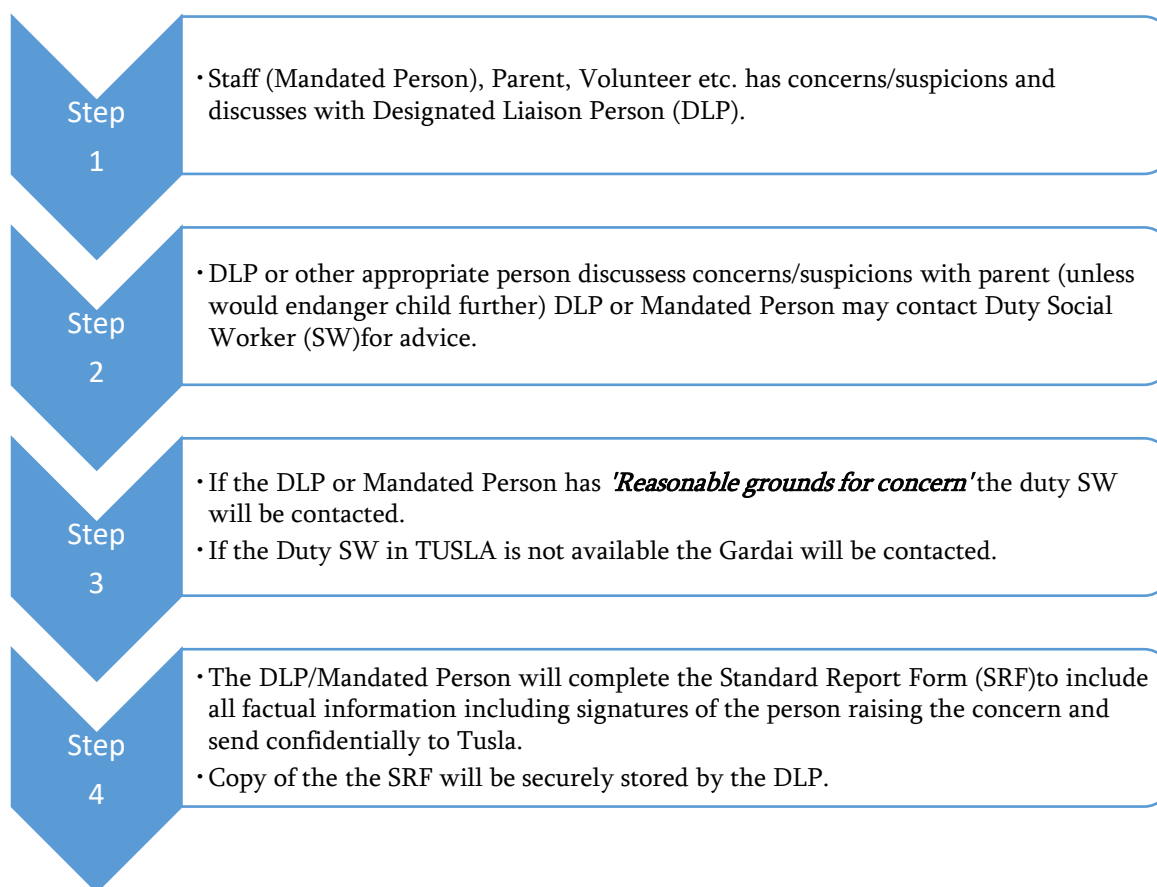
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

(Management approved)Date: \_\_\_\_\_

## APPENDIX TWO

### Child Protection Reporting Procedure Steps 1 – 4



**NOTE:** In the case where the Designated Liaison Person or Mandated Person reaches the conclusion that reasonable grounds do not exist that they will not report the concern of the employee, student or volunteer to the relevant TUSLA Social Work Department or An Garda Síochána, the individual employee, student or volunteer who raised the concern should be given a clear written statement of the reasons why the DLP is not taking action. The employee, student or volunteer should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, the TUSLA Social Work Department or An Garda Síochána.

### Túsla Reporting Forms

#### **Tusla Web Portal:**


A web portal has been developed to allow professionals to securely submit Child Protection and Welfare Report Forms to Tusla. To use the portal, you will need to create an account. You can print off a copy of the report you submit via the portal for your records. The web portal can be accessed to create an account or make a report through the Tusla website, here. The Tusla Web Portal is Tusla's preferred pathway for receiving child protection or welfare concerns and retrospective abuse reports.

## Túsła Standard Reporting Form

Standard Child Protection & Welfare Report Form: **is also available from**

[https://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf)

[Child Protection and Welfare Report Form FINAL.pdf](#)

 <span style="font-size: small; vertical-align: middle;">An Ghníomhaireacht um Leanaí agus an Teaghlach Child and Family Agency</span>			
<h3 style="margin: 0;">Child Protection and Welfare Report Form</h3> <p style="margin: 0; font-size: small;">MANDATED PERSONS AND NON MANDATED PERSONS (Children First Act 2015 &amp; Children First National Guidance)</p>			
<p><b>Use block letters when filling out this form.</b> <b>Fields marked with an * are mandatory.</b></p>			
<b>1. Tusla Area (this is where the child resides)*</b>			
<b>2. Date of Report*</b>			
<b>3. Details of Child</b>			
<b>First Name*</b>		<b>Surname*</b>	
<b>Male*</b>	<input type="checkbox"/>	<b>Female*</b>	<input type="checkbox"/>
<b>Address*</b>		<b>Date of Birth*</b>	
		<b>Estimated Age*</b>	
		<b>School Name</b>	
<b>Eircode</b>		<b>School Address</b>	
<b>4. Details of Concerns*</b>			
<p>Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary</p>			
<p style="font-size: small;">Please see '<i>Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns</i>' for additional assistance on the steps to consider in making a report to Tusla</p>			
<b>5. Type of Concern</b>			
Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>
<b>6. Details of Reporter</b>			
<b>First Name</b>		<b>Surname</b>	
<b>Address</b> if reporting in a professional capacity, please use your professional address		<b>Organisation</b>	
		<b>Position Held</b>	
		<b>Mobile No.</b>	
		<b>Telephone No.</b>	
<b>Eircode</b>		<b>Email Address</b>	

## Child Protection and Welfare Report Form

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

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

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

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

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

### 8. Parents Aware of Report

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

### 9. Relationships

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

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

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

## Child Protection and Welfare Report Form

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

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

### 10. Household Composition

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

### 11. Details of Person(s) Allegedly Causing Harm

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

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

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

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

## Child Protection and Welfare Report Form

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

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

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

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

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

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

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

Report Received by			
First Name		Surname	Date

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

## Child Protection and Welfare Report Form

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

<b>First Name</b>		<b>Surname</b>		<b>Date Sent</b>	
-------------------	--	----------------	--	------------------	--

<b>Authorised Person Signature*</b>	
<b>Date*</b>	

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

APPENDIX THREE

**Inter-organisational form stating that Garda Clearance has been obtained: A copy of the Garda Clearance should be forwarded to Ballyhoura Development CLG with this form**

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

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

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

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

I have received Garda clearance in the past 12 months in relation to my current work with children/young people,

Yes  No

This clearance was received on \_\_\_\_\_ .

Signature \_\_\_\_\_

Date \_\_\_\_\_

---

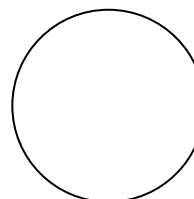
This section to be completed by the organisation, which obtained the Garda Clearance for the individual named above.

I confirm that this person has received Garda clearance to work with children/young people in the past 18 months.

Name \_\_\_\_\_ Signature \_\_\_\_\_

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

Stamp of Organisation



**APPENDIX FOUR  
Accident/Incident Report Form**

Your name: \_\_\_\_\_

Normal work location: \_\_\_\_\_

Date of incident: \_\_\_\_\_ Time: \_\_\_\_\_ AM/PM

Location at which incident occurred: \_\_\_\_\_

Name of injured person / persons involved in the incident: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number(s): \_\_\_\_\_

\_\_\_\_\_

Date of birth: \_\_\_\_\_ Male \_\_\_\_\_ Female \_\_\_\_\_

Who was injured person?	<b>Employee</b>	<b>Learner</b>	<b>Client</b>	<b>Contractor</b>
<i>(Please circle one)</i>	<b>Volunteer</b>	<b>Visitor</b>	<b>Passer-by</b>	

Type of injury: \_\_\_\_\_

\_\_\_\_\_

Details of incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Please use additional paper if you wish*

Did the injured party attend a GP or / hospital as a result of the incident? Yes No

If yes, please provide the following details:

Name of GP / hospital: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Who witnessed the incident: \_\_\_\_\_  
\_\_\_\_\_

**YOU ARE REQUIRED TO PASS THIS FORM TO YOUR LINE MANAGER / SUPERVISOR  
TIMELY**

**To be completed by Line Manager / Supervisor**

Name: \_\_\_\_\_

Date you received this form: \_\_\_\_\_

What actions did you take as a result of receiving this form: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please insert any other information you feel that is important:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

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

When completed this form should be scanned and forwarded via email to  
[healthandsafety@ballyhoura.org](mailto:healthandsafety@ballyhoura.org)

## APPENDIX FIVE

### Reference Form - Confidential

\_\_\_\_\_ has applied to work with Ballyhoura Development CLG 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? Has anything shown up in previous Garda Clearance?

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

### 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 Túsla 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 Túsla 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 SEVEN**  
**Ballyhoura Development CLG**

**Title:** Anti Bullying Policy when working with children/young people

**Applicable to:** All Directors, Employees, Learners & Volunteers of Ballyhoura Development CLG

**Definition:** 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

***Ballyhoura Development CLG Policy on Bullying when working with children/young people***

Ballyhoura Development CLG 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 Ballyhoura Development CLG 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 Ballyhoura Development CLG 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 Ballyhoura Development CLG 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 Ballyhoura Development CLG or other staff/volunteers at all events/activities involving children/young people. This will help to prevent bullying.
- Ballyhoura Development CLG or other staff/volunteers will monitor all events/activities run by Ballyhoura Development CLG involving children/young people to ensure that no bullying is taking place.

- If a Ballyhoura Development CLG 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 a Ballyhoura Development CLG or other staff/volunteer. Ballyhoura Development CLG 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 a Ballyhoura Development CLG 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 Ballyhoura Development CLG staff member or other staff/volunteer.
- Ballyhoura Development CLG or other staff member who has received the complaint or witnessed the bullying will consult with Ballyhoura Development CLG Child Protection Officer, if present or the most senior Ballyhoura Development CLG 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 Community Development Manager of Ballyhoura Development CLG 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 Ballyhoura Development CLG 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 Community Development Manager of Ballyhoura Development CLG;
- the CEO 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 Ballyhoura Development CLG 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 Ballyhoura Development CLG, transferring the person out of Ballyhoura Development CLG or transferring them to an area within Ballyhoura Development CLG where they will not have any dealings with children/young people. (All actions taken in relation to Ballyhoura Development CLG staff will be in accordance with the companies 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 8 – CYBER BULLYING

Cyberbullying is the use of electronic and digital means, particularly mobile phones, personal computers, email and internet use to deliberately harass, ridicule or hurt another. It can be an extension of face-to-face bullying with Information Communication Technology (ICT) used to deliberately hurt someone else. Messages (text, email), photographs, videos can all be used to spread rumours, make threats or harass.

Cyberbullying differs from more traditional forms of bullying in a number of ways:

- The audience is now larger,
- There are no time or location barriers, it can happen 24/7The target's reaction is often not seen, leading to a reduction in feeling of empathy or guilt.
- It can be anonymous

### Forms of cyberbullying

Cyberbullying can be classified by the media through which the abuse occurs, (i.e. mobile phones, instant messenger, chat rooms, social networking sites, video/photo sharing sites/apps, and gaming sites, etc) and/or by the nature of the abuse itself (i.e. flaming, impersonation, harassment, etc).

Willard (2007) has identified the following seven forms of cyberbullying:

1. Flaming – On-line 'fights' using electronic messages with angry and vulgar language.
2. Harassment – Repeatedly sending nasty, mean, and insulting messages.
3. Denigration – Intentionally setting out to damage a person's reputation or friendships by sending or posting derogatory comments, cruel gossip, or rumours about the person; creating a web page or web site devoted to insulting another person
4. Impersonation – Gaining access to someone's account, posing as that person, and sending messages to make the person look bad, get that person in trouble or danger, or damage that person's reputation or friendships. This behaviour is commonly referred to as 'fraping' when it occurs using Facebook.
5. Outing and Trickery – Sharing someone's personal or embarrassing information or images online or via mobile phone or other electronic media, or tricking someone into revealing secrets or embarrassing information, which is then shared online.
6. Exclusion – Intentionally excluding someone from an online group (i.e. a 'friend list', a gaming environment, or group chat). Within a gaming context the term 'griever' is often applied to a player who deliberately irritates and harasses other players within the game, using aspects of the game in unintended ways.
7. Cyberstalking – Repeatedly sending messages that include threats of harm or that are highly intimidating, or engaging in other online activities that make a person afraid for his/her safety. Another definition of cyberstalking is using the Internet or other electronic means as a way to harass, intimidate, threaten, monitor or make unwanted advances towards another. It can involve direct communications through e-mails, chat rooms, bulletin boards or social sites such as Facebook, the surreptitious gathering of information regarding the target, or covert observation<sup>12</sup>

### What are the signs/symptoms that someone is being cyber-bullied?

- Some signs or symptoms that may present when a child or young person is experiencing cyberbullying include:
- More frequent health problems – headaches, stomach aches, frequent absenteeism, sleep problems, depression, or suicidal thoughts;
- Behavioural and emotional changes – distressed, anxious, frustrated, fearful, angry;

- School related changes – inability to concentrate, drop in academic performance, reluctance to attend school;
- Negative emotional expressions after use of social media – poor self-image, sadness, hopelessness, loneliness, suspicion of others
- Changes in online behaviour – more careful or cautious approaches to communicating online;
- Being emotionally upset during or after using the Internet or the phone;
- Being very secretive or protective of their digital life; Wanting to stop using the computer or mobile phone;
- Being nervous or jumpy when getting an instant message, text, or email;
- Avoiding discussions about computer or mobile phone activities; and
- Physical symptoms such as self-harm, eating disorders and/or risky behaviours.

<https://www.stalkingriskprofile.com/victim-support/cyberstalking>

## APPENDIX NINE- Online Safety

(Technology, Internet and Social Media: Safe Use for Children and Young People)

The Merriam-Webster dictionary defines Social Media as a 'form of electronic communication...through which users create online communities to share information, ideas, personal messages, and other content'. Any website that enables users to interact is considered a social media site, including social networking sites (SNS) such as Facebook, Instagram, Snapchat and Twitter; gaming sites and virtual worlds such as Club Penguin, Moshi Monsters and the Sims; video sharing sites such as YouTube; and blogging sites such as Tumblr.

There are a number of possible motivations for Social Media usage, including:

- To connect with others with common interests and hobbies;
- To connect with friends, and make new ones;
- To browse the internet for information;
- To 'chat' with others, download music and play games;
- A need to belong and a need for self-presentation;
- To satisfy individuals' need for self-worth and self-integrity; Risks and Dangers

**The sections below outline some of the risks and dangers associated with social media usage**

**Access to inappropriate content, including pornography:** Children and young people may be exposed to illegal or unsuitable content online, such as:

- Pornography
- Child abuse images
- Dangerous advice encouraging eating disorders, self-harm or suicide
- Excessive violence or race hate materials
- Some websites show illegal content. Others that are legal might have unregulated advice or are meant for adults only.

Children may come across this content by mistake, or they may look for it because they are curious. Promises of special offers or prizes can also draw young people to inappropriate sites or material. Furthermore, many online games are free but offer the chance to buy items such as extra lives or new levels; children may run up big bills without realising it or provide personal details in order to receive 'extra lives' or game credits.

**Harmful online communities:** Young people may also access websites which promote eating disorders such as anorexia, bulimia or self-harm. Harmful online communities can change the way young people see real life – even if they do not want that to happen.

**Ignoring age restrictions:** Some websites and games use age restrictions and checks to make sure that children do not see unsuitable content. Children must be at least 13 year of age to register on most social networking websites. However, verifying the age of a member is an issue.

**'Friending' or communicating with people they don't know:** Children and young people may 'chat' or become 'friends' with people on social networks or online games, even if they do not know them or have never met them in person. These people are unknown strangers and their public persona on social media does not necessarily reflect the reality of who they are or what their motives may be

**Grooming and sexual abuse:** 'Groomers' can use social media sites, instant messaging apps (including teen dating apps), or online gaming platforms to connect with a young person or child. They can spend time learning about a young person's interests from their online profiles and use this knowledge to help them build a relationship with the child or young person. It is easy for groomers to hide their identity online. For example, they may pretend to be a child and then chat and become 'friends' with children they are targeting.

**Child sexual abuse on line:** When sexual exploitation happens online, young people may be persuaded, or forced, to send or post sexually explicit images of themselves, take part in sexual activities via a webcam or Smartphone, or have sexual conversations by text or instant messaging. Abusers may threaten to send images, videos or copies of conversations to the young person's friends and family unless they take part in further sexual activity or pay the abuser money

**Sharing personal information:** Privacy controls can limit who can see a child's details, like their name, age and where they live. However, when a child connects to someone as a 'friend', that person will have access to the child's personal information. Some 'free' games might ask a child to provide personal details before they can play; some will then illegally rent or sell this data on to others. Many apps and social networking sites use software to locate where the user is. Children and young people can also reveal their location by tagging photos on sites such as on Instagram or 'checking in' on Facebook or Foursquare. This means that people can find out where the child lives, socialises, works or studies.

**'Sexting':** 'Sexting' involves sending sexually explicit images, videos or text messages via ICT. Primarily such 'sexts' are sent using mobile phones and/or chat apps such as Snapchat, Viber and WhatsApp. The 'sext' can constitute child pornography. works or studies.

## APPENDIX TEN

### Ballyhoura Development CLG

#### Complaints Procedure in relation to working with children/young people

Ballyhoura Development CLG 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 dealing with Ballyhoura Development CLG.

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 Ballyhoura Development CLG, working with Ballyhoura Development CLG or at an event/activity run by Ballyhoura Development CLG or another organisation on behalf of Ballyhoura Development CLG.

#### Who can make a complaint?

Complaints can be made by:

- Children/young people involved with Ballyhoura Development CLG;
- Their parents/guardians;
- Youth workers/ 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 Ballyhoura Development CLG.
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 relevant person in Ballyhoura Development CLG.

#### 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 Ballyhoura Development CLG;
- 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 HR department of Ballyhoura Development CLG within a month of the review.

**APPENDIX ELEVEN**  
**Túsla Child and Family Agency Contact Information**

**General Enquiries:**

Túsla – Child and Family Agency,  
The Brunel Building,  
Heuston South Quarter,  
Saint John's Road West,  
Dublin 8.  
D08 X01F  
Phone: 01 7718500  
Email: [info@Tusla.ie](mailto:info@Tusla.ie)

**Cork:**

Tusla-Child and Family Agency,  
Unit 4A, Floor 3,  
North Point House, North Point Business Park,  
Cork  
Phone: 021-4923535

**Limerick:**

Túsla – Child and Family Agency,  
Tusla Building,  
St Joseph's Campus  
Mulgrave St,  
Limerick.  
Phone: 061 588688

Tusla-Child Family Agency,  
Mid-West,  
HSE Building,  
Ballycummin Avenue,  
Raheen Business Park,  
Raheen,  
Limerick.  
Phone :061-482792

**APPENDIX TWELVE**  
**Emergency Contact Information**

**Garda Stations**

Details may also be found at this link :

<http://www.garda.ie/stations/default.aspx>

**Child Protection Social Work Services:**

Details may also be found at this link

<http://www.tusla.ie/get-in-touch/duty-social-work-teams>

If the Duty Social Worker is not available at the time of contact the caller should give sufficient details to the secretary to enable the Duty Social Worker to prioritise a response.

<b>Emergency Telephone Numbers SERVICE</b>	<b>LOCATION</b>	<b>NUMBER</b>
<b>LOCAL DOCTOR</b>	Kilfinane – Dr. Ronan Ryder Bruff – Dr. O’Callaghan Caherconlish-Dr. Sheehan Mitchelstown – Dr. Gaffney Charleville – Dr. Molloy Kilmallock – Dr. Twomey Doneraile – Dr. Kelleher	063 91400 061 382577 061 351899 025 52000 063 89454 063 98484 022 24239
<b>LOCAL HOSPITAL / HEALTH CARE</b>	Regional Hospital Limerick Mallow Shannon Doc, Hospital Mercy University Hospital, Cork	061 301111 022 30300 1850 212999 021-4271971
<b>LOCAL GARDA STATION</b>	Bruff Kilmallock Hospital Caherconlish Charleville Mitchelstown	061 383102 061 382940 061 383102 (Bruff) 061 351202 063 21770 025 84833
<b>LOCAL FIRE STATION</b>	EMERGENCY	112 / 999
<b>HEALTH &amp; SAFETY AUTHORITY</b>	Metropolitan Building, Dublin 1	(01) 6147000 Lo call 18902893
<b>WATER LEAKS</b>		1850 27 87 78
<b>ELECTRICITY EMERGENCY</b>		18500372999 (24-hours)
<b>FIRE MAINTENANCE</b>	Cornfield Fire Safety	087-6394181
<b>PEST CONTROL</b>	Rentokil:	1890- 666444
<b>GARDA VETTING</b>	Barnardos	021-4547060