



*An Roinn  
Ealaíon, Oidhreachta agus Gaeltachta*  

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*Department of  
Arts, Heritage and the Gaeltacht*

## **CHILD PROTECTION POLICY**

**Department of Arts, Heritage and the Gaeltacht**

**2013**

## Table of Contents

<b>1. Introduction</b>	<b>3</b>
<b>2. Child Protection Statement</b>	<b>4</b>
<b>3. Code of Practice for staff</b>	<b>4</b>
<b>4. National Parks and Wildlife Service</b>	<b>5</b>
<b>5. Gaeltacht Division</b>	<b>6</b>
<b>6. Procedures for dealing with Lost / Missing Children</b>	<b>7</b>
<b>7. Guidelines for photographing children</b>	<b>8</b>
<b>8. Role of the Designated Officer</b>	<b>8</b>
<b>9. Recognising Child Abuse</b>	<b>9</b>
<b>10. Disclosure of child abuse</b>	<b>10</b>
<b>11. Responsibility to report suspected or actual child abuse</b>	<b>11</b>
<b>12. Reporting procedure in respect of child abuse</b>	<b>11</b>
<b>13. Confidentiality</b>	<b>13</b>
<b>14. Staff allegation procedures</b>	<b>13</b>
<b>15. Recommended procedures for persons alleged to have breached guidelines</b>	<b>15</b>
<b>16. Accident procedures</b>	<b>15</b>
Appendix 1. Definition and recognition of Child Abuse	16
Appendix 2. Indicators of Abuse	18
Appendix 3. NPWS Code of Behaviour for Child Protection	20
Appendix 4. Standard HSE Report Form	30
Appendix 5. HSE Contact Information	33
Appendix 6. Protection of persons reporting child abuse	37
Appendix 7. Allegation against staff member; Protective Measures	38
Appendix 8. Staff Declaration Form	39
Appendix 9. Self-Declaration Form	40
Appendix 10. Sliocht as " <i>Rialacháin faoina dtugtar Aitheantas do Choláistí Gaeilge Samhraidh</i> "	42

## 1. Introduction

The Department has a corporate duty to promote the safety and well-being of children with whom it is in contact in any capacity. This policy document deals with the recognition, reporting and management of child safety concerns and will assist managers in having due regard for the rights and interests of children. This policy applies to all Department staff.

The Department of Arts, Heritage and the Gaeltacht interacts with young people in several different ways; through the provision of high quality education services and visitor programmes run at our National Parks and nature reserves, Irish Language schemes aimed at students and the Transition year student programme. Given the wider societal concerns in relation to child protection it is essential that strong guidelines regarding child protection are in place in the Department to support all staff who may interact with children in any capacity and to ensure protection of any child in our care.

Childcare legislation places an obligation on the Department to promote the welfare and protection of children. For the purposes of these guidelines a child is defined as anyone under 18 years of age.

The Department of Children and Youth Affairs published the current version of ***Children First: National Guidance for the Protection and Welfare of Children*** in 2011, available at [www.dcyh.gov.ie](http://www.dcyh.gov.ie). The following guidelines have been developed for this Department against this background. The Department's Child Protection policy is an evolving document. Periodically, the Department will evaluate the Policy taking into account such items as feedback received, best practices and/or any changing legislation over that period and amend accordingly. Bodies and Agencies funded from the Department's Vote Group are also obliged to have a Child Protection Policy in place.

The National Parks and Wildlife Service have an established Code of Behaviour for Child Protection. These practices and procedures are supplementary to and should be read in conjunction with the Department of Arts, Heritage and the Gaeltacht's Child Protection Guidelines and are in keeping with the "Children First: National Guidelines for the Protection and Welfare of Children" published by the Department of Children and Youth Affairs in 2011.

## **2. Child Protection Statement**

We in the Department want to ensure that insofar as possible children are protected while they are with staff of this Department in any capacity. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of *Children First: National Guidelines for the Protection and Welfare of Children*, published by the Department of Health and Children.

## **3. Code of Practice for staff**

Staff in the Department will observe the following good work practices to ensure that every child remains safe and has a worthwhile experience whether in work placement or in participation in our education programmes. All staff who are in contact with children as part of their working day must adopt a child centred approach.

- Always put the child's welfare and safety first
- Treat all children and young people equally and as individuals, with respect and dignity
- Involve children and young people in decision-making, as appropriate
- Use appropriate language and maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner
- Respect a child's or young person's personal space
- Lead by example and create an atmosphere of trust
- Be cognisant of a child's or a young person's limitations, due to a medical condition for example
- Give children encouragement, support and enthusiastic and constructive feedback rather than negative criticism
- Keep a written record of any injury that occurs to a child, along with details of treatment given
- Ensure there are clear channels of communication and access to staff if parents/guardians or children/young people wish to voice their concerns if there is something they are not happy about.

Staff should not take one young person alone in a car on journeys. Where this is unavoidable, it should be with the full consent and knowledge of the parents/guardians and a senior member of the staff.

While we recognise that sometimes it is appropriate for staff to work on a one to one basis with a child or young person, staff should not spend excessive amounts of time alone with an individual child/young person. Where an adult needs to meet with a child/young person alone, the door should be left open and another adult informed of the meeting.

There should be no unnecessary physical contact between a staff member and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child. Generally the consent of the child should be sought in relation to physical contact (except in an emergency or a dangerous situation).

Staff should not communicate with children they have met through their workplace using text messages, facebook or any other forms of social media.

In addition, staff will never engage in the following inappropriate behaviour;

- Do not use or allow offensive or sexually suggestive physical and/or verbal language
- Do not single out a particular child/young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention
- Do not allow/engage in inappropriate touching of any form
- Do not hit or physically chastise children/young people
- Do not leave children unattended or unsupervised
- Do not exert undue influence over a child in order to gain personal benefit or reward.

A breach of any of the above could give rise to both disciplinary and criminal proceedings.

#### **4. National Parks and Wildlife Service**

The National Parks and Wildlife Service Education Programme has a Code of Behaviour for Child Protection. The Code of Behaviour should only be read in the context of this Child Protection Policy for the Department of Arts, Heritage and the Gaeltacht. The NPWS Code of Behaviour is attached at Appendix 3 of this document.

All NPWS staff, both permanent and temporary, whose role involves contact with children will be given a copy of this Child Protection Policy and the NPWS Code of Behaviour. They must sign the Staff Declaration Form as set out at Appendix 8 certifying that they have read both the documents, they agree to abide by them

and that there is no reason why they should be considered unsuitable for working with children/young people. All new staff recruited, either on a permanent or temporary basis, whose work involves contact with children must fill out the Self Declaration form at Appendix 9. Garda vetting will be required for staff whose role primarily involves working with children.

## **5. Gaeltacht Division**

Since 2010, the Department of Arts, Heritage and the Gaeltacht is responsible for the administration of the Irish-Language Colleges in the Gaeltacht and it is responsible for the development and implementation of policies to ensure high standards in the system overall. Therefore, any committee intending to organise an Irish-Language College in the Gaeltacht under the Irish-Language Learners Scheme must apply to the Department of Arts, Heritage and the Gaeltacht for official recognition. An extract from the rules governing recognition of Irish-Language Colleges relating to the safety of children is provided at Appendix 10.

The Department must ensure that child protection is central to all aspects of the colleges' work, that they have agreed and are implementing a robust child protection policy, that there are visible signs posted within the centres in which the colleges operate and that specific staff members have been nominated and have been adequately trained. The steering committees of the colleges must ensure that the *Children First* guidelines are adhered to throughout the courses. Comhchoiste Náisiúnta na gColáistí Samhraidh (CONCOS) – the umbrella organisation for the Irish-Language Colleges - has developed General Guidelines regarding child/adolescent safety and protection while in the care of Irish-Language Colleges. CONCOS has also obtained recognition to apply to have all Gaeltacht College staff vetted through An Garda Síochána and this process is now in operation. In 2013, workshops have been organised for Gaeltacht College representatives with regard to *Children First* so that all college employees are receiving training in Child Protection and Welfare.

Also, the Department of Arts, Heritage and the Gaeltacht will continue to support the Gaeltacht households that accommodate learners. Households who currently hold recognition have been advised in writing regarding their obligations regarding the protection and welfare of children and new households will also be advised. All members of these households are vetted through An Garda Síochána by the Department. Child protection will be included as part of a training course to be organised in 2013 for at least one member of each household. The Colleges who are responsible for the recruitment of these households, have robust procedures in place to oversee and monitor the protection of those children in the charge of the households.

## **6. Procedures for dealing with lost / missing children**

### **Where a Child is Lost/ Left unattended**

If a lost child is found or if a child is left unattended at any Department site, the following procedure will be adhered to by staff members:

- If the lost child is found by an unrelated member of the public the staff member should take custody of the child and should get as many details as possible from the member of the public including their contact details.
- Reassure the child and endeavour to obtain as much information about the child as possible:
  - Name of Child;
  - Age of Child;
  - Address/ Name of School;
  - Physical description of Child (Height, colour of hair, clothing etc.);
  - Where the child was found.
- Ensure that the child remains at all times with at least one member of staff and at least two adults. No staff member should remain on their own with the child.
- Make every effort to locate the primary carer by asking for assistance from other people in the area or using a paging system if this is available.
- If the child is not claimed, contact should be made with An Garda Síochána in the first instance, and the Line Manager and the Deputy Regional Manager or Regional Manager as appropriate (or the equivalent managerial grade) who will then be responsible for initiating contact with An Garda Síochána. Complete an incident report on the matter and record in writing who found the lost child. Give this record to the Line manager and also send a copy to the Designated Officer (see Section 7 below) for retention.

### **Where a Child is Reported Missing**

- If someone reports that a child is missing, the following information will be obtained by the staff member who receives the report :
  - Name of Child;
  - Age of Child;
  - Address/ Name of School;
  - Physical Description of Child (height, colour of hair, clothing etc.);
  - Where the Child was last seen;
  - The time the child was last seen.

- The line manager must be notified immediately and all staff on site will be informed and a thorough check of all areas on site including bathrooms, offices and exits will be made.
- Once a sufficient check is made, if the child is not found, An Garda Síochána should be contacted immediately along with the appropriate line manager. In some case it may be appropriate to contact cliff or mountain rescue teams.
- A written statement of events will be recorded by the staff member who initially received the report of the missing child. This statement will be given to the Line Manager and a copy also sent to the Designated Officer for retention.

## **7. Guidelines for photographing children**

There is some evidence that photographs of children can be used inappropriately. Therefore, the following guidelines will be observed by staff in this regard.

- Permission will be sought from both the teacher/carer and the children if it is desired to take photographs. If the Department wishes to use the photograph of any child for promotional or publicity reasons, they will first contact the child's parents (via the school) and obtain written permission.
- Staff members will not take photographs of children for any reason other than specified official reasons.
- No child appearing in any promotional photograph will be named.

## **8. Role of the Designated Officer**

The Designated Officers in the Department have the ultimate responsibility for ensuring that the Child Protection Policy of the Department is promoted and implemented. It is also the responsibility of the Designated Officers to liaise with the Health Service Executive or Gardai where appropriate. Due to the nature of work in the Department, one of the Designated Officers is fluent in Irish and will deal with any cases which involve an area of responsibility of the Gaeltacht Division.

Sinéad Copeland, APO, Corporate Governance Unit and Beirtí Ó hAinmhire, PO, Gaeltacht (Irish speaker), are the Designated Officers for this Department and are the people to contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare in the workplace or if a child discloses information regarding abuse in the workplace to you.

## 9. Recognising Child Abuse

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm. Because children can be abused in a number of ways, sometimes at the same time, it is not always easy to categorise it, but four broad definitions can be considered and may be briefly summarised as neglect, emotional abuse, physical abuse and sexual abuse.

Definitions of the four types of abuse and how to recognise abuse are included in Appendices 1 and 2, which are based on "Children First – National Guidelines for the Protection and Welfare of Children". However, child neglect or abuse can often be difficult to identify and may present in many forms. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child's situation and family circumstances.

The following examples would constitute reasonable grounds of concern:

1. A specific indication from a child that he/she was abused.
2. An account from a person who saw the child being abused.
3. Evidence such as injury or behaviour, which is consistent with abuse and is unlikely to have been caused in any other way.
4. An injury which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that this may be a case of abuse e.g. a pattern of injuries, an implausible explanation, other indicators of abuse, dysfunctional behaviour.

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child abuse:

- (a) considering the possibility,
- (b) looking out for signs of abuse,
- (c) recording of information.

### **Considering the possibility of child abuse**

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/carers.

### **Looking out for signs of abuse**

Signs of abuse can be physical, behavioural or developmental. They can exist in the relationship between children and parents/carers, between children and other family members/other persons and amongst their peers. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed. Most signs of abuse are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse. Sometimes a specialist assessment may be required to clarify if particular concerns constitute abuse.

### **Recording of Information**

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. Care should be taken as to how such information is stored and to whom it is made available.

## **10. Disclosure of child abuse**

Here in the Department we are most likely to become aware of a case of abuse if a child should disclose it to us. It is essential that this is dealt with sensitively and professionally by the staff member involved. The following are guidelines to support the worker in this:

- React calmly- give the child time to say what he/she wants
- Listen carefully and attentively; take the young person seriously
- Reassure the young person that they have taken the right action in talking to you and they are not to blame
- Aim to ensure 'observed confidentiality', where you are witnessed speaking to the child, but cannot be overheard
- Do not be judgemental
- Do not promise to keep anything secret; or make any other promises
- Ask questions for clarification only and do not ask leading questions
- Do not speculate or make assumptions
- Check back with the child/young person that what you have heard is correct and understood using their own words
- 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
- Be honest with the child about what we can and cannot do. Tell them that we cannot keep secrets and inform them what will happen next
- Do not confront the individual who is alleged to be responsible
- Pass the information to the Designated Officer, do not attempt to deal with the problem alone

**Where abuse is suspected or disclosed the one thing you must not do is nothing.**

## **11. Responsibility to report suspected or actual child abuse**

Any person who suspects that a child is being abused, or is at risk of abuse, has a responsibility and a duty of care to report their concerns to the Health Service Executive, either directly or through the Designated Officer.

The guiding principles in regard to reporting child abuse is that the safety and well-being of the child or young person must take priority. No child must be exposed to unnecessary risk.

In the Department abuse suspicions will be reported immediately to either of the **Designated Officers listed below** (please see Section 7).

**Sinéad Copeland, APO, Corporate Governance Unit**  
**Beirtí Ó hAinmhire, PO, Gaeltacht (Irish speaker)**

## **12. Reporting procedure in respect of child abuse**

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

The standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse is that set out in the *Children First: National Guidance for the Protection and Welfare of Children* document.

1. The employee who has received a disclosure of child abuse or who has concerns of abuse, should bring it to the attention of one of the Department's two **Designated Officers** immediately.
2. It is important that all staff are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the HSE and An Garda Síochána. Under no circumstances should any staff member attempt to deal with the problem of abuse alone.
3. That employee who initially expresses concern will be required to complete a file report, in consultation with the Designated Officer, outlining the situation, including the date, time and people involved. The report should be factual, any opinions should be stated as such and supported by factual information. A Standard Report Form should be used when reporting child welfare and protection concerns to the HSE Children and Family Services. This standard form is in Appendix 4.
4. The Designated Officer will assess and review the information that has been provided. They will contact the HSE for informal advice relating to the allegation, concern or disclosure.
5. After consultation with the HSE officials, the Designated Officer will then take one of two options:
  - a. Report the allegation, concern or disclosure to the HSE or
  - b. Not make a formal report to HSE but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The employee who made the initial report will be informed in writing if a formal report is not being made to the HSE and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary.
6. Where a formal report is made, the HSE will then liaise with An Garda Síochána. It is likely that the HSE will want to speak to the person who first made the report to clarify facts and the circumstances of the report.
7. 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.

### **13. Confidentiality**

Considerations of confidentiality will not be allowed to over-ride the right of the child to protection. The welfare of the child will be paramount. It is not a breach of confidentiality to give information for the protection of a child.

Therefore, in matters of child abuse, an employee should never promise to keep secret any information which is divulged. It should be explained to the young person that this information cannot be kept secret but only those who need to know will be told.

It is essential in reporting any case of alleged/suspected abuse that the principle of confidentiality applies. The information should only be shared on a 'need to know' basis and the number of people that need to be informed should be kept to a minimum.

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

This Act provides immunity from civil liability to persons who report child abuse 'reasonably and in good faith' to the Child Protection Officer, the HSE or An Garda Síochána. (See Appendix 6.)

### **14. Staff Allegation procedures**

In the event of allegations being made against an employee, the protection of the child/young person is the first and paramount consideration. The first priority is to ensure that no child is exposed to unnecessary risk. The Department should as a matter of urgency take any necessary protective measures (Appendix 7). The measures should be proportionate to the level of risk and should not unreasonably penalise the staff member, financially or otherwise, unless necessary to protect children. Where protective measures penalize the staff member, it is important that early consideration be given to the case.

Where there is a complaint of abuse against a member of staff, procedures will take on two strands. The reporting of the child abuse will be the same as Section 11 above (staff member → designated officer → Health Service Executive).

However, there will also be an investigation into the alleged abuse. In fact, there may be three investigations:

1. an internal investigation
2. a Health Service Executive investigation
3. and possibly a criminal investigation by the Gardaí.

A staff member other than the Designated Officer responsible for reporting child abuse will handle the investigation into the alleged abuse by a staff member. This investigation will be put in place by the Principal Officer, HR, and will be dealt with promptly and carefully.

It must be remembered that staff may be subjected to erroneous or malicious allegations. Therefore, any abuse allegation must be dealt with sensitively, and support and, if necessary, counselling should be provided. While the primary goal must be to protect the child, care will be taken to ensure that the employee is treated fairly.

As soon as an allegation against a staff member has been made, these steps will be followed:

1. The reporting staff member will make a report in writing to the Designated Person.
2. The reporting procedures outlined in Section 11 of these guidelines will be followed.
3. The Designated Officer will also report the matter to the Personnel Officer. The Personnel Officer in taking action, will be guided by the agreed procedures, the applicable employment contract and the rules of natural justice.
4. The Personnel officer will privately inform the employee of the following;
  - (i) the fact that an allegation has been made against him or her;
  - (ii) the nature of the allegation.
5. The employee will be afforded the opportunity to respond.
6. The Personnel Officer will, as a matter of urgency, take any necessary protective measures to ensure that no child is exposed to unnecessary risk. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee financially or otherwise.
7. The Personnel Officer will follow up the allegation of abuse against the employee in consultation with the Health Service Executive and/or An Garda Síochána and will ensure that any action taken does not undermine any investigations being conducted by these bodies.

The Health Service Executive work referral points are shown in Appendix 5. This contact information is for the benefit, not only of the Designated Officer, but also in situations where the Designated Officer is unavailable.

**Malicious Claims:** If it is found that a malicious claim has been made by a member of the public, the case will be referred to the necessary authorities. If it is found that a malicious claim has been made by a staff member, the disciplinary process will be invoked and any other necessary action will be taken as appropriate.

## **15. Recommended procedures for persons alleged to have breached guidelines**

If you are accused of abuse, and subject to the procedures above, it is recommended that you observe the following points:

- Make notes of all your contacts / actions with the child in question as soon as possible.
- Seek access to professional and legal advice.
- Ensure that you no longer have any contact with the child in question.

## **16. Accident Procedures**

If an accident happens to a child (or adult) while in the care of the Department it is important not only to treat the situation competently, but also to report and record it correctly. The following steps should be observed:

- If at all possible, two adults should remain with the injured child. However, other children may need to be removed from the scene, and it may not always be possible to have two adults present.
- First Aid as appropriate should be administered if a competent person is available.
- If necessary, an ambulance should be requested or another emergency service such as cliff and mountain rescue (dial 999 or 112). The person dialling for help will need to stay beside the phone to await a return call confirming the request. Staff must be aware of the nearest phone at all times. If moving far from a phone, either a mobile phone or a radio should be carried.
- Once the casualty is stabilised and/or removed by ambulance, the parents / carers must be contacted. In practice, this will be via the school.
- Immediately after the incident, a detailed report must be filed with the head of Section. If the accident occurs at an NPWS site, then the incident must also be reported in the Accident Report Book held at each NPWS site. A copy of the accident report must also be forwarded to the Designated Officer for the Department.

**All staff of the Department of Arts, Heritage and the Gaeltacht, both permanent and temporary, have been given a copy of this Child Protection Policy.**

# Appendix 1

## Definition and Recognition of Child Abuse (*Children First; National guidance for the Protection and Welfare of Children 2011*)

### Types of 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. More detail on each type of abuse is given in Appendix 2.

In the *Children First: National Guidance for the protection and Welfare of Children*, 'a child' means a person under the age of 18 years, excluding a person who is or has been married.

### Definition of 'neglect'

Neglect can be defined in terms of an *omission*, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.

Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is *significant* is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.

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

The *threshold of significant harm* is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

### Definition of 'emotional abuse'

Emotional 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. It 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:

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

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. The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

#### **Definition of 'physical abuse'**

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:

- (i) severe physical punishment;
- (ii) beating, slapping, hitting or kicking;
- (iii) pushing, shaking or throwing;
- (iv) pinching, biting, choking or hair-pulling;
- (v) terrorising with threats;
- (vi) observing violence;
- (vii) use of excessive force in handling;
- (viii) deliberate poisoning;
- (ix) suffocation;
- (x) fabricated/induced illness (*see Appendix 1 for details*);
- (xi) allowing or creating a substantial risk of significant harm to a child.

#### **Definition of '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:

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- (iv) sexual intercourse with the child, whether oral, vaginal or anal;
- (v) 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, modeling 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
- (vi) 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

**(See Appendix 2 below and Appendix 1 of the *Children First: National Guidance for the Protection and Welfare of Children for further signs and symptoms of child abuse.*)**

# APPENDIX 2

## Indicators of abuse

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

<u>Physical Indicators</u>	<u>Behavioural Indicators</u>
<ul style="list-style-type: none"> <li>▪ Scratches</li> <li>▪ Bite marks or welts</li> <li>▪ Bruises in difficult places (behind ears, groin, etc)</li> <li>▪ Burns, especially cigarette burns</li> <li>▪ Untreated injuries</li> </ul>	<ul style="list-style-type: none"> <li>▪ Self-mutilation tendencies</li> <li>▪ Chronic runaway</li> <li>▪ Aggressive or withdrawn</li> <li>▪ Fear of returning home</li> <li>▪ Undue fear of adults</li> <li>▪ Fearful watchfulness</li> </ul>

**Emotional Abuse** is normally found in the relationship between a care-giver and a child. It occurs when a child's needs for affection, approval, consistency and security are not met.

<u>Physical Indicators</u>	<u>Behavioural Indicators</u>
<ul style="list-style-type: none"> <li>▪ Sudden speech disorders</li> <li>▪ Wetting or soiling</li> <li>▪ Signs of mutilation</li> <li>▪ Attention seeking behaviour</li> <li>▪ Frequent vomiting</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rocking, thumb sucking</li> <li>▪ Fear of change</li> <li>▪ Chronic runaway</li> <li>▪ Poor peer relationships</li> </ul>

**Neglect** is where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety.

<u>Physical Indicators</u>	<u>Behavioural Indicators</u>
<ul style="list-style-type: none"> <li>▪ Constant hunger</li> <li>▪ Exposed to danger; lack of supervision</li> <li>▪ Inadequate or inappropriate clothing</li> <li>▪ Poor hygiene</li> <li>▪ Untreated illness</li> </ul>	<ul style="list-style-type: none"> <li>▪ Tiredness, listlessness</li> <li>▪ Lack of peer relationships</li> <li>▪ Low self esteem</li> <li>▪ Compulsive stealing or begging</li> </ul>

**Sexual Abuse** occurs when a child is used by another person for his or her gratification or sexual arousal.

<u>Physical Indicators</u>	<u>Behavioural Indicators</u>
<ul style="list-style-type: none"> <li>▪ Soreness or bleeding in genital or anal areas</li> <li>▪ Itching in genital area</li> <li>▪ Stained or bloody underwear</li> <li>▪ Stomach pains or headaches</li> <li>▪ Pain on urination</li> <li>▪ Difficulty in walking or sitting</li> <li>▪ Bruises on inner thighs or buttocks</li> <li>▪ Anorexia or bulimia</li> </ul>	<ul style="list-style-type: none"> <li>▪ Chronic depression</li> <li>▪ Inappropriate language or sexual knowledge for age group</li> <li>▪ Making sexual advances to adults or other children</li> <li>▪ Low self esteem</li> <li>▪ Afraid of dark</li> <li>▪ Wariness of being approached by anyone</li> <li>▪ Substance or drug abuse</li> </ul>

Note: A suspicion, which is not supported by any objective signs of abuse, would not constitute a reasonable suspicion, or reasonable grounds for concern. If in doubt, discuss with the Designated Officer, who in turn may liaise with the Health Service Executive and/or Garda Síochána

**(See Appendix 1 of the *Children First: National Guidance for the Protection and Welfare of Children* for further signs and symptoms of child abuse)**

# APPENDIX 3

## Code of Behaviour for Child Protection

for the

National Parks and Wildlife Service Education Program and Visitor Centres

2013

*The practices and procedures as laid out in this document are supplementary to and should be read in conjunction with the Department of Arts, Heritage and the Gaeltacht's Child Protection Guidelines and are in keeping with the "Children First: National Guidelines for the Protection and Welfare of Children" published by the Department of Children and Youth Affairs in 2011.*

*The following guidelines for good practice and procedures are primary for all education staff in the NPWS who come into contact with children during the course of their work. However, visitor guides should also familiarise themselves with this Code of Practice as some of it will also be of relevance to their work. Other grades (e.g. Conservation Rangers) may also be involved.*

### **General Guidelines:**

- The child's welfare and safety will always be put first.
- Staff will ensure, to the best of their ability; that every child remains safe and experiences our education service positively.
- Management will provide, and the staff will participate in, recognised and appropriate Child Protection Training.
- Staff will apply the practice and procedures as outlined in their training.
- All young people will be treated with dignity and respect.
- All staff will give children enthusiastic and constructive feedback.
- The necessary staff will receive appropriate First Aid Training and hold valid First Aid certificates.
- All staff will have a complete First Aid kit near by them at all times when in the company of any programme participants.
- Staff will keep a written record of any incident that occurs to a child, along with an outline of any action taken by them.

### **Definition of 'Responsible Adults'**

For the purpose of this policy document 'responsible adults' are teachers, parents, guardians, or club leaders who accompany groups of children or individual children participating in any NPWS activities. These responsible adults have the primary responsibility for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed by them. The responsible adults (e.g. teachers, parents, guardians, leaders) who accompany groups of children or individual children participating in any NPWS activities have the duty to make the NPWS staff aware of any medical or other condition of any participant that they "need to know" of in the interests of the child and the group.

### **Site Specific Child Safety Provisions**

Due to the wide range of events and activities that the National Parks and Wildlife Service hosts nationwide, it is essential that each National Park / Visitor Centre defines its own site specific child safety provisions. It is the responsibility of each Park's Management to ensure that the site specific child safety provisions are updated as required and that Department's Designated Officer (as set out in the Child Protection Policy) is informed of any revisions made to these provisions.

The table to be used by each individual site is set out at appendix A. This must be kept up to date and a copy held by Park Management and a copy forwarded to the Department's Designated Officer.

### **Education Programme registration:**

NPWS Education Program Booking forms are the official registration forms that are provided for groups and individual children participating in any education program activities. The responsible staff member must ensure that they are fully completed before being accepted for processing and the form must be stored (or an exact copy) in the specified record keeping facility.

Any member of staff who is taking a booking must ensure that responsible adults for individual children or groups participating in any form of education program / activity complete, sign and date the booking form or relevant registration form / book before permitting them to participate in the program / activity.

The procedure above is particularly relevant for events such as open days, summer projects, etc when the child is not participating as part of a pre-existing group.

### **Visitor Centre registration:**

Every NPWS Visitor Centre must have a booking form which must be completed for any group of children from a school or club who visit the site. Please see the booking form at appendix B which can be used as a template. Any member of staff who is taking a booking must ensure that responsible adults for groups of children must complete, sign and date the booking form or relevant registration form. This form must then be stored in a specific filing facility.

### **Recording Incidents including Accidents:**

All accidents and other incidents ( e.g. near misses) that occur should be fully recorded, signed, dated and stored appropriately by the staff member on duty as soon as is reasonably possible after the incident. The Accident / Incident Report Form must be counter signed and dated by a Safety Officer as soon there after as is reasonably possible.

### **Records:**

The education centre office / visitor centre office must have a secure locked filing cabinet that will contain the following information, dated and signed by the appropriate person(s):

- Booking / Registration Forms
- Incident / Accident Report Forms, if required
- Consent of parents or school to use photographs or other material that relates to children participating in any NPWS activities, if required.

All staff must record data for groups they book or work with. The Head or Supervisor guide must ensure that records are kept up to date.

### **Locations:**

The following practices and procedures are outlined for NPWS Education Staff to minimise the possibility of children who participate in an NPWS program coming to harm of any sort when they are:

- On NPWS premises
- In their own school grounds
- Visiting a site that is not one of the above (e.g. visiting a woodland or bog whether it is an NPWS site or the property of another agency or individual).

**Irrespective of which of the above locations is being used, the Education staff member in charge must inform the accompanying ‘Responsible Adult/s’ of the following important facts:**

- **They are the “responsible adult(s)” for each participants welfare and behaviour and the management of the group as a whole.**
- **They must stay with their participants at all times.**
- **If a child or children need to leave the main group at anytime, it is they who must accompany their child / students (e.g. to avail of toilet facilities, retrieve forgotten items from another location, or attend A&E departments, etc.)**
- **They must adhere to the instructions of Education staff in relation to site or activity specific safety instructions.**

### **A. On NPWS premises**

#### **Education staff will ensure that:**

- The official registration form is completed and stored in the appropriate file, for the individual, group/s attending the centre before they use the centre facilities.
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.
- They note the total number of participants that actually attend on the day of the visit.
- The total number of participants [not including responsible adults] visiting the centre at any one time does not exceed the maximum designated for that centre by the Safety Officer.
- Ensure that there are at least two ‘responsible adults’ (not to include the NPWS Education Officer) accompanying the participants even when the group is less than 20.
- A responsible adult to child ratio of not less than 1:10 must be maintained. Where the group number exceeds 20 i.e. where more than 2 ‘responsible adults’ are required, the NPWS Education staff member may, at local managers’ discretion, be included in the calculation of sufficient responsible adults.
- They have a complete First Aid kit close by at all times.

## **B. In school grounds**

### **Education staff will ensure that:**

- The official registration form is completed and stored in the appropriate file
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.

## **C. Visiting a site that is not one of the above**

### **Education staff will ensure that:**

- The official registration form is completed and stored in the appropriate file, for the individual, group/s visiting the site, before the visit commences.
- Ensure that there are at least two 'responsible adults' (not to include the NPWS Education Officer) accompanying the participants even when the group is less than 20.
- A responsible adult to child ratio of not less than 1:10 must be maintained. Where the group number exceeds 20 i.e. where more than 2 'responsible adults' are required, the NPWS Education staff member may, at local managers' discretion, be included in the calculation of sufficient supervisory adults.
- They note the total number of participants that actually attend on the day of the visit.
- There is a limit of 30 child/young adult participants per Education staff member. This must not be exceeded irrespective of the number of responsible adults e.g. if there were 40 children and 5 accompanying responsible adults this is simply too much for one Education Guide to provide a quality service.
- One responsible adult remains at the rear of the group and that all participants must stay in front of this person at all times.
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.
- They have a complete First Aid kit close by at all times.
- They have some form of communication by which the emergency services can be contacted as soon as possible should the need arise.

## Procedures

**The procedures as set out below are supplementary to the Department of Arts, Heritage and the Gaeltacht's Child Protection Policy. All staff must familiarise themselves with the Child Protection Policy and be aware of its contents.**

### **Accident / Incident:**

*Note: It must be remembered that the "Responsible Adult" is primarily responsible for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed.*

- If at all possible two adults (one of whom must be a "Responsible Adult" other than the Education / Visitor Service staff member) will remain with the injured child. If one adult is with the child, at least one other adult should remain at the scene.
- The appropriate emergency service should be contacted if necessary as soon as possible (Dial 999 or 112). The person making the contact will need to give location of incident and outline of incident and any injury detected. The contact person must await confirmation that the information given has been received.
- First aid is to be administered as appropriate by a competent person who holds a valid First Aid Certificate.
- Education /Visitor Service staff member should inform the line manager (normally Head or Supervisor guide) of the incident as soon as possible and keep them updated.
- If there is a casualty, parents / guardians must be notified as soon as possible via the school personnel.
- Immediately after the incident an incident report sheet must be completed, dated and signed by the Education/Visitor service staff member(s) present, and presented to and signed and dated by a line manager.
- A copy of the Accident/Incident report will be submitted by the line manager (normally Head Guide or Supervisor Guide) to the Safety Officer as soon as possible. The SO will arrange for an accident investigation. A copy of the report must also be send to the Designated Officer for the Department.

### **Lost / Missing Person(s):**

Please see Section 5 'Procedures for dealing with Lost / Missing Children' of the Departments Child Protection Policy.

### **Dealing with challenging or disruptive behaviour**

The safety and welfare of the children and young people is a priority and the 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 staff member or where the safety and well being of others are at risk. In a case of such behaviour, two staff members should be present in dealing with the situation. Staff members who are present at the time, should complete an incident/accident report form.

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.

**Suspected Child Abuse:**

The procedures for reporting suspected child abuse are set out in the Department of Arts, Heritage and the Gaeltacht's Child Protection Policy. All staff must familiarise themselves with this policy and be aware of its contents, especially those working with children on a regular basis.

## **Child Protection Policy and Code of Behaviour for Child Protection Declaration**

Name (block capitals): \_\_\_\_\_

Date of birth: \_\_\_\_\_

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

\_\_\_\_\_

Telephone number: \_\_\_\_\_

Work location: \_\_\_\_\_

Grade: \_\_\_\_\_

I have received a copy of the

**Department of Arts, Heritage and the Gaeltacht's Child Protection Policy**

and the

**National Parks and Wildlife Service Code of Behaviour for Child Protection.**

I have read and understand the particulars outlined in both the policy and the code and I agree to follow the guidelines on procedures and practices contained within them.

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

**Name of Employee**

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

**This declaration must be signed and returned to:**

**Personnel Section, Department of Arts, Heritage and the Gaeltacht, Newtown Road, Wexford.**

## **Appendix A**

Please describe each event or activity hosted at your site under the following headings:

<b>Event<sup>1</sup></b>	<b>Venue<sup>2</sup></b>	<b>Category of participant<sup>3</sup></b>	<b>Maximum number of participants</b>	<b>Booking required Y or N</b>	<b>Registration Y or N</b>	<b>Risk Level<sup>4</sup></b>	<b>Supervisory Ratio expressed as NPWS Staff: Responsible Adult<sup>5</sup>: Child</b>

<sup>1</sup>Event/activities may include but are not limited to school outreach visits, activities based at your site's education centre, indoor tours for children, e.g. castle tours, site based outdoor activities, e.g. woodland walks or trails, family events, large scale events.

<sup>2</sup> Venue may include for example, a school, education centre, indoor national park amenity e.g. castle, outdoor national park amenity, e.g. mountain, woodland.

<sup>3</sup>Category of participant may include primary school children, secondary school children, e.g. transition year students.

<sup>4</sup> In assessing an activity's level of risk, the *probability* of injury occurring during the activity and the *severity* of such an injury are scored as outlined on page 3.

<sup>5</sup> A responsible adult may include a teacher, parent or guardian.

### **PROBABILITY OF INJURY**

1 = HIGHLY IMPROBABLE – almost certainly will not occur

2 = UNLIKELY – probably will not occur

3 = POSSIBLY – reasonable chance of occurring

4 = PROBABLE – likely to occur

### **SEVERITY**

1 = TRIVIAL – unlikely to involve injury

2 = MILD – may involve some injury

3 = MODERATE – likely to involve injury

4 – SEVERE – life threatening

Having scored the activity's injury probability and severity, plot the probability score on the vertical axis and the severity score on the horizontal axis of the matrix below. Read down and across from each score to the cell that intersects both axes. The number in this cell indicates the activity's risk level. The risk levels are colour coded as shown below.

**Matrix of probability (vertical axis) and severity (horizontal axis)**

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>1</b>	1	2	3	4
<b>2</b>	2	4	6	8
<b>3</b>	3	6	9	12
<b>4</b>	4	8	12	16

**GREEN** activities (scoring 1, 2, 3 or 4) are low risk

**AMBER** activities (scoring 6, 8 or 9) are medium risk

**RED** activities (scoring 12 or 16) are high risk

## Appendix B

### School / Club Booking Form

<b>Agreed Date of Your Visit:</b>	<b>Agreed Times:</b>
-----------------------------------	----------------------

<b>Class:</b>	<b>Numbers:</b>
---------------	-----------------

<b>What activities do you wish to participate in?</b>
---

<b>Names of teachers/responsible adults attending:</b>
--

<b>Any children with special or additional needs:</b>
---

<b>Additional Information:</b>
--------------------------------

<b>School Insurance Details:</b>
----------------------------------

<b>Contact Person Details and Phone Number:</b>
<b>Full School Name / Club Name &amp; Phone Number:</b>
<b>School / Club E-mail address:</b>

This form must be signed by the person in control of discipline and safety on the day.

Signed:.....

Please e-mail all booking forms to \_\_\_\_\_

Alternatively, post completed forms to \_\_\_\_\_

**The teachers/ responsible adults are responsible for their group at all times while visiting the park.**

**(Please contact a staff member in the case of an emergency)**

# APPENDIX 4

## Standard Report Form for reporting child protection and/or welfare concerns to the HSE

FORM NUMBER: CC01:01:00

### STANDARD REPORT FORM

(For reporting CP&W Concerns to HSE)



A. To Principal Social Worker/Designate: \_\_\_\_\_

1. Date of Report

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:	DOB			Age	
	School				
Alias	Correspondence address (if different)				

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	
Address:	Occupation:		
	Relationship to client:		
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

4. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to the HSE?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

5. Details of Report

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



## STANDARD REPORT FORM

(For reporting CP&W Concerns to HSE)

### 6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone Nos.		Telephone Nos.	

### 7. Household composition

Name	Relationship	DOB	Additional information, e.g. school/occupation/other

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

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

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

Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:		Occupation:					
Address:							

### 10. Details of person completing form

Name:		Occupation:	
Signed		Date:	

## Guidance Notes

The HSE has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The HSE therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This Report Form is for use by:

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

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The HSE aims to work in partnership with parents. If you are making this report in confidence, you should note that the HSE cannot guarantee absolute confidentiality for the following reasons:

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

You should also note that in making a 'bona fide report', you are protected under the Protections for Persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone the HSE duty social worker and discuss your concerns with them

*(see Appendix 5 for a full list of HSE offices nationwide).*

# APPENDIX 5

## HSE CONTACT INFORMATION

Name	Address	Tel. & Fax
Ms Colette McAndrew	Child Care Manager Area 1 HSE East Coast Area Tivoli Road Dun Laoghaire Co. Dublin.	T: 01 2365208 F: 01 2808785
Ms Diane McHugh	Child Care Manager Area 2 HSE South Western Area Vergemont Hall Ranelagh Dublin 6.	T: 01 2680300 T: 01 2680336 F: 01 2830002
Ms Rachel Devlin	Child Care Manager Area 3 HSE South Western Area Unit 43 Maltings Business Park 54/55/ Marrowbone Lane Dublin 8	T: 01 4544733 T: 01 4544826 F: 01 4544827
Ms.Olga Garland	Child Care Manager Area 4 HSE South Western Area Old County Road Crumlin Dublin 12	T: 01 4154756 F: 01 4154896
Doreen McGowan	Child Care Manager Area 5 HSE South Western Area The Lodge Cherry Orchard Ballyfermot Dublin 10	T: 01 6206074 F: 01 6206265
Ms. Mary Hargaden	Child Care Manager Area 6 HSE Northern Area Rathdown Road Dublin 7	T: 01 8825117 F: 01 8680934
Mr.Colman Duggan	Child Care Manager Area 7 HSE Northern Area 1 <sup>st</sup> Floor Westward House Russell Street Dublin 1	T: 01 8014630 F: 01 8014602
Ms Suzanne Phelan	Child Care Manager Area 8 HSE Northern Area Cromcastle Road Coolock Dublin 5	T: 01 8164279 F: 01 8479944
Ms. Marie Faughan	Child Care Manager Area 9 HSE South Western Area Popular House Popular Square Naas Co. Kildare	T: 045 873241 F: 045 879225

Mr. John Quin	Child Care Manager Area 10 HSE East Coast Area Glenside Road Wicklow	T: 0404 60674 F: 0404 69044
Ms Maria Larkin	Child Care Manager Westmeath HSE Midland Area Health Centre Longford Road Mullingar Co. Westmeath	T: 044 39491 F: 044 31472
Mr.Pat Osborne	Child Care Manager Laois/Offaly HSE Midland Area Health Centre Tullamore Co.Offaly	T: 0506 46254 F: 0506 46117
Mr. Kevin O'Farrell	Child Care Manager Limerick HSE Mid-Western Area Vocational Training Services Dooradoyle Limerick	T: 061 482792 F: 061 482759
Ms Jacqui Deevy	Child Care Manager Clare HSE Mid-Western Area Tobartaoiscaín Clonroadmore Ennis Co. Clare	T: 065 6863632 F: 065 6863636
Mr. Bill Meagher	Child Care Manager North Tipperary HSE Mid-Western Area Annbrook Limerick Road Nenagh Co. Tipperary	T: 067 38300 F: 067 38301
Mr. Gerry Lowry	Child Care Manager Cavan/Monaghan HSE North Eastern Area Health Care Unit Monaghan	T: 047 30475 F: 047 30796
Mr. Jim McGuigan	Child Care Manager Louth HSE North Eastern Area Community Care Office Dublin Road Dundalk Co. Louth	T: 042 9385457 F: 042 9333814
Mr. Boyd Dodds	Child Care Manager Meath HSE North Eastern Area Family Resource Centre Commons Road Navan Co. Meath	T: 046 9078748 F: 046 9022761
Mr. Colin Harrison	Child Care Manager HSE North Western Area Sheil House College Street Ballyshannon Co. Donegal	T: 071 9822776 F: 071 9822779

Mr. Bernard Morrin	Child Care Manager HSE North Western Area Sheil House College Street Ballyshannon Co. Donegal	T: 071 9822776 F: 071 9822779
Dr. Aisling Gillen	Regional Director Child Care & Family Support Services Sheil House College Street Ballyshannon	T: 071 9822776 F: 071 9822779
Cathleen Callanan	Child Care Manager South Lee HSE Southern Area Abbeycourt House George's Quay Cork	T: 021 4923815 F: 021 4923953
Mr. Barry Murray	Child Care Manager North Lee HSE Southern Area Abbeycourt House Georges Quay Cork	T: 021 4923965 F: 021 4923953
Mr. Mike Van Aswegen	Child Care Manager North Cork HSE Southern Area Gouldshill House Mallow, Co. Cork	T: 022 30264 / 30200 F: 022 32011
Ms. Christine Tanner	Child Care Manager West Cork HSE Southern Area Hibernian Buildings 13/14/Main Street Coollnagarrane Skibbereen, Cork	T: 028 40582 / 1 F: 028 40522
Mr. Oliver Mawe	Child Care Manager Kerry HSE Southern Area 5 Denny Street Tralee Co. Kerry	T: 066 7124811 F: 066 7181480
Ms Marie Kennedy	Child Care Manager Carlow/Kilkenny HSE South Eastern Area Community Care Centre James Green Kilkenny	T: 056 7784642 F: 056 7764720
Ms Sandra Merity	Child Care Manager Waterford HSE South Eastern Area Community Care Centre Cork Road Waterford	T: 051 842914 T: 051 842882 F: 051 842811
Mr. John Martin	Child Care Manager Wexford HSE South Eastern Area Community Care Centre George's Street Wexford	T: 053 23522 Ext. 304 F: 053 21842

Mr. Jim Gibson	Child Care Manager South Tipperary HSE South Eastern Area Community Care Centre Western Road Clonmel Co. Tipperary	T: 052 70931 F: 052 29768
Mr. Alex MacLean	Child Care Manager Galway HSE Western Area Community Care Offices 25 Newcastle Road Galway	T: 091 546228 F: 091 524231
Mr. Paul Murphy	Child Care Manager Mayo HSE Western Area Community Services St. Mary's Hospital Castlebar Co. Mayo	T: 094 9042030 F: 094 9627106
Mr. Paddy Gannon	Child Care Manager Roscommon HSE Western Area Abbeytown House Abbey Street Roscommon	T: 090 6626732 F: 090 6626776

# APPENDIX 6

## Protection for persons reporting child abuse

### Protection for Persons Reporting Child Abuse Act 1998

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

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to the HSE and to the Garda Síochána should be made as per the OPW'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".*

Under Section 4 of the same Act no employee will be penalised for making a report of child abuse in good faith to the HSE or to the Garda Síochána.

### The Defence of Qualified Privilege

A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence of qualified privilege.

The Common Law provides a defence, in particular circumstances, to individuals who make 31 verbal or written statements of a kind, which could expose their author to a claim of defamation if such statements were made in different circumstances. The defence exists in recognition of the fact that there are circumstances in which individuals have to be able to speak freely without fear of adverse legal consequences.

In general, the privilege covers situations where the maker of the statement has a duty to speak or is obliged to protect some interest. The duty in question does not have to be a strictly legal one: a moral or social duty to make a statement or report is sufficient. The recipient of the statement must have a corresponding duty to receive the statement. The defence only applies where the individual who makes the statement is not motivated by malice in making this statement. In circumstances where an individual has a duty to speak and does so without malice, he can be assured that the defence of the qualified privilege will protect him from any defamation claim to which his statement could possibly give rise. The defence will apply, for example, when an employee reports to his line manager (or some specially designated person), his bona fide suspicion that a fellow employee may have committed an act of abuse in the course of the latter's employment.

# APPENDIX 7

## Allegation against staff member; Protective Measures

Pending the outcome of the investigation, the Department should take whatever protective measures necessary to ensure that children are not exposed to unacceptable risk. These protective measures are not disciplinary measures, and may include:

- Providing an appropriate level of supervision;
- Re-assigning duties where the accused will not have contact with children/ young people;
- Putting the staff member off duty with pay.

Putting the staff member off duty pending the outcome of the investigation should be reserved for exceptional circumstances. It should be explained to the staff member concerned that the decision to put him/her off duty is a precautionary measure and not a disciplinary sanction.

The views of the staff member concerned will be taken into consideration when determining the appropriate protective measures to take. However, the final decision will rest with the Secretary- General of the Department.

# APPENDIX 8

## Staff Declaration form

### Child Protection Policy and Code of Behaviour for Child Protection Declaration

Name (block capitals): \_\_\_\_\_

Date of birth: \_\_\_\_\_

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

\_\_\_\_\_

Telephone number: \_\_\_\_\_

Work location: \_\_\_\_\_

Grade: \_\_\_\_\_

I have received a copy of the

**Department of Arts, Heritage and the Gaeltacht's Child Protection Policy**

and the

**National Parks and Wildlife Service Code of Behaviour for Child Protection.**

I have read and understand the particulars outlined in both codes and I agree to follow the guidelines on procedures and practices contained within it.

**Signed:** \_\_\_\_\_  
Name of Employee

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

**This declaration must be signed and returned to:**

**Personnel Section, Department of Arts, Heritage and the Gaeltacht, Newtown Road, Wexford.**

# APPENDIX 9

## Self-Declaration form

XXXXXXXXXXXXXXXXXX  
NATIONAL PARKS & WILDLIFE SERVICE, XXXXXXXX DIVISION  
XXXXXXXXXXXXXXXXXX

### SELF-DECLARATION FORM

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 must ask you to declare the following information to us. The information you provide on this declaration is treated as strictly confidential.

FORENAME: \_\_\_\_\_ SURNAME: \_\_\_\_\_  
(Block capitals)

ANY OTHER NAME(S) BY WHICH YOU WERE PREVIOUSLY KNOWN (if applicable):

\_\_\_\_\_  
(Block capitals)

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE?

YES  NO

HAVE YOU EVER BEEN THE SUBJECT OF A CAUTION?

YES  NO

HAVE YOU EVER BEEN THE SUBJECT OF A BOUND OVER ORDER?

YES  NO

**IF YOU HAVE ANSWERED YES TO ANY OF THE ABOVE QUESTIONS,  
PLEASE STATE THE NATURE AND DATE(S) OF THE OFFENCE(S):**

**DATE OF OFFENCE**

**NATURE OF OFFENCE**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**IMPORTANT**

**You must sign and date this declaration below.**

**In the event that you are offered a position you will be subject to a Garda Vetting inquiry. If the Garda vetting inquiry discloses any information to us which contradicts the information you have provided on this declaration, it will result in your immediate dismissal.**

**SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_**

# APPENDIX 10

## **Sliocht as "*RIALACHÁIN FAOINA DTUGTAR AITHEANTAS DO CHOLÁISTÍ GAEILGE SAMHRAIDH*"**

- 4(b) Ní mór don choiste deimhin a dhéanamh de, freisin, go ndéantar cúram ar leith de shábháilteacht na ndaltaí i rith an chúrsa ina iomláine, go háirithe ar na bóithre, le linn imeachtaí eagraithe ar na láithreáin imeartha agus ag cleachtadh snámha sa bhfarraige agus sa linn snámha agus na tithe. Ní mór, freisin, polasaí scríofa a cheapadh agus a chur i bhfeidhm chun mí-úsáid pháistí, bulaíocht agus iompar frithshóisialta eile a chosc. Caithfear ráiteas sláintíochta agus slándála a bheith i scríbhinn agus ní mór oifigeach Sláinteachais agus Slándála a ainmniú agus a chlárú i bplean an choláiste. Caithfidh cóip den ráiteas seo a bheith ar fáil do chigirí agus d'ionadaithe eile na Roinne. Ní foláir don Choiste Stiúrtha a bheith ar an eolas faoi na dualgais atá ar an gColáiste maidir le leas agus cosaint na leanaí atá faoin a gcúram. Ba cheart don choiste a chinntiú go gcuirfear na forálacha cuí ó na treoirlínte Tús Áite do Leanaí ('Children First') i bhfeidhm i ngníomhaíochtaí uile an choláiste taobh istigh agus taobh amuigh den seomra ranga agus na tithe lóistín.