



## Léargas Child Protection Policy

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Léargas is fully committed to safeguarding the well-being of all the children and young people with whom it works. Léargas is committed to promoting and facilitating the full participation of children and young people in its work. Léargas aims to create a safe and healthy environment for the young people with whom it works and is committed at all times to ensuring their safety and welfare.

This policy sets out the child protection practices to be adhered to within the work of Léargas and is operated by Léargas based on [Children First National Guidance 2011](#) and [Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People](#).

In accordance with these documents, it is good practice for all organisations that have contact with children and young people to introduce a child protection policy/protocol.

This helps to provide safeguards and support for children and staff when they are working together.

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## Introduction

In 1999, the Department of Health and Children published [\*Children First: National Guidelines for the Protection and Welfare of Children\*](#). These guidelines are intended to assist people in identifying and reporting Child Abuse to ensure best practice in Child Protection in statutory and voluntary agencies.

The Léargas Child Protection Policy has been developed for a National Organisation working with intermediary organisations for children, young people and vulnerable adults. **As most of our work with children, young people and vulnerable adults is through other organisations** such as schools, youth clubs and services, as well as organisations working with vulnerable adults, there needs to be an awareness of responsibilities and procedures, vetting of relevant staff and training available to staff (depending on their duties).

Léargas staff must be particularly clear about procedures and responsibilities in the context of the two areas where relevant staff will be in contact with children, young people and vulnerable adults:

- Léargas events
- project monitoring visits

This policy aims to ensure adequate understanding for all staff and to ensure procedures are in place to ensure the safety and wellbeing of participants, particularly young participants, at all times.

In general, at any event involving children, young people and vulnerable adults, these should be supported by teachers(s)/volunteer(s)/youth leader(s) trained in Child Protection and able to take authority and responsibility for the well-being of the children, young people and vulnerable adults at all times.

Child Protection is about promoting the welfare of children, young people and vulnerable adults who are participants in training or promotion activities or participants in activities funded through EU and other funding programmes supported by Léargas. It is about creating a safe environment for both staff/trainers and children, young people and vulnerable adults, where trust and willingness to listen is foremost. The development of this policy and procedures document is an enabling process, drawing on our current good practice with children. Such a policy is an invaluable tool in helping our staff/trainers who work with young people, to safeguard both the young people and themselves.

**Léargas will ensure that a copy of the policy statement is prominently displayed in its premises.**

**It is a requirement for all staff/trainers to read, sign and comply with the procedures outlined in this policy. All staff and volunteers are required to complete a *Statement of Commitment to the policy* once they have been informed of and are familiarised with the contents and procedures (see *Appendix 1 Statement of Commitment* on page 29).**

## **The Role of Léargas in working with children, young people and vulnerable adults**

As a National Agency for international programmes implemented on behalf of the European Commission and Irish Government Departments since 1989, Léargas works with a range of actors for children, young people and vulnerable adults in the formal and non-formal sectors.

These actors include, but are not limited to, youth organisations, youth clubs, youth intermediaries, youth services, informal groups of young people, volunteers, trainers, and those active in the field of youth and community work. Also in the context of delivering EU programmes, Léargas has professional relationships with schools and those working with children in the formal education sector. In this context we extend our child protection practices to include vulnerable adults.

We operate a code of good practice for all our staff, sub-contractors, interns and volunteers working with children young people and vulnerable adults at Léargas or at Léargas events. All staff members carry the duties, responsibilities and obligations of child protection and it is important to Léargas that relevant child protection information is made available to all staff.

Our Child Protection policy, procedures and practice will be reviewed on a regular basis.

## Léargas Child Protection Policy

It is the policy of Léargas to safeguard the welfare of all children, young people and vulnerable adults engaged in activities and programmes supported by Léargas and to support the organisations working with them to provide international learning opportunities in a safe space for children and young people to grow, develop, learn and have fun.

We will endeavour to safeguard children, young people and vulnerable adults by:

- creating awareness and providing training to all staff engaged in activities that are appropriate to their role, work and contact with children, young people and vulnerable adults
- maintaining on file evidence of all Child Protection training and information briefings provided by Léargas
- ensuring the welfare of the child is paramount in all decisions, activities and programmes involving children and young people
- adopting Child Protection guidelines and reflecting these through our code of behaviour for staff
- sharing information about Child Protection and good practice with project beneficiaries other agencies staff and volunteers
- sharing information and working with relevant agencies as appropriate
- ensuring that all relevant Léargas staff under-go the Garda Vetting process
- providing, where appropriate, Child Protection Training by designated Child Protection trainers.

In conjunction with the NYCI Child Protection Unit, the Designated Person and the staff team will review the Child Protection policy, procedures and practices on an annual basis and also in accordance with any changes in relevant legislation and national guidelines in relation to Child Protection and young people.

The policy applies to staff of Léargas, facilitators, trainers and contractors involved in Léargas events, to visitors and to guests at the office of Léargas.

## Principles for Best Practice in Child Protection

The [\*Children First: National Guidelines for the Protection and Welfare of Children, National Guidelines\*](#) is complemented by the publication of [\*Our Duty to Care: the Principles of Good Practice for the Protection of Children and Young People\*](#) (Department of Health and Children, 2002). The 2002 publication is a practical guide for staff and volunteers who work with children, outlining fundamental principles of good practice.

Léargas is aware of the principles outlined in *Our Duty to Care*, ensuring the creation of an environment in which young people are listened to, given a sense of belonging and kept safe. Creating an environment where parents are supported and encouraged and staff and volunteers who work with young people are supported and protected.

The following are the key principles for best practice in Child Protection:

- Acknowledge the rights of children and young people to be protected, treated with respect, listened to and have their own views taken into consideration.
- Recognise that the welfare of children must always come first, regardless of all other considerations.
- Develop a Child Protection policy that raises awareness about the possibility of Child Abuse occurring and outlines the steps to be taken if abuse is suspected.
- Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take risks and leave themselves open to accusations of abuse or neglect.
- Adopt and consistently apply clearly defined methods of recruiting staff and volunteers.
- Remember that early intervention with children who are vulnerable or at risk may prevent serious harm from happening to them at a later stage.
- Remember that a child's age, gender and background affects the way they experience and understand what is happening to them.
- Provide Child Protection training/briefings for young people, staff and volunteers. This should clarify the responsibilities of both organisations and individuals and clearly show the procedures to be followed if Child Abuse is suspected.
- Develop a policy of openness with parents/guardians that involve consulting them about everything that concerns their children and encouraging them to get involved with the organisation whenever possible.
- Co-operate with other childcare and protection agencies and professionals by sharing information when necessary and working together towards the best possible outcome for the children concerned.
- Make links with other relevant organisations in order to promote Child Protection and welfare policies and procedures.

## The Rights of the Child

For the purpose of this policy “a child” means a person under the age of 18 years, who is or has not been married.

Ireland ratified the [UN Convention on the Rights of the Child](#) in 1992. The Convention is in essence a “bill of rights” for all children. It contains rights relating to every aspect of children’s lives including the right to survival, development, protection and participation.

The underlying principles of the Convention may be summarised as follows:

### **I. Non-Discrimination (Art. 2):**

All rights apply to all children without exception. The state is obliged to protect children from any form of discrimination and to take action to promote their rights.

### **II. Best Interests of the Child (Art. 3):**

All actions concerning the child shall take account of his or her best interests. The state shall provide the child with adequate care when parents or others charged with that responsibility fail to do so.

### **III. Survival and Development (Art. 6):**

Every child has the inherent right to life and the state has an obligation to ensure the child’s survival and development.

### **IV. The Child’s Opinion (Art. 12):**

The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

A number of articles of the Convention are of particular relevance to Child Protection:

**I. Article 19** states that parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.

**II. Articles 34 and 35** refer respectively to the protection of children from sexual exploitation and from sale, trafficking and abduction.



## Key Legislative Provisions

The following are the key legislative provisions governing the rights of children and young people and their protection and the protection of those reporting Child Abuse concerns:

On the 1st of January 2014, the **Child and Family agency/TUSLA** became an independent legal entity, comprising TUSLA Children & Family Services, Family Support Agency and the National Educational Welfare Board as well as incorporating some psychological services and a range of services responding to domestic, sexual and gender based violence. The Agency operates under the [Child and Family Agency Act 2013](#), a progressive piece of legislation with children at its heart, and families viewed as the foundation of a strong healthy community where children can flourish. Partnership and co-operation in the delivery of seamless services to children and families are also central to the Act.

## TUSLA Remit

Under the [Child and Family Act, 2013](#), the Child and Family Agency is charged with:

- supporting and promoting the development, welfare and protection of children, and the effective functioning of families;
- offering care and protection for children in circumstances where their parents have not been able to, or are unlikely to, provide the care that a child needs. In order to discharge these responsibilities, the Agency is required to maintain and develop the services needed in order to deliver these supports to children and families, and provide certain services for the psychological welfare of children and their families;
- responsibility for ensuring that every child in the State attends school or otherwise receives an education, and for providing education welfare services to support and monitor children's attendance, participation and retention in education;
- ensuring that the best interests of the child guides all decisions affecting individual children;
- consulting children and families so that they help to shape the agency's policies and services;
- strengthening interagency co-operation to ensure seamless services responsive to needs;
- undertaking research relating to its functions, and providing information and advice to the Minister regarding those functions; and
- commissioning services relating to the provision of child and family services

## TUSLA Services

The Child and Family Agency's services include a range of universal and targeted services:

- [Child protection and welfare services](#)
- [Educational Welfare Services](#)
- [Psychological Services](#)
- [Alternative care](#)
- [Family and Locally-based Community Supports](#)
- [Early Years Services](#)
- [Domestic, Sexual and Gender-based Violence Services](#)

### Child Care Act, 1991

The purpose of the act is to “up-date the law in relation to the care of children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk”. The main provisions of the act are:

1. The placing of a statutory duty on TUSLA to promote the welfare of children who are not receiving adequate care and protection up to the age of 18 (Sec. 3.1)
2. The strengthening of the powers of TUSLA to provide childcare and family support services.
3. The improvement of the procedures to facilitate immediate intervention by TUSLA and An Garda Síochána where children are in danger.
4. The revision of provisions to enable the courts to place children, who have been assaulted, ill-treated, neglected or sexually abused or who are at risk, in the care of or under the supervision of TUSLA.
5. The introduction of arrangements for the supervision and inspection of pre-school services.
6. The revision of provisions in relation to the registration and inspection of residential centres for children.

### Protection for Persons Reporting Child Abuse Act, 1998

This act came into operation on the 23rd January 1999. The main provisions of the act are:

1. The provision of immunity from civil liability to any person who reports Child Abuse “**reasonably and in good faith**” to designated officers of TUSLA or any member of An Garda Síochána.
2. The provision of significant protections for employees who report Child Abuse. These protections cover all employees and all forms of discrimination up to, and including, dismissal.
3. The creation of a new offence of false reporting of Child Abuse where a person makes a report of Child Abuse to the appropriate authorities “**knowing that statement to be false**”. This is a new criminal offence designed to protect innocent persons from malicious reports.

### Data Protection Act, 1988

The act only applies to the automatic processing of personal data. It gives a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him/her and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep are collected fairly, are accurate and up-to-date, are kept for lawful purposes, and are not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep, and imposes on them a special duty of care in relation to the individuals about whom they keep such data.

There are only three exclusions under the act:

1. Data relating to state security
2. Information that is required by law to be made available to the public
3. Personal data kept only for personal or recreational purposes

**Additional legislative provisions**

Additional legislative provisions include the following:

- Health and Safety at Work Regulations 2007
- Freedom of Information Act, 1997
- Domestic Violence Act, 1996
- Non-Fatal Offences Against The Person Act, 1997
- Data Protection Act

## The Designated Person

A Child Protection Designated Person has been appointed in Léargas. The Designated Person acts as a resource to staff members who have Child Protection concerns. All dealings of a Child Protection nature go through the Designated Person who in turn may make a referral to Tusla or Gardaí (Appendix 3)

### Léargas Designated Persons:

**Lorraine Gilligan**

### Contact Details:

01 887 1205

[lgilligan@leargas.ie](mailto:lgilligan@leargas.ie)

Léargas, Leeson Court, Fitzwilliam Close, Dublin 2.

In the absence of the Designated Person, staff, volunteers and young people can contact Jim Mullin (Executive Director of Léargas ) on 01 887 1201.

## The role of the Designated Person

The role of the Designated Person is to:

- report suspicions and allegations of Child Abuse to TUSLA or the Gardaí.
- provide information and advice on Child Protection within the organisation.
- build up networks of support for the victim and for the staff/volunteer making a referral.
- ensure that the Child Protection policy and procedures are adhered to, and to inform TUSLA of relevant concerns about individual children.
- give advice on individual cases, where appropriate.
- advise on good practice and guidelines on Child Protection.
- liaise with TUSLA, Gardaí and other agencies as appropriate.
- keep the Executive Director of Léargas informed about any referrals.
- maintain proper records on all referred cases in a secure and confidential manner.
- ensure that all staff members are familiar with the Designated Person and also that relevant staff receive appropriate Child Protection awareness training, briefing and or information as appropriate.
- ensure that other persons interacting with young people at Léargas events, activities and programmes are informed of, are aware of and understand the Léargas Child Protection Policy (Contractors, Trainers, and Other Third Parties).
- keep informed about current developments regarding the provision, practice, support services, legal obligations *etc.*
- ensure that the issue of Child Protection is considered and the policy implemented as an integral part of the delivery of all National events, programmes and processes organised by Léargas.

The Designated Person is accessible to everyone in the organisation and is supported by on-going training and supervision. When she/he receives a report about suspected or actual abuse, she/he will consider whether there are reasonable grounds for reporting it to TUSLA.

### **Reasonable grounds for concern**

The following examples would constitute reasonable grounds for concern and should be reported:

- a disclosure from the child that s/he was abused
- an account by a person who saw the child being abused
- evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused another way
- 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, and other indicators of abuse or dysfunctional behaviour
- consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

A suspicion that is not supported by any objective signs of abuse, would not constitute a reasonable suspicion, or reasonable grounds for concern. However, these suspicions should be reported to the Designated Person who will record them internally as future suspicions may lead to the decision to make a report.

## Confidentiality

This section outlines and provides guidance on Léargas' code on confidentiality. Confidentiality is about managing sensitive information in a manner that is respectful, professional and purposeful. All information provided to Léargas by a child or young person, volunteer or staff member must be treated in a confidential manner. All staff and volunteers have a responsibility to handle all sensitive information in line with the code of confidentiality.

## Code of Confidentiality

1. All information regarding a Child Protection concern or suspected case of Child Abuse must be shared only on a 'need to know basis' and always in the best interests of the child's general welfare and safety. The subject should never be discussed with other persons in the organisation—including staff, volunteers or young people—if they are not directly involved.
2. In the case of a Child Protection concern, no member of staff or trainer should promise a person disclosing information that the information will be kept secret. The person receiving the information should also never state that they would keep a secret if the organisation did not have a policy on this. This could give the person who made the disclosure the impression that the information is not that serious or infer a range of mixed messages. It must be made clear to the person(s) making the disclosure that secrets cannot be kept but that the information will only be shared with the appropriate person who will handle the information sensitively.
3. Sharing information with an appropriate / designated person for the protection of a child is not a breach of confidentiality. Codes of confidentiality do not intend to prevent the exchange of information between individuals who have a responsibility to protect children.
4. Personal information, which is gathered for a specific purpose, should never be used for any other purpose without consulting the person who provided that information.
5. All staff working with children must have some training on understanding of the importance of confidentiality and the limitations of confidentiality in relation to Child Protection issues.

## Dealing with Disclosures/Reporting Procedures

Although Léargas staff members do not work directly with children, young people or vulnerable adults, should a young person disclose abuse to you, the following important points should be taken into consideration:

- Take what the young person says seriously.
- Be as calm and as natural as possible. Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the young person.
- Reassure the young person that it was right to tell somebody what happened and that they have done nothing wrong.
- Remember that the young person may initially be testing your reactions and only fully open up over a period of time.
- Listen to what the young person has to say. Give them the time and opportunity to tell as much as they are able and wish to. Do not pressure the young person. Allow him/her to disclose at their own pace and in their own language.
- Be careful when asking questions. Your job is not to investigate but to support the young person. Avoid leading questions such as whether a specific person carried out the abuse, or whether specific acts mentioned by the young person occurred. Such questions may complicate an official investigation.
- Do not express any opinion about the alleged abuser to the young person.
- It may be necessary to reassure the young person that your feelings towards him/her have not been affected in a negative way as a result of what he / she has disclosed.
- Do not promise to keep secrets. At the earliest opportunity tell the young person that you acknowledge that they have come to you because they trust you. Tell him / her that there are secrets which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further on-going hurt. By refusing to make a commitment to secrecy to the young person, you do run the risk that they may not tell you everything or indeed anything, there and then. However, it is better to do this than to tell a lie and ruin the young person's confidence in yet another adult. By being honest, it is more likely that he/she will return to you at another time.
- At the earliest possible opportunity record in writing what the young person has said, including as far as possible, the exact words uttered by him / her. Record facts only, no opinions or hearsay.
- Pass on all information to the Designated Person and not to any other third party, as disclosures are on a need to know basis only.
- The Designated Person will carry out the necessary steps in making a referral to TUSLA.

## Ongoing Support

Following a disclosure by a child, it is important that services engaged with the young person continue in a supportive relationship with the child. Once the Designated Person makes the referral to TUSLA, our duty to care on the disclosure is passed on. Disclosure is a huge step for many children and support should be continued through:

- Requesting Services Maintaining a positive relationship with the child.
- Keeping lines of communication open by listening to the child.
- Continuing to include the child in the usual activities.
- Any further disclosures should be treated as a first disclosure and responded to accordingly.

## Dealing With a Suspicion of Child Abuse

In situations where a suspicion/concern may be deemed vague, *i.e.* where there is no specific allegation but there is some concern based on the emotional behaviour and/or physical presentation or behaviour of the child, then staff/volunteers should consult the Designated Person for advice. The Designated Person will assess whether or not a report is warranted and will seek the advice of TUSLA if required. Details of the consultation will be recorded and filed. A formal report to TUSLA may follow as advised.

## Allegations against a Staff Member

If an allegation is made against a project beneficiary or participant that issue will be dealt with in accordance with the Child Protection Policy of that organisation (may request support from the Designated Person in Léargas).

If an allegation is made against a staff member or trainer in relation to their work with Léargas then two separate procedures will be followed:

- The reporting procedure in respect of the child
- The procedure for dealing with the staff member or volunteer

These procedures, according to [Children First: National Guidelines for the Protection and Welfare of Children](#) should be followed in the event of suspicion or disclosure of abuse against an employee or volunteer. In this situation, Léargas must have due regard for the rights and interest of the child on one hand, and those of the person against whom the allegation is made on the other hand.

The Executive Director of Léargas will deal with the staff member in question, while the Designated Person will have the responsibility of dealing with the reporting issue and supporting the child. Staff may be subjected to erroneous or malicious allegations, therefore any allegation of abuse should be dealt with sensitively and support provided for staff as well as the child, including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the staff member/volunteer fairly.

When the Executive Director of Léargas becomes aware of an allegation of abuse of a child or children by a staff, if appropriate, he/she will inform that person of the following:

- The fact that an allegation has been made against him / her.
- The nature of the allegation.



The staff member will be afforded an opportunity to respond. The Executive Director of Léargas will note the response and pass on the information if and when a formal report is made to the TUSLA.

It is important to note that **The Protection for Persons Reporting Child Abuse Act, 1998** applies equally to organisations provided they report the matter “*reasonably and in good faith*”. Léargas accepts the possibility that a number of factors may have a bearing on the organisation and will need to be considered:

- Possible reactions of other members of staff including anger, disbelief, doubt, fear, guilt, shock, anxiety and confusion.
- The effects on the alleged abuser of the internal disciplinary proceedings, the Child Protection investigation and the criminal investigation.
- The reactions of other staff (and the other children towards the young person who has been abused or whose allegation is being investigated.)
- The reaction of parents / carers and other family members of the young person.

Through a series of basic Child Protection awareness training programmes, all persons involved will be given the opportunity to discuss such issues in an open and non-threatening environment.

**NOTE:** Should an allegation be made against the Executive Director of Léargas, the Chairperson of the Board will step in to deal with the situation.

### **Procedures for Dealing with Child Abuse: Employees’ and Employer’s Duty of Care to Children**

- The first priority will be to ensure that no child is exposed to unnecessary risk and as such any necessary protective measures will be taken *e.g.* suspension of the staff member/volunteer. These measures will be proportionate to the level of risk and will not unreasonably penalise the worker financially or otherwise, unless necessary to protect children.
- It may be necessary for the Executive Director of Léargas to seek legal advice for any action following an allegation against a staff member/volunteer. A meeting may need to be arranged with the TUSLA/Gardaí to discuss the allegation.
- The Executive Director will inform the person accused on the outcome of the above consultation.
- Pending the outcome of the investigation by TUSLA and/or Gardaí, the staff member/volunteer may be:
  - re-assigned to duties that do not involve contact or access to children / young people, depending on the nature of the allegation.
  - suspended with pay.
- The staff member/volunteer will be offered counselling, should the need arise.

### **Exchange of Information**

All staff and volunteers should be aware that ensuring Child Protection is only possible in the organisation if all staff and trainers share relevant information. Also to ensure Child Protection, the organisation must work in partnership with TUSLA and the Gardaí.

Any person who receives information from colleagues about possible or actual Child Abuse must treat it as having been given in confidence and follow the organisation's reporting procedures.

It is also necessary that any records of incidents, disclosures, or concerns of a Child Protection nature are only accessible to those who should have access to the records because of a need to know.

Reports that are made to the Designated Person can still be followed up on after being shared with the statutory agencies. However, it should be noted that not giving the name of the person making the report can make it more difficult to assess a situation.

## Training Policy

Léargas staff are not directly involved in service provision to children young people, or vulnerable adults, however through our relationships with beneficiaries they are frequent participants in our operational activities. Once recruited, all staff and volunteers of the Léargas will be informed of Child Protection guidelines and legislation and those relevant staff and trainers will be trained, supervised and supported, so that they are less likely to become involved in actions which can lead to harm, or can be misunderstood.

It is the responsibility of all staff/trainers, together with the management of the Léargas to identify both individual and common training needs of staff and trainers. Léargas strives to meet the training needs of all staff/volunteers, where possible. Staff and trainers are also encouraged to identify any gaps in training and to discuss them with a line manager.

The Child Protection training standard of Léargas is the NYCI Child Protection Awareness Programme (CPAP). Léargas is committed to having all relevant personnel trained and kept up to date at this level. Further training is available for Designated Persons and for experienced trainers wishing to offer the CPAP course. Training also consists of staff meetings and briefings and cascade of information. It is hoped that further training will be developed to support the different demands on staff and to support the different roles and responsibilities within the organisation.

## Code of Behaviour for Staff, Trainers and Volunteers

We respect the rights of young people as individuals in society. Through training and education we endeavour to ensure that young people know their rights and responsibilities and are respected in all our interactions with them.

The following code of behaviour is established to provide a clear understanding of the standards of behaviour of all staff/volunteers/trainers and students who work with Léargas for the purpose of the safe care of children, young people and vulnerable adults. It will help foster an environment where participants feel secure and are treated with dignity and respect.

- Staff/trainers are not permitted to give lifts in their cars to individual young people.
- Staff/trainers must be sensitive to the possibility of becoming over involved or spending a great deal of time with any one young person. We need to be clear about the purpose and nature of the relationship with any young person e.g. is the relationship constructive in building up the independence and autonomy of the person or is it being used to satisfy our own agenda.
- Staff/trainers should ensure, in so far as possible, that buildings or facilities, which they use, for activities with young people are safe and secure for the people in it. All occupied parts of the building should be monitored and parts not in use should be isolated or secured.
- For experienced workers, the member/worker ratio should be minimum 8:1 plus 1, for new workers, the ratio should be less i.e. no more than 5:1+1.
- When dealing with young people with challenging behaviour, it is recommended, where possible, that more than one worker is present.
- When dealing with group members of mixed gender it is important that workers have sufficient leaders of both gender to properly manage all activities and areas of any premises in use.
- Staff/trainers should always be respectful of the privacy of young people in dormitories, changing rooms, showers and toilets. When present in such areas workers are advised not to spend time alone with a young person.
- Staff/trainers should be sensitive to the risks in participating in some activities, energisers, simulations and contact sports with young people and ensure that the young people are treated with dignity and respect.
- Staff/trainers should never physically punish or be in any way verbally abusive to a child, nor should jokes of a sexual nature be told to or in the presence of a young person.
- Under no circumstances give alcohol, tobacco or drugs to children or young people.
- Do not use alcohol, tobacco or drugs in the company of children or young people.
- Use only age-appropriate language, media products and activities in working with children and young people.
- Do not take pictures of children or young people unless you have prior parental consent to do so.
- All staff/volunteers are required to maintain a positive attitude towards young people that respects the personal space, safety and privacy of individuals.
- If taking a group of young people away on a day trip, or sporting activity, you must ensure you have proper transport, adequate insurance cover, enough supervision and written parental consent. Facts must also be obtained of any specific medical conditions a young person suffer from and plans in place to deal with such, should the need arise. (See guidelines for Residential Trips)
- Never do anything of a personal nature for children and young people which they can do for themselves.

- Personal contact outside of youth work business should not be made with children and young people.

All staff and volunteers are required to follow the above code of behaviour, thus providing a safe, comfortable and positive environment for staff/trainers and young people.

### **The Safe Management of Events and Activities**

In addition to the Code of Behaviour, all staff/volunteers are required to follow these guidelines when conducting any activity with young people:

- Each child/young person under 18 should be in a group of no fewer than two and must be accompanied by a designated youth worker or volunteer
- A standard registration form must be completed outlining the responsibility
- Parental consent forms and contact details for parents/guardians for each child/young person taking part in any activity (including consent for photography, video during events) must be obtained outlining the nature of purpose of media and distribution afterward.
- Ensure all staff/trainers volunteers and young people are aware of emergency procedures for fire and other accidents
- All staff/trainers volunteers must follow the procedures for dealing with challenging behaviour.
- All activities carried out must be done so by qualified and experienced personnel.
- Any accidents must be recorded in the *Appendix 4 Accident/Incident Report Form* on page 32 and the parents/guardians must be informed.
- Activities and/or outings undertaken must be covered by suitable insurance
- Children and young people must not be left unattended during activities and sufficient supervision must be ensured at all times.
- A safety check will be carried out on all facilities and equipment utilised
- Sign in sheets and Attendance records must be kept of all activities, outings etc. stating details of all participants, leaders, programmes etc.

### **Dealing with Challenging Behaviour**

Challenging behaviour can be defined as “behaviour which threatens staff / volunteers, other people or the child / young person themselves, in a verbal and /or physical manner”. When confronted with such behaviour staff / volunteers must adhere to the following guidelines:

- As Léargas staff members do not regularly engage in direct work with children or young people, always first refer to the supervisor or accompanying youth worker/ volunteer or teacher who is responsible for the child/ young person and has a relationship with them.

If this is not possible, be aware of the following:

- Challenge the behaviour of the child/young person and not the person themselves.
- Try to remain as calm as possible and avoid becoming emotionally charged in dealing with the situation.
- Behaviour management must always emphasise positive approaches and prohibit any harsh or degrading actions.
- Consideration needs to be given to the developmental as well as the chronological age of the child / young person.
- Be aware of signals that may trigger further outbursts in the child / young person, such as change of tone of voice, body language etc.

- If the challenging behaviour presents itself with others around, either remove yourself and the child / young person away from others so you can talk in a calmer environment, or, ask another staff member / volunteer to take the others to an alternative location.
- It is always advisable to seek the support of another staff member / volunteer when confronting challenging behaviour.
- Outline to the child / young person the sanctions for their behaviour and discuss with them possible techniques they may adopt to avoid such situations in the future.
- Ensure you place yourself in an area with a clear escape route, should violence erupt.
- Given the nature of the situation and the extent of the challenging behaviour, the parents / guardians of the child / young person may need to be contacted and asked to collect the individual to take them home.
- Adequate time should be allowed for the child / young person to calm down and only then should their behaviour be discussed any supports and / or sanctions be imposed. Sanctions imposed must be fair and consistent at all times and understood by the child/ young person.
- Should your safety feel compromised and / or in danger, seek support from management and/ or Gardaí.
- All incidents will be recorded in the Incident report book, see Appendix 4 Accident/Incident Report Form on page 32.

## Definition of Child Abuse

Child Abuse is generally described under the following five headings:

### 1. 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 medical care. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her wellbeing and/or development are severely affected.

### 2. Emotional Abuse

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

- The imposition of negative attitudes on children, expressed by persistent criticism, sarcasm, hostility or blaming.
- Conditional parenting.
- Emotional unavailability by the child's parent/carer.
- Unrealistic, inappropriate expectations of the child.
- Failure to show interest in, or provide age appropriate opportunities for the child's cognitive and emotional development.
- Unreasonable or over harsh disciplinary measures.
- Exposure to domestic violence.

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

### 3. Physical Abuse

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

- Shaking a child
- Use of excessive force in handling a child
- Deliberate poisoning
- Suffocation
- Munchausen's Syndrome by Proxy

### 4. 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 sexual abuse include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a 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.
- Sexual intercourse with a child be it oral, anal or vaginal.
- Sexual exploitation of a child.

## 5. Bullying

Bullying 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

Bullying may take place in any setting whether in schools, the home or in a youth service setting. The more extreme forms of bullying would be regarded as physical or emotional abuse.

While child abuse has been defined under the above five headings of neglect, emotional abuse, physical abuse, sexual abuse and bullying, due consideration should also be given to instances of organised abuse and peer abuse.

### Organised Abuse

This occurs when one person enters into an area or institution and systematically entraps children for abusive purposes (mainly sexual) or when two or more adults conspire to abuse children using inducements or threats.

### Peer Abuse

In some cases of abuse the alleged perpetrator will also be a child. In these situations the Child Protection procedures should be adhered to for both the victim and the alleged abuser (**Appendix 3**). If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

### Recognising Signs and Symptoms of Child Abuse

Léargas staff will not have regular and ongoing work with children young people or vulnerable adults; however it is important to be aware of some of the possible indicators of abuse:

#### Physical Indicators

- Frequent bruising, fractures, cuts, burns and other injuries.
- Signs of neglect *e.g.* dirty appearance, undernourished looking.
- Failure to thrive.
- Genital injuries or soreness.
- Haemorrhages (retinal, subdural).
- Sexually transmitted infections.
- Pregnancy



### Emotional Indicators

- Unreasonable mood and/or behavioural changes.
- Aggressive or withdrawn.
- Lack of attachment.
- Depression or suicide attempts.
- Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed.
- Fear of adults.
- Lack of peer relationships.
- Fear of the dark.
- Panic attacks.

### Behavioural / sexual indicators

- Over-affectionate or inappropriate sexual behaviour or knowledge given the child's age – often demonstrated in language, playing or drawings.
- Fondling or exposure of genital areas – open masturbation.
- Sexually aggressive behaviour with others.
- Hints about sexual activity.
- Unusual reluctance to join in normal activities, which involve undressing, e.g. games, swimming.
- Overtly compliant and submissive.
- Strong dislike of physical contact.
- Prostitution – giving sexual favours in return for gifts or money.

### Changes in normal behaviour for the person in question

- Unwillingness to participate in certain activities or to go to certain places that once may have been liked.
- Running away from school or avoiding school.
- Separation activity.
- Isolation.
- Tiredness and poor concentration.
- Unexplained display of wealth or gifts (bribes) or a constant shortage of money and loss of good equipment, clothes etc. (taken by bullies).

### Illness

- Eating disorders such as overeating or anorexia.
- Alcoholism and/or drug addiction.
- Psychosomatic disorders.

Some signs are more indicative of abuse than others. These include:

- Disclosure of abuse by a child or a young person.
- Age-inappropriate or abnormal sexual play or knowledge.
- Specific injuries or patterns of injuries.
- Under-age pregnancy or sexually transmitted infections.

**Particular behavioural signs and emotional problems suggestive of Child Abuse in young children (0 – 10 years)**

- Mood change *e.g.* child becomes withdrawn, fearful, acting out.
- Lack of concentration (change in social performance).
- Bed wetting, soiling.
- Psychosomatic complaints, pains, headaches.
- Skin disorders.
- Nightmares, change in sleep patterns.
- School refusal.
- Separation anxiety.
- Loss of appetite.
- Isolation

**Particular behavioural signs and symptoms suggestive of abuse in older children (10+ years)**

- Mood change *e.g.* depression, failure to communicate
- Running away
- Drug, alcohol, solvent abuse
- Self-mutilation
- Suicide attempts
- Delinquency
- Truancy
- Eating disorders
- Isolation

All signs/indicators need careful assessment relative to the child's circumstances.

**NOTE: the current legal age of consent for sexual intercourse is 17.**

It is important to remember that even for the experts, Child Abuse is very difficult to prove and the above are possible indicators of abuse.

## Complaints Procedure

It is the policy of Léargas to encourage project beneficiaries and young participants to provide comment and feedback on any aspect of our work, inclusive of any complaints they may have.

Léargas is committed to this practice, as it is acknowledged that an open, transparent environment benefits all stakeholders of the organisation and allows the service to monitor and regularly review programmes. This forms an integral part of the organisation's commitment to best practice. The suggestions or complaints expressed by project beneficiaries, children, young people and vulnerable adults should always be taken into consideration and must receive a response.

### What is a complaint?

A complaint is any form of criticism or suggestion in respect to any aspect of a service or programme. A complaint should not be confused with a Child Protection concern for which the reporting procedure must be followed. When a complaint is received that leads to a concern about a child's safety or well-being, Léargas must ensure that it acts appropriately and in the best interests of the child, and that Children First: National Guidelines for the Protection and Welfare of Children Guidelines are implemented as appropriate. The welfare of the child is paramount at all times.

A distinction must also be made between:

- Minor complaints that can be handled informally and internally within a Youth Service, youth club/group/project/school.
- Complaints which require a formal process to be implemented within a Youth Service, youth club/group/project/school.
- Complaints directly connected to the participation in Léargas supported and funded activities.
- Complaints requiring a formal process within Léargas.

### Steps to be followed in handling complaints:

1. Any member of staff with Léargas may take a complaint from any young person or parent, youth worker, teacher, volunteer.
2. All those who participate in Léargas activities are fully entitled to give comment or feedback, whether positive or negative, on any aspect of the service provided.
3. A complaints form must be completed by the person making the complaint. A member of staff can support a person in doing this.
4. Project beneficiaries must submit this form to their Legal Representative who will pass the information to Léargas. Léargas Staff must submit this form to their line manager.
5. All complaints are monitored by a manager to make changes to programmes/events if necessary, to ensure a quality service is being provided. Any action to be taken will be recorded on the complaints form.
6. The person who made the complaint will be responded to in writing within five working days, unless otherwise requested.
7. If the manager considers it necessary, a meeting will be organised between the manager and the person who made the complaint.
8. The person will be informed if there is any follow-up action or recommendation for change as the result of the complaint. If it is deemed unnecessary to make any change, the person who made the complaint will be informed of the reason for this.

## Accidents

All accidents, however minor, should be recorded on Accident/Incident Report Form (see page 32). The report should be completed and forwarded to Léargas immediately.

In the event of an accident, parents or guardians should be informed immediately. Where medical attention is required, this should be sought as a matter of urgency and recorded in the accident report form.

## Appendix 1 Statement of Commitment

I, \_\_\_\_\_, (PRINT NAME) have read and understood the standards and procedures outlined in the Léargas Child Protection policy.

I agree with the principles contained therein and will abide by them throughout my association with Léargas.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
Job title / role

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Signed off by:

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Appendix 2 Referral Flow chart

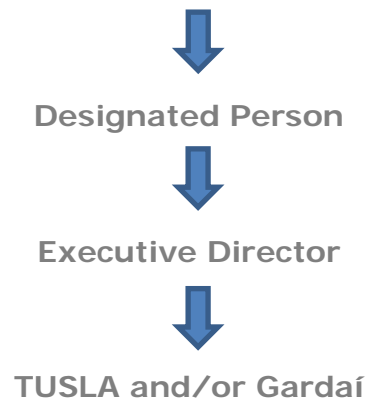
### Internal Referral Procedure Chart flow

Staff Member /Trainer/ Volunteer



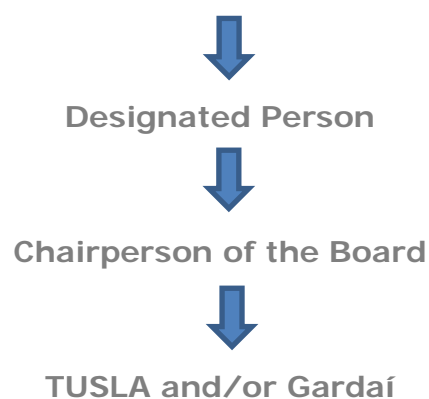
### Allegations against a Staff Member/Volunteer flow

Referral



### Allegations against the Executive Director flow

Referral



## Appendix 3 Procedures to follow on Day Trips and Residentials with Young People

When inviting young people on day trips and residential activities, a minimum of two young people supported by a youth worker from each individual group is staff and trainers should always be attentive to such matters as:

- Standard registration forms are required
- Where required additional consent for photography, video during events must be obtained outlining the nature of purpose of media and distribution afterward.
- Safety – activities, buildings, transport etc.
- Insurance – ensure that it is adequate to cover all aspects of the trip.
- Parental consent – staff/trainers must ensure that written consent from parent(s)/guardian(s) is requested before children or young people engage in day trips or residential activities. It must also be ensured that they have permission for the young person to receive medical treatment in the event of an emergency.
- Staff/trainers should ensure that they are made aware of any specific medical information which may be relevant e.g. allergies.
- Sleeping arrangements – sleeping areas for males and females should be in separate and supervised quarters and supervised by at least two people.
- Young people over 18 should be accommodated separately to children under 18
- There is a no-drug-or-alcohol policy for all activities involving children and young people under 18
- Adequate supervision should be available for the duration of the residential. Provisions should be made for any emergencies that may arise, e.g. should a young person take ill or become homesick then transport should be at hand and there should be enough staff/volunteers present to deal with the situation and also to supervise the other young people.
- Staff/volunteers should respect the privacy and never enter the bedroom or bathroom of a young person without knocking or letting the young person know you are entering. Time should never be spent alone with a young person during a residential activity.
- If in an emergency situation an adult considers it necessary to enter a young person's bedroom/bathroom without another adult present, they should:
  - keep the door open
  - immediately inform another adult in a position of responsibility
  - make a written record of the circumstances
- Staff/volunteers should always be aware of avoiding compromising situations with young people.
- Maintaining standards and good youth work practice is essential for residential activity. Please ensure that procedures in relation to the *Code of Behaviour for Staff, Trainers and Volunteers* on page 20 are followed.

## Appendix 4 Accident/Incident Report Form

All accidents, however minor, should be recorded on the Accident report form, which should be completed and forwarded to Léargas immediately. In the event of an accident, parents or guardians should be informed immediately. Where medical attention is required, this should be sought as a matter of urgency and recorded in the accident report form.

<b>Date and time of Accident/Incident:</b>	<b>Location (site and address):</b>	<b>Leaders/ person(s) in direct control of area:</b>
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<b>Brief description</b> of Accident/Incident:	<b>Name</b> of person(s) involved
<b>Activity</b> being carried out at the time of incident:	Any other <b>remarks</b> or information:



<b>Witness(es)</b> to incident (name, address and contact number for each)	<b>Statements</b> given by:
Signature:	
Date:	
	<p>(Office Use Only)</p> <p>INCIDENT REPORT NO.</p>

## Appendix 5 Internet and Web Safety

Léargas engages with social media and networking with a view to creating awareness of opportunities or outcomes which may benefit those working or interacting with the Education, Training and Youth fields.

It does not directly seek to engage with young people or vulnerable adults. Léargas engages in social media and networking in a transparent and public forum and in this context is mindful of the good practice shared and promoted by the NCYI Child protection unit Web Safety guidelines

<http://websafety.youth.ie/>

The Léargas Staff Handbook outlines the organisation's overall Communications Policy, which includes an internet policy outlining the standards for usage to which all staff must adhere.

In addition to this the following will guide appropriate use of online social media and networking opportunities requirements for interaction with internet safety and social networking by Léargas .

- Staff and trainers should maintain appropriate boundaries while engaging with young people on social networking websites.
- All communications should be 'public' - any private messages or requests for communication should be directed to the appropriate staff email.
- It is not advisable to use personal social networking profiles to connect with the young people online.
- Staff of Léargas will determine if content is deemed inappropriate and may ban users on this basis.
- Reporting of inappropriate behaviour should be to the Designated Person (see page 12) who will determine the next steps