

Children First Safeguarding

Guiding Principles and Reporting Protocol

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Owner Name: Celine Martin

Policy Reviewers: Management Team

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Introduction

Léargas is a company limited by guarantee and a registered charity. We work under the aegis of the [Department of Further and Higher Education, Research, Innovation and Science](#) (DFHERIS). and our Board is appointed by the Minister for Further Higher Education, Innovation and Science. The Executive Director of Léargas reports to the Léargas Board,

Léargas manages European, national, and international exchange and cooperation programmes in school education, vocational education and training, adult education, sport, volunteering, and youth work. These programmes connect people in different communities and countries and bring an international dimension to the work of organisations across Ireland. We are the National Agency for Erasmus+ and European Solidarity Corps in the fields noted above as well as the National Support Service for many EU initiatives such as eTwinning, Eurodesk, and EPALE.

This Children First Child Safeguarding: Guiding Principles and Reporting Protocol is prepared in accordance with Section 27 of the [Children's First Act 2015](#). The Protocol outlines the procedures to ensure that Léargas complies with the provisions of the Children First Act 2015, Children First: National Guidance for the Protection and Welfare of Children 2017, Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice, Protections for Persons Reporting Child Abuse Act 1998 and National Vetting Bureau Act 2012.

This Protocol should be read in association with the [Léargas Code of Conduct](#) and applies to all paid staff, trainers, consultants, committee/board members, and students on work placement within our organisation. All committee/board members, staff, trainers, consultants, and students must sign up to and abide by these guiding principles and our child safeguarding procedures.

We will review our guiding principles and child safeguarding procedures every two years or sooner if necessary due to service development and/or changes in legislation or national policy.

Guiding Principles

We believe that the best interests of children, young people and vulnerable adults accessing our services are paramount. We believe in the right of young people to be treated with respect, to be heard and to have a voice. We are committed to safeguarding children and young people; we will continue to develop our services with the protection and welfare of children and young people as a priority.

Our guiding principles are underpinned by:

- Children First: National Guidance for the Protection and Welfare of Children 2017
- Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice
- United Nations Convention on the Rights of the Child
- Current legislation, such as:
 - Children First Act 2015
 - Child Care Act 1991
 - Protections for Persons Reporting Child Abuse Act 1998
 - National Vetting Bureau Act 2012

Roles and Responsibilities

Designated Liaison Staff

We have appointed a Designated Liaison Person (DLP) and a Deputy DLP. The DLP liaises with statutory agencies responsible for child protection and welfare and is the resource person for any worker or volunteer who has child protection concerns. When the DLP is not available (e.g. due to annual leave, sick leave, etc.), a Deputy DLP is delegated responsibility.

Our **Designated Liaison Person** is:

Celine Martin

01 8871205

cmartin@leargas.ie

Our **Deputy Designated Liaison Person** is

Emma Grainger

01 887 1209

egrainger@leargas.ie

Reporting Responsibilities

Children First legislation and guidance set out the requirements for reporting. All staff have a responsibility to safeguard children and young people (including students on placement or work experience over 18yrs) and to report any concerns that they may have for the protection or welfare of a child/young person.

Regardless of how a concern comes to a staff member's attention, it must be reported to the Designated Liaison Person or in his/her absence the Deputy Designated Liaison Person. The person reporting a concern should then complete a report with the details of the concern. If a concern relates to the Designated Liaison Person, it should be reported to the Executive Director. The Executive Director (or their nominee) is responsible for addressing the relevant procedural issues applicable in respect of a Léargas staff member. (See Appendix 1 for the reporting flowchart and Appendix 2 for Reporting Form).

Note that the person reporting a concern about another person to the Designated Liaison Person, will not result in any legal action or penalisation being taken by Léargas against the person reporting a concern, where the report is made in good faith. The reporting procedures in the Protective Disclosures Policy may also be applied.

Designated Liaison Person

The Designated Liaison Person (DLP) and the Deputy DLP are responsible for the development, review and implementation of the guiding principles and child safeguarding procedures. They must:

- Be fully familiar with duties of Léargas in relation to the safeguarding of children.
- Have a good knowledge of our guiding principles and child safeguarding procedures.
- Ensure that our reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla. The Children First: National Guidance for the Protection and Welfare of Children 2017 defines what is meant by this.
- Consult informally with a Tusla Duty Social Worker if necessary.

- Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of Léargas, using the Child Protection and Welfare Report Form
- Inform the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána, unless:
 - informing the parents/guardians is likely to endanger the child or young person.
 - informing the parents/guardians may place the reporter at risk of harm from the family.
 - the family's knowledge of the report could impair Tusla's ability to carry out an assessment.
- Record all concerns or allegations of child abuse brought to their attention as well as any action/inaction taken in response to these concerns.
- Provide feedback to the referrer, as appropriate.
- Ensure that a secure system is in place to manage confidential records.
- Act as a liaison with Túsła and An Garda Síochána, as appropriate
- Where requested, jointly report with a Mandated Person.

The Designated Liaison Person, in consultation with the person who raised the concern, will decide if reasonable grounds for concern exist. The Designated Liaison Person (DLP) may informally consult with Túsła to seek advice and guidance when they or the staff member is unsure whether a report should be made. If the DLP/Deputy DLP is unsure as to whether a concern exists, based on reasonable grounds, the DLP/Deputy DLP should report the concern to the authorities. If reasonable grounds for concern exist, the designated liaison person will report the concern to Túsła.

If the DLP decides not to make a report, they will record the reasons for this, note any actions taken, and will give the person who reported the concern a clear written explanation of the reasons why the concern is not being reported to the relevant authorities. The staff member with the reasonable concern is entitled to make a report to Tusla under [Children First: National Guidance for the Protection and Welfare of Children](#), should they wish to do so. The person reporting the concern has protection under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently.

Wherever appropriate, the DLP should check any concerns with the parents/guardians when considering whether a concern exists, unless doing so may further endanger the child or the person considering making the report. The DLP is responsible for reporting the matter to Tusla and/or An Garda Síochána, while the Executive Director (or his/her nominee) is responsible for addressing the relevant procedural issues applicable in respect of a Léargas staff member.

External Reporting

The DLP is responsible for completing the Child Protection and Welfare Report Form or the Retrospective Report Form online or in hardcopy and forwarding it to Túsła. Reports to Túsła should be made immediately.

The Designated Liaison Person must also consider the responsibilities under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 to any reporting requirements under the Children First Act 2015 or Children First: National Guidance for the Protection and Welfare of Children.

A copy of the Child Protection and Welfare Report Form can be found on the Túsła website: https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf

Confidentiality and Record-Keeping

This section outlines and provides guidance on our Code of 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 and our GDPR Policy.

- All information regarding a Child Protection or welfare concern 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.
- In the case of a Child Protection concern, no member of staff or trainer/consultant 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.
- **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.
- 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.
- [Privacy Policy - Leargas](#)

Training and Supports

All staff, trainers, volunteers, consultants and committee and Board members will undertake training in the application of the Children First Act and Guidance, which involves completion of the [Tusla Children First e-Learning Programme](#) . Certification upon completion of the on-line course is valid for 3 years.

In cases where a report is made, the person reporting the concern will be directed to the Employee Assistance Service for support.

Communication

Léargas will use the publication of its Guiding Principles and Reporting procedure to inform the public and staff/ trainers/consultants/ board members of our approach

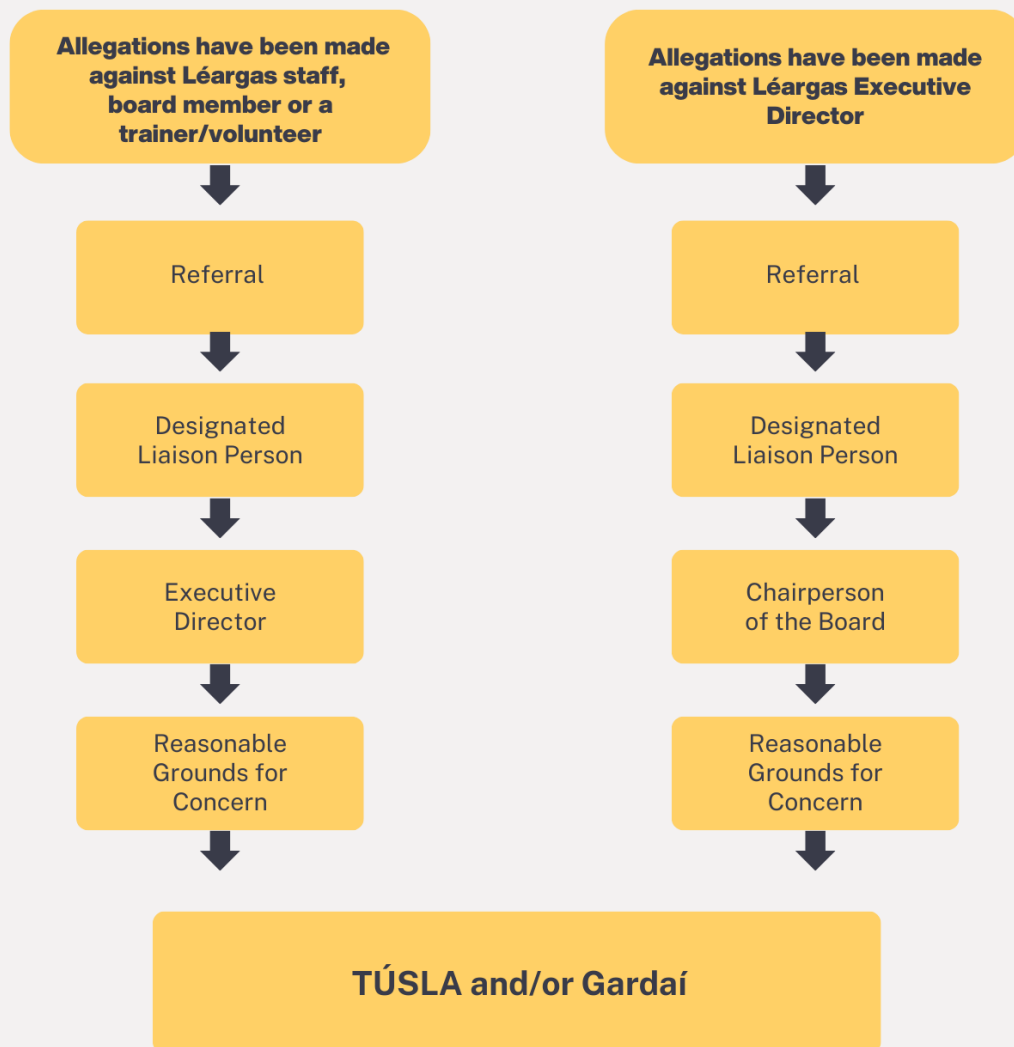
- (i) who the DLP and Deputy DLP are,
- (ii) the procedures they should follow in the event of their having concerns about the well-being of children, with whom they interact in the provision of the Department's services, and
- (iii) the obligations on them to report these concerns.

In addition, information on the Children First Act will be included in the staff's internal HR locker policy documents, with links to relevant documents and information. Léargas will continue to identify and develop relevant induction and training initiatives that are appropriate to the nature and level of our interaction and engagement with children, young people and organisations who work with children and young people.

Appendix 1: Children First Reporting Flow Chart

Internal Child Safeguarding Referral Guidelines

Individuals directly involved with Léargas (staff, trainers, volunteers, and board members) should address Child Safeguarding concerns to Léargas' **Designated Liaison Person** (DLP). The DLP will proceed with a referral course of action based on the following circumstances:



Appendix 2: Children First Reporting Form

Download Reporting Form here:

https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf

TUSLA An Ghnóimhíocht um Leasú agus na Tréimhíocháil Child and Family Agency
Child Protection and Welfare Report Form
 MANDATED PERSONS AND NON MANDATED PERSONS
 (Children First Act 2015 & Children First National Guidance)

Is the Father a Legal Guardian? Yes No

10. Household Composition

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

11. Details of Person(s) Allegedly Causing Harm

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

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

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

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

TUSLA An Ghnóimhíocht um Leasú agus na Tréimhíocháil Child and Family Agency
Child Protection and Welfare Report Form
 MANDATED PERSONS AND NON MANDATED PERSONS
 (Children First Act 2015 & Children First National Guidance)

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

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

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

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

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

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

Report Received by		
First Name	Surname	Date

Mandated Report Acknowledgement by

TUSLA An Ghnóimhíocht um Leasú agus na Tréimhíocháil Child and Family Agency
Child Protection and Welfare Report Form
 MANDATED PERSONS AND NON MANDATED PERSONS
 (Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.
 Fields marked with an * are mandatory.

1. Tusla Area (this is where the child resides)*

2. Date of Report*

3. Details of Child

First Name*	Surname*
Male* <input type="checkbox"/>	Female* <input type="checkbox"/>
Address*	
Date of Birth*	
Estimated Age*	
School Name	
School Address	
Eircode	

4. Details of Concern*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary.

Please see 'Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns' for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

Child Welfare Concern	<input type="checkbox"/>
Emotional Abuse	<input type="checkbox"/> Physical Abuse <input type="checkbox"/>
Neglect	<input type="checkbox"/> Sexual Abuse <input type="checkbox"/>

6. Details of Reporter

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

TUSLA An Ghnóimhíocht um Leasú agus na Tréimhíocháil Child and Family Agency
Child Protection and Welfare Report Form
 MANDATED PERSONS AND NON MANDATED PERSONS
 (Children First Act 2015 & Children First National Guidance)

First Name	Surname	Date Sent

Authorised Person Signature*
 Date*

Child Previously Known Yes No

Allocated Case No

