



CHILD PROTECTION & WELFARE POLICY

March 2021

TÚSLA
An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Review Date: Mar 2022

Child Protection Statement

Brill FRC is fully committed to safeguarding the welfare of all of the children and young people in the Project. It recognises its responsibility to take all reasonable steps to promote safe practice and to protect children from harm, abuse and exploitation. Paid staff and volunteers will endeavour to work together to encourage the development of an ethos, which embraces difference and diversity and respects the rights of children, young people and adults

BRILL FRC will:

- Ensure that all staff and volunteers understand their responsibility to work to the standards and procedures detailed in the organisation's *Child Protection and Welfare Policy*.
- Ensure that all workers/volunteers understand their legal and moral obligations to protect children and young people from harm, abuse and exploitation;
- Having completed training, volunteers and staff will be asked to sign off on both understanding the content of, and agreeing to work by the guidelines set down in the Child Protection Policy.
- Develop best practice in relation to the recruitment of all workers and volunteers;
- Outline the role and responsibilities of a Mandated Person as stated in the Childrens First Act 2015.
- Ensure that all workers understand their obligations to report protection concerns about a child/young person, or a worker's conduct towards a child/young person, to the organisation's designated person for child protection;
- Ensure that all procedures relating to the conduct of workers are implemented in a consistent and equitable manner;
- Ensure that the designated person understands his/her responsibility to refer any child protection concerns to the statutory child protection agencies (i.e. TUSLA or Gardaí);
- Provide opportunities for all workers to develop their skills and knowledge particularly in relation to the care and protection of children and young people;
- Ensure that children and young people are enabled to express their ideas and views on a wide range of issues and have access to the Project's Complaints Procedure;
- Ensure that parents/carers are encouraged to be involved in the work of BRILL FRC and, when requested, have access to all guidelines and procedures;
- Endeavour to keep up-to-date with national developments relating to the care and protection of children and young people.
- BRILL FRC is also committed to reviewing its Child Protection Policy and Code of Practice at regular intervals.

Glossary of Terms:

Child - refers to a person under the age of 18 years, excluding a person who is or has been married. Children First: National Guidance for the Protection and Welfare of Children (2011).

Child Protection Concern – when there are reasonable grounds for believing that a child may have been, is being, or is at risk of being physically, sexually or emotionally abused or neglected

Child Welfare Concern – a problem experienced directly by a child, or by the family of a child, that is seen to impact negatively on the child’s health, development and welfare, and that warrants assessment and support, but may or may not require a child protection response

Abuse - refers to the four recognised, categories of abuse, i.e. neglect, physical abuse, emotional abuse and sexual abuse;

Family Resource Centre - Refers to the activities planned, organised, supervised and run by the staff and Voluntary Board of Directors of BRILL Family Resource Centre or those appointed by them to do so;

Volunteer – refers to people who volunteer to run and manage the Family Resource Centre or to undertake activities as directed by a BRILL FRC Project Manager/Coordinator or the Voluntary Board of Directors;

Staff member – a paid employee of the Family Resource Centre

Parent - refers to parent, guardian and caregiver

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BRILL FRC

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Introduction

BRILL Family Resource Centre aims to protect and promote children's rights by centring its activities around their safety, enjoyment and comfort and ensuring that they are valued, encouraged and treated as individuals in the Centre.

The primary aim of this Child Protection Policy is to communicate our commitment in ensuring the safety of children and young people who come in contact with the service. This policy sets out to give directions and guidance to staff and volunteers of BRILL FRC in relation to best practice in working with children and young people.

In addition, it also aims to provide sufficient information for those involved in BRILL FRC to be vigilant and to be aware of what to do in situations where child abuse may be a concern or suspicion.

All staff and volunteers who have direct contact with children and young people are to be given a copy of the Child Protection and Welfare Policy document and have training in this before commencing work with young people in the Project.

BRILL FRC's Child Protection and Welfare Policy gives due consideration to both the rights of the young person and the rights of adults while also seeking to protect both groups in their association and work with each other.

CODE OF BEHAVIOUR FOR STAFF AND VOLUNTEERS WORKING WITH CHILDREN

BRILL Family Resource Centre promotes a child centred-approach to creating a safe environment for children and young people. Staff and volunteers are provided with clear good practice guidelines on what is acceptable behaviour when working with children and young people.

Staff and volunteers in BRILL Family Resource Centre have a responsibility to promote children's rights by:

- Ordinarily not be on their own with young people. Meetings with individual children or young people will take place as openly as possible and will be part of a planned piece of one to one work.
- Treating them with dignity, sensitivity and respect;
- Making time to listen, talk to and get to know the children;
- Making sure that children know the Centre's rules about behaviour;
- Encouraging children to have an input into how things are run;
- Helping children to be safe, happy and having as much fun as possible;
- Never favouring one child or children over others;
- Enabling children to regard their bodies as their own property;
- Encouraging them to express feelings, fears and experiences openly;
- Giving written information about the Centre to children and their parents / carers;
- Knowing about the principles and practices of child protection including their legal duties;
- Never engaging in sexually provocative games or making suggestive comments, even in fun;
- Respecting children's privacy in bathrooms and in changing rooms;
- Sensitively ensuring that children know about the child protection policy;
- Always responding to complaints or allegations;
- Helping children realise the difference between confidentiality and secrecy;
- Being sensitive to the fact that some children are more vulnerable and have special needs;
- Never using physical punishment with children.

As we are working with a vulnerable population please note that physical contact of a comforting and reassuring nature is a valid way of expressing concern and care for children, but is only acceptable if the child/ young person initiates contact first. Induction and/or training should indicate what physical contacts are inappropriate and enable volunteers/staff to become aware of actions that might be misunderstood and the situations, which might render them vulnerable. If unsure, please check with an experienced colleague or BRILL FRC Manager.

COMMUNICATION

- All communication, including social media, email and text, between staff, volunteers and children will be appropriate and will only be done with parental consent;
- Communications will not contain inappropriate images or text that might be construed as pornographic, racist, derogatory or contain innuendo or material that in any way might be inappropriate or offensive;
- Young people will not be contacted by staff & volunteers through social networking sites;
- Photographs, video or other images of children or young people will not be taken without the consent of the parents / carers and the young people themselves and only appropriate images will be used to promote the activities of the Centre.

Section Four

Record Keeping

Records kept on all members should include:

- Parental consent to membership
- Medical details
- Any special needs – dietary or academic
- Emergency contact telephone numbers
- Permission to contact schools and other organisations/agencies in regard to the member's participation and progress
- Permission to use photographs of member for publicity and report purpose
- Attendance records should be kept
- All of the above should be GDPR compliant.

Accidents and Incidents

BRILL FRC has an accident and incident book in which details of any accidents and incidents are fully recorded. The accident book records accidents, and the incident records breached of professional standards and /or related concerns which might arise.

Incident reports should include the following

- a. The programme running at the time
- b. What happened
- c. Who was involved
- d. Where and when it happened
- e. What was said if significant

- f. Any injury to person or property
- g. How the situation was resolved, if it was resolved
- h. Further action agreed

All records are reviewed regularly. Any irregularities are reported to the appropriate management personnel.

Supervision

BRILL FRC must ensure that buildings or facilities used for activities with young people are safe and secure.

Members must be supervised while in the building. Unless otherwise sanctioned, young people should never be left unsupervised, and leaders should be aware of members' whereabouts, and what they are doing during club time. All activity should have constant adult supervision.

Ratios

The minimum adult/young person ratio in a group within BRILL FRC should ideally be one adult per group of eight plus one other adult, and allowing an additional adult for each group of eight thereafter. Local circumstances, the age of the children, the experience of the volunteers and the staff should be taken into consideration. Safety, ability/disability of young people and the nature of the activities being undertaken may require that these ratios be considerably lower. When dealing with group members of mixed sex, it is important that there are sufficient adults of both sexes to properly manage all activities and areas of any premises in uses.

Outreach Work/ Home Visitations

- Outreach Work and Visitations must be granted by organisational management along with the consent from the Parent/ Guardians of the household(s) in question and proceeded with a cautious and a risk analysis approach.
- Outreach engagement with young people when outside of BRILL FRC must be in public spaces and appropriately supervised by two or more Garda vetted staff/ voluntary members
- (FSS can you please expand here if needed? Thanks...)

Remote/ ICT engagement with Children and Young People

- To engage with children and young people through ICT; Social media; video platform or any other telecommunications directly, staff and volunteers must only engage with those whose Parents/ Guardians have given permission.
- All supervision and duties of care apply when engaging with children and young people remotely.
- Remote engagement can only be prioritised in emergency circumstance and cannot be served as the primary method of working with children and young people.

Definition of Child Abuse

Child abuse can be categorised into five different types: welfare, neglect, emotional abuse, physical abuse and sexual abuse. A child * may be subjected to more than one form of abuse at any given time. *Children First* have adopted the following definitions:

***For the purposes of this document, a ‘child’ means an unmarried person under the age of 18 years.**

Welfare

A problem experienced directly by a child, or by the family of a child, that is seen to impact negatively on the child’s welfare or development, which warrants assessment and support.

Neglect

An *omission*, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

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 his/her health and development as compared to that which could reasonably be expected of a similar child.

Neglect generally becomes apparent in different ways *over a period of time* rather than at one specific point. For instance, a child who suffers a series of minor injuries is not having his or her needs met for supervision and safety. A child who consistently misses school may be deprived of intellectual stimulation. The threshold of significant harm is reached when the child’s needs are neglected to the extent that his/her well being and/or development are severely affected.

Child neglect is the most common category of abuse. A distinction can be made between ‘wilful’ neglect and ‘circumstantial’ neglect. ‘Wilful’ neglect would generally incorporate a direct and deliberate deprivation by a parent/carer of a child’s most basic needs, e.g. withdrawal of food, shelter, warmth, clothing, contact with others. ‘Circumstantial’ neglect more often may be due to stress/inability to cope by parents or carers.

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 of emotional abuse:

- Persistent criticism, sarcasm, hostility or blaming
- Conditional parenting – level of care contingent on child’s behaviours or actions
- Emotional unavailability of parent or carer
- Parental unresponsiveness
- Premature imposition of responsibility on child
- Unrealistic or inappropriate expectations of the child
- Under- or over-protection of the child
- Failure to show interest in, or provide, age-appropriate opportunities for child’s development

- Use of unreasonable or over-harsh disciplinary measures
- Exposure to domestic violence
- Exposure to inappropriate or abusive material through new technology

Children show signs of emotional abuse by their behaviour (for example, excessive clinginess to, or avoidance of the parent/carer), their emotional state (low self-esteem, unhappiness), or their development (non-organic failure to thrive). The *threshold of significant harm* is reached when abusive interactions become typical of the relationship between the child and parent/carer.

Physical Abuse

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.

Physical abuse can involve:

- severe physical punishment
- beating, slapping, hitting or kicking
- pushing, shaking or throwing
- pinching, biting, choking or hair-pulling
- terrorising with threats
- observing violence
- deliberate poisoning
- suffocation
- fabricated/induced illness (see appendix 1 for details)
- allowing or creating substantial risk of significant harm to a child
- use of excessive force in handling

*

Sexual Abuse

When a child is used by another person for his or her gratification or sexual arousal or for that of others.

Some examples include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of the child
- Intentional touching or molesting of the body of a child.
- Masturbation in the presence of the child or the involvement of the child in an act of masturbation
- Sexual intercourse with the child
- 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; involving a child in modelling or posing for the purpose of sexual arousal, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the 'grooming' process by perpetrators of abuse.
- Consensual sexual activity involving an adult and an under-age person. In relation to child sexual abuse, it should be noted that, for the purpose of the criminal law, the age of consent to sexual intercourse is 17 years.

***Note:** the definition of sexual abuse presented here is not a legal definition and is not intended to be a description of the criminal offence of sexual assault

Other Forms of Abusive Behaviour Towards Young People

Apart from the above very serious forms of abuse, volunteers and employees should also be on the alert for other forms of behaviour that may be harmful to young people. The following behaviours are unacceptable among young people, staff and volunteers:

Organised Abuse

Child abuse can occur in a number of ways, including organised abuse. This occurs when one person moves into an area/institution and systematically entraps children for abusive purposes (mainly sexual) or when two or more adults conspire to similarly abuse children using inducements.

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. 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.

Verbal abuse

This can include name-calling, sarcasm, and criticism, making reference to some physical characteristic, destructive criticism, derogatory remarks and gestures.

Bullying

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

Examples of bullying include:

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion.

Bullying behaviour may take place in any setting whether it be in schools, the home or in a youth services setting. In the first instance, it is the responsibility of volunteers/employees to deal with bullying which may take place within the organisation. The more extreme forms of bullying behaviour would be regarded as physical or emotional abuse, and are reportable to the statutory authorities. Each youth group should have a clear policy on countering bullying behaviour which is known to members and implemented by leaders. Incidents should be dealt with immediately and not tolerated under any circumstances.

Unwelcome behaviour

This can include favouritism, exclusion, sexual harassment and sexual innuendo, humiliating and embarrassing others, deprivation of basic rights and harsh disciplinary regimes.

Guidelines for Recognition

There are three stages in the identification of child neglect or abuse:

1. Considering the possibility
2. Looking out for signs of neglect or abuse
3. Recording of information

Stage 1: Consider the possibility where there is:

- Suspicious injury without a reasonable explanation
- Child distressed without obvious reason
- Child displays persistent or new behavioural problems
- Child displays unusual or fearful responses to parents/carers/older children
- A pattern of ongoing neglect

Stage 2: Looking out for signs of neglect or abuse:

Note: general signs that are more indicative of abuse than others which include:

- Disclosure of abuse by a child or young person
- Age-inappropriate or abnormal sexual play or knowledge
- Specific injuries or patterns of injuries
- Absconding from home or a care situation
- Attempted suicide
- Underage pregnancy or sexually transmitted infections
- Signs in one or more categories at the same time: e.g. signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse

Stage 3: Recording of information:

- Establish grounds for concern by obtaining as much information as possible
- Record observations accurately including dates, time, names, locations, contexts
- Care should be taken in relation to storing information

Points to Remember

- The severity of a sign does not necessarily equate with the severity of the abuse.
- Neglect is as potentially fatal as physical abuse.
- Experiencing recurring low-level abuse may cause serious and long-term harm.
- Child abuse is not restricted to any socioeconomic group, gender or culture.
- Challenging behaviour by a child or young person should not render them liable to abuse
Exposure to domestic violence is detrimental to children's physical, emotional and psychological well-being.
- It is sometimes difficult to distinguish between indicators of child abuse and other adversities suffered by children and families
- Neglectful families may be difficult to engage.
- Families where neglect and abuse are prevalent may go to considerable lengths to deceive professionals.

Recording and Reporting Procedures in Respect of Suspected or Actual Child Abuse

This section outlines the steps to take when child abuse is suspected. It is essential that all action taken in respect of child protection is co-ordinated and recorded carefully.

All staff and volunteers must adhere to the Projects Child Protection Policy. This forms part of an employee's written contract of employment. All staff and volunteers must commit in writing that they understand the Project's Child Protection and Welfare Policy and will adhere to said policy. Breaches of this commitment will be processed through the organisations grievance procedures and / or disciplinary procedures as appropriate.

All outside groups and individuals when working with BRILL FRC must commit to working within the BRILL FRC Child Protection and Welfare Policy where appropriate.

Youth work can provide a secure environment that enables young people to share their concerns. It is important that a young person, who discloses abuse feels supported and facilitated in what, for him or her, may be a frightening and traumatic process. It is important that any negative feelings that the young person may have are not increased by the kind of response that the disclosure elicits. A young person who divulges abuse to a volunteer/employee makes a profound act of trust and should be treated with respect, sensitivity and care. It is important to remember the following:

- a. **Do** react calmly, as over-reacting may alarm the young person and compound feelings of anxiety and guilt.
- b. **Do** listen carefully and attentively; take the young person serious.
- c. **Do** reassure the young person that they have taken the right action in telling.
- d. **Do** ask questions only for the purpose of clarification. Be supported, but do not ask leading questions or seek intimate details beyond those volunteered by the child.
Detailed investigative interviews will, if necessary be carried out by TUSLA staff or members of An Garda Síochána.
- e. **Do** check with the young person to ensure that has been heard and understood by you is accurate.
- f. **Do** record the conversation as soon as possible, in as much details as possible. Sign and date the record.
- g. **Do** explain and ensure that the young person understands the procedures, which will follow. The Designated Officer and Project Co-ordinator working with the child and family should make this clear to all parties involved.
- h. **Do** pass the information to the Child Projection Officer/designated person, who will in turn report it to the Statutory Authorities for investigation.
- i. **Do** treat the information confidentially, sharing it only with persons who have a right to hear it.
- j. **Do not make false promises, particularly regarding secrecy. If a young person discloses information to a volunteer/employee, he or she should explain that it cannot be kept secret.**
- k. **Do not ask the young person to repeat the story unnecessarily.**
- l. **Do not express any opinions about the alleged abuser.**

Under no circumstances should any individual member of staff or volunteer attempt to confront an alleged abuser. Proper procedures should be followed at all times. TUSLA and/ or An Garda Síochána will determine how far and in what manner an investigation should be conducted.

Confidentiality

It is important that the Child Protection Policy of an organisation operates strict codes of confidentiality. Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purpose.

Youth work is based upon trusting relationships and it is not uncommon for members to want to share personal information with volunteers or employees. Anyone, (volunteer/employee or young person) disclosing information in this context needs to know in advance the limits of confidentiality and the responsibilities attached.

In other words, it should never be the subject of conversation between any other persons in the organisation, employees, volunteers or young persons unless they are directly involved. Passing information to relevant authorities is not a breach of confidentiality. Information, which is gathered for one person, should not be used for any other purpose without consulting the person who provided that information.

All information regarding concerns of possible child abuse should only be shared on “a need to know” basis in the interests of the child or young person. The test is whether or not the person has any legitimate involvement or role in dealing with the issue.

However, giving information to those who need that information, for the protection of a child or young person who may have been abused is not a breach of confidentiality.

In cases of emergency where a child or young person appears to be at immediate and serious risk, and it is not possible to make contact with Tusla, An Garda Síochána should be contacted immediately. Under no circumstances should a child or young person be left in a dangerous situation pending TUSLA intervention.

[A big part of the family support service will involve working directly with adults and on occasion and this is also part of the work in the education project it is important to outline the exceptions to confidentiality.](#)

Responsibility to Report Suspect or Actual Child Abuse

[Basis for Reporting Concerns & Standard Reporting Procedure](#)

TUSLA Children and Family Services must always be informed when a person has **reasonable grounds for concern** that a child may have been, is being or is at risk of being abused or neglected. Child protection concerns should be supported by evidence

that indicates the possibility of abuse or neglect. A concern about a *potential risk* to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the TUSLA Children and Family Services. Any reasonable concern or suspicion of abuse or neglect must elicit a response.

A volunteer, employee or young person who knows or suspects that a young person has been harmed or is at risk of being harmed has a duty to convey this concern to the designated person/Designated Liaison Person (DLP), who in turn will report the information to the TUSLA. The TUSLA will in turn notify An Garda Síochána. In an emergency, a report should be made directly to An Garda Síochána. Allegations should always be handled in a sensitive and discreet manner. Section 7.5 below details the steps to be followed by volunteers and employees in making reports to the.

The safety and well-being of the child must take priority and reports should be made without delay to the TUSLA Children and Families Service. Before deciding whether or not to make a formal report, you may wish to discuss your concerns with the TUSLA Children and Family Services informally.

Sharing Child Protection Concerns

It is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share these with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not.

Working together is more than just passing on relevant information. It is much more concerned with robust relationships between disciplines and agencies. It is about the quality of the information and also the quality of the relationship. If relationships are not based on trust, relevant information will not be passed on to the detriment of protecting children. Robust collaborative work is about putting children first to promote their safety and well-being.

What Constitutes Reasonable Grounds for Concern?

- A specific indication from a child that he or she was abused.
- Admission or indication by someone of an alleged abuse.
- An account from a person who saw the child being abused.
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect.
- Evidence (e.g. injury or behaviour) that is consistent with abuse and unlikely to have been caused in any other way.

- An injury or behaviour that is consistent both with abuse and an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse.

Reckless Endangerment of Children

Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states:

‘A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

- (a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
- (b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.’

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

Protections for Persons Reporting Child Abuse

BRILL FRC is responsible for reporting any suspected cases of child abuse to the appropriate authorities. The Designated Liaison Person, following the BRILL FRC’s procedures, should make reports to TUSLA and An Garda Síochána. The FRC must ensure that each report is passed on as quickly as possible to the statutory authorities. Furthermore, those reporting a child’s or young person’s disclosure are not regarded as making an allegation as a matter of charge, but simply carrying out their duty in good faith they are not accusing or bringing a charge.

The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or **data protection**.

Reporting Procedures and Responsibilities

BRILL FRC should ensure that volunteers/employees and young people are aware of the organisation’s reporting procedures. They should also be aware of the appropriate authorities to which they may report outside the organisation if they are inhibited for any reason in reporting the incident internally or where they are dissatisfied with the internal response.

In making any report an individual needs to take the following into consideration:

- a. That the protection and safety of the child should be considered paramount
- b. Reports should be made without delay to TUSLA

- c. The principle of natural justice should apply, which means that a person is innocent until proven otherwise
- d. The principle of confidentiality should apply, whereby only those that need to know should be told of a suspicion/allegation/disclosure of abuse and the number of people that need to be kept informed should be kept to a minimum.

Referral Procedures

- In the case of a disclosure or reasonable suspicion the volunteer, employee or young person should discuss the case with the Designated Liaison Person (DLP).
- The matter should be brought to the attention of the BRILL FRC Manager, who in turn reports the matter to the Chairperson/ Child Protection Sub Group of the Project.
- A decision is made in terms of the threshold being reached to pass on the concern/allegation.
- To help BRILL FRC to decide whether or not to formally report its concerns to TUSLA , BRILL FRC can discuss contact Duty Social Work and ask for general advice without the need to give details of the person/people involved.
- If the threshold has been reached, notification should be made without delay.

Standard Reporting Procedure

1. The staff person/volunteer follows the guidelines laid down in regard to recording alleged concerns and / or abuse.
2. This is passed on to one of the Projects DLPs who in consultation with the other DLP decide if it meets the threshold of concern.
3. If it does, or if there is uncertainty about this, the BRILL FRC Management needs to be informed and a decision is made by them.
4. If there is still uncertainty, then an informal conversation with the TUSLA Duty Social Worker can be availed of in relation to seeking guidance.
5. Where the concern is reportable, a report should be made to the TUSLA Duty Social Worker in person, by telephone or in writing.
6. In situations where BRILL FRC decides that it should not refer reported concerns to the TUSLA or An Garda Síochána, the individual volunteer, parent, employee or young person, who raised the concern, should be given a clear written statement of the reasons why the organisation is not taking action. The volunteer, parent, employee or young person should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, the TUSLA or An Garda Síochána.
7. If a third party person, such as a DLP makes the report, it is likely that the Social Worker will wish to speak to the person who first witnessed the incident, received the disclosure, or felt the concern.
8. In the event of an emergency, or the non-availability of TUSLA staff, the report should be made to An Garda Síochána. This made be done at any Garda Station. Under no circumstances should a young person be left in a dangerous situation pending the intervention of the TUSLA.

Dealing with Anonymous Complaints and Information required when a Report is being made.

Anonymous complaints should not be ignored. These complaints should be brought to the attention of one of the DLPs.

Within these constraints, every effort should be made to clarify the grounds for concern and assist the statutory authorities to decide how far and in what manner to pursue an investigation.

Co –operation with Parents / Carers

Parents or carers of any young person deemed to be at risk should be treated with respect. For this reason, families should be informed by the Projects Designated Liaison Person (DLP) if a report about them is submitted to the TUSLA or An Garda Síochána, unless doing so is likely to endanger the child or undermine an investigation. Advice may be sought from the statutory authorities about the best procedure to follow.

Where Reasonable Grounds for Concern are Not Immediately Apparent

Where a volunteer or employee has a suspicion of abuse, and there may be insufficient evidence to substantiate it, the projects Designated Liaison Person (DLP) should be informed and s/he should continue to monitor the situation. The following steps are also recommended:

- The volunteer or employee should, as soon as possible, discuss the situation with the Projects Designated Liaison Person (DLP).
- The volunteer or employee or CPO may continue to observe the behaviour of the young person and the suspected abuser, recording any information which may be relevant using the guidelines for completing Standard Reporting form.
- The volunteer or employee should endeavour to be available to the young person involved. This has to be done in a sensitive manner. It is not proper for the worker to intimate or suggest to a person that s/he may have suffered abuse

Recording and Retention of Information

In all situations, including those in which the cause of concern arises from a disclosure made in confidence, it is extremely important to record the details of an allegation or reported incident, regardless of whether or not a referral is subsequently made to TUSLA / Gardaí. This should happen as soon as possible after the incident has taken place.

Once TUSLA has been notified of an allegation and all of the relevant information has been passed on, under GDPR, BRILL FRC can no longer retain this information.

Need for ongoing Co- operation between Youth Organisations/ Groups and the Statutory Authorities

If TUSLA or An Garda Síochána decide to pursue report a made by a youth organisation/ group, it is likely that a Social Worker will want to speak to the first person who either witnessed an incident of abuse or became concerned about a young person. Should legal action be taken, it is possible that An Garda Síochána may wish to take a witness statement from the person who originally reported the concern. The Designated Liaison Person should make him or herself available as a mediator, if necessary.

Action to be taken when an Allegation is made against Employees, Volunteers or other Members of BRILL FRC

Procedure where a Complaint or Allegation has been made against an Employee

If an allegation is made against an employee, the matter should be reported to the BRILL FRC Manager. The following steps should be taken:

- a) The first priority should be to ensure that no child is exposed to unnecessary risk. The BRILL FRC Manager should, as a matter of urgency, take any necessary protective measures. These measures should not unreasonably penalise the employee financially or otherwise, unless this action is necessary to protect children.
- b) If a decision is made to report the matter to the TUSLA, the Designated Liaison Person (DLP) should inform the employee that an allegation has been made and explain the nature of that allegation. The employee should be afforded the right to respond in accordance with established grievance procedure. The response should be noted and passed to TUSLA if a formal report is being made.
- c) The Designated Liaison Person (DLP) should also notify TUSLA of any other organisations working with children with which the alleged abuser is thought to be involved. TUSLA, if appropriate, will include these organisations in any investigation.
- d) The Parents / Carers of the young person involved should be informed immediately of the complaint against the employee.
- e) The follow up on an allegation of abuse against an employee should be made in consultation with the relevant agencies.
- f) The person accused will need support pending an investigation. It would be unwise for this to be provided within the organisation, an external service should be accessible to the employee for this purpose.

These procedures apply in all cases, including those cases where the employee is employed or contracted on a part time basis.

Procedures Where an Allegation is made against a Volunteer

If an allegation is made against a volunteer, the matter should be reported to the Designated Liaison Person (DLP). Where the allegation is made against a Designated Liaison Person (DLP) who is a volunteer, the allegation should be reported to the most senior person within the organisation or to the TUSLA. All allegations should be assessed promptly. Once a decision has been made to issue a formal report to the TUSLA, the following steps should be taken:

- a. The first priority should be to ensure that no child is exposed to unnecessary risk. The Designated Liaison Person (DLP) should as a matter of urgency take the necessary protective measures. These measures should be proportionate to the level of risks and should not unreasonably penalise the volunteer, unless this action is necessary to protect children.
- b. If a decision is made to report the matter to the TUSLA, the Designated Liaison Person (DLP) should follow the standard reporting procedure. The Designated Liaison Person (DLP) should inform the volunteer that an allegation has been made against him/ her and explain the nature of that allegation. The volunteer should be afforded the right to respond. The response should be noted and passed to the TUSLA if a formal report is being made. The Designated Liaison Person (DLP) should also notify the TUSLA of any other organisation working with children with which the alleged abuser is thought to be involved. The TUSLA if appropriate will include these organisations in any investigations.
- c. The Parents / Carers of the young person should be informed immediately.
- d. The follow up on an allegation of abuse against a volunteer should be made in consultation with the TUSLA and An Gardaí. An immediate meeting should be arranged with both agencies for this purpose.
- e. After these consultations and when pursuing the question of the future position of the volunteer, the Designated Liaison Person (DLP) should advise the volunteer of the situation and agreed procedures shall then be followed.
- f. The person accused will need support pending an investigation. It would be unwise for this to be provided within the organisation, and external services should be accessible to the volunteer for this purpose.

Procedure to be followed where an Allegation is made against Another Young Person

If an allegation is made against another young person, it should be considered a Child Protection issue for both the young people involved and Child Protection Procedures should be adhered to for both victim, and the alleged abuser. The Parents / Guardians of the young people concerned should be informed immediately. Any meetings between the parent/guardian and BRILL FRC should have at least two Project staff present and minutes of the meeting should be kept.

At a given point, the BRILL FRC management group will take over the responsibility for dealing with this. Decisions regarding the future participation in the Project of the young person alleged to have committed abuse should be made at management level.

Whilst acknowledging that processing this involves time, young people, parents/guardians should be kept up to date with progress.

There will be a clear grievance procedure available in the event of any difference of opinions.

Application of Fair Treatment

Volunteers, employees, or members about whom there are concerns should be treated fairly. They should be helped to understand the concerns expressed and the process being operated, and be clearly informed of the outcomes of any investigation and its implications for their future employment or contractual arrangements with the organisation/ group. The investigation should be completed as soon as possible, and the BRILL FRC will work towards ensuring that this happens. The fact that legal action may not always be possible should not mean that action in relation to protecting children or disciplining the volunteer or employee should not be taken.

Confidentiality

It is important that the Child Protection Policy of an organisation operates strict codes of confidentiality. Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful.

Youth work is based upon trusting relationships and it is not uncommon for members to want to share personal information with volunteers or employees. Passing information to relevant authorities is not a breach of confidentiality.

All information regarding concern or assessment of child abuse should be shared only on “a need to know” basis in the best interest of the child.