



Child Protection and Welfare Policy

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Contents

Overview and Introduction	3
Legal Framework.....	3
Aim of Procedures and Guidance	4
Definition of child and reasonable grounds	4
Retrospective abuse.....	4
Concerns about an adult who may pose a risk to children	4
A concern could come to your attention in a number of way.....	5
Safe Recruitment	5
Code of Behaviour.....	5
Risk assessment of Aware services and Children First	6
Aware Child Safeguarding Statement.....	7
Confidentiality Policy	10
Relevant Person (Mandated Persons and Designated Liaison Person).....	12
Recording Concerns	12
Responding to Complaints	12
Appendix (i) Children First National Guidance 2017	12
Appendix (ii) A Guide for the Reporting of Child Protection and Welfare Concern	12
Appendix (iii) Child Safeguarding: A Guide for Policy, Procedure and Practice	12

Overview and Introduction

Everyone should be alert to the possibility that children that we come into contact with may be experiencing abuse or neglect. The wider community including the voluntary sector have a role to play. One of the main objectives of the Children First Act 2015 is to ensure that each organisation keeps children safe while availing of its services. We should know how to recognise and respond to the possibility of abuse or neglect, so as to ensure that the most effective steps are taken to protect a child and to contribute to the ongoing safety of children. The process of identifying and reporting suspected child abuse and neglect can be difficult for both the person making the report and the families involved. However, a failure to act when abuse or neglect is occurring can result in a child being left in a harmful situation and could potentially result in long term damage to their well-being. You should always inform Tusla when you have reasonable ground for concern that a child may have been, is being or is at risk of being abused or neglected. It is not necessary for you to prove that abuse has occurred to report a concern to Tusla. All that is required is for you have reasonable grounds for concern. The legislation and the *Children First: National Guidance for the Protection and Welfare of Children* relate to the obligations of relevant services to prevent, as far as practicable, deliberate harm or abuse to children availing of services. While it is not possible to remove all risks, Aware has in place policies and procedures to manage and reduce risk to the greatest possible extent. This document will set out:

- How Aware keeps children safe from harm while availing of its services
- The identified risk and assessment tool to identify whether a child or young person could be harmed while availing of services
- Child Safeguarding Statement that outlines the policies and procedures in place to manage risk.
- The appointed relevant person(s).
- Aware's Confidentiality Policy which is applied across all areas of the organisation.

Legal Framework

Child Protection and Welfare policy is based on a legal framework provided primarily by the Child Care Act 1991 and the Children First Act 2015. The policy and practice that applied in this area is outlined in *Children First: National Guidance for the Protection and Welfare of Children*. This indicates the statutory obligations for those individuals and organisations under the Act.

There are a number of other pieces of legislation that relates to child protection and welfare. These include the *Protection for Persons Reporting Child Abuse Act 1998*, this Act protects the person making the report as long as the report is made in good faith. The *Criminal Justice Act 2006*, section 176 of this Act created an offence of reckless endangerment of children. This means that an offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child e.g. failing to take reasonable

ground to protect a child from risk, harm or neglect. The *Criminal Justice (withholding of information on offences against children and vulnerable persons) Act 2012*, where a person willingly withholds information about a serious offence against a person under 18 years or a vulnerable person. The *National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016*, under these Acts it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults.

Aim of Procedures and Guidance

This document sets out Aware's role and responsibility for safeguarding children. A definition of the child and harm will be outlined. The document will outline how the policy is applied to safeguarding children in different settings. The role and responsibilities of the Mandated Person and the Designated Liaison Person will be outlined as directed by Children First Act 2015.

Definition of child and reasonable grounds

'A child' means a person under the age of 18 years, who is not or has not been married.

Child abuse can be categorised into four different types. A child may be subjected to one or more forms of abuse at any given time.

Neglect: when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. This might include the omission of food, clothing, warmth, medical care, intellectual stimulation or supervision and safety.

Emotional abuse: occurs when a child's basic need for attention, affection, approval, consistency and security are not met due to the incapacity or indifference from their parent or caregiver.

Physical abuse: when someone deliberately hurts a child physically or puts the child at risk of being physically hurt.

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

Retrospective abuse

Some adults may disclose abuse that took place during their childhood. This information must be reported to Tusla as the alleged abuser may pose a current risk to children. People using Aware services are notified of this through our Confidentiality Policy which is outlined on our website and when using our services.

Concerns about an adult who may pose a risk to children

Sometimes concerns arise about whether an adult may pose a risk to a children, even if there is no specific child named in relation to the concern. For example based on known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom they have contact with. We should report any such reasonable concerns to Tusla **or the Gardaí**, who will try to establish whether or not any child is currently at risk from the individual in question.

A concern could come to your attention in a number of way

- A child tells you or indicates that she/he is being abused. This is called a disclosure.
- An admission or indication from the alleged abuser.
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable.
- Information from someone who saw the child being abused.

Safe Recruitment

We ensure that all staff and volunteers are carefully selected and we adhere to the following:

- Providing role descriptions which outline the qualifications, skills and experience required
- Completion of application form
- Interviews
- Reference checks, verified and kept on file
- Garda vetting checks, verified and kept on file

Code of Behaviour

We are committed to:

- Valuing and respecting all children
- Listening to children
- Promoting positive behaviour
- Implementing and adhering to all relevant policies to keep children safe
- When delivering Aware programmes in schools, Aware insist that a school staff member is present in the classroom for the duration of the class. Should a child approach a Training Partner with concerns, they are trained to refer the child to a class teacher in the school.

Risk assessment of Aware services and Children First

This considers the potential for harm to come to children, taking in account retrospective abuse, while they are availing of Aware's services. It should be noted that risk in this context is the risk of abuse and not general health and safety risk. (Please see Risk Assessment Tool)

1. Aware activities

Schools Education Programmes: Beat the Blues and Life Skills
Support Services – Life Skills Online, Support Groups, Support Mail and Support Line
Adult Educational Programmes: Life Skills Programme and Relatives Programme
Fundraising activities
Charity Shop

2. Aware has identified the following risk of harm in respect of its activities -

Aware's Training Partners providing educational programmes to 15-18 year olds in a schools environment
Volunteers and service user who disclose retrospective abuse and/or immediate risk to self or others.

3. Aware has the following procedures in place to address the risks of harm identified in this assessment -

Staff, volunteers and training partners have access to relevant information and role description regarding the post prior to applying for the role.
Selected applicants engage in a thorough selection process which includes an application form, interview, reference checks and Garda Vetting.
Receive extensive initial and going training/supervision and take part in regular quality checks.
Prior to commencing in their role must complete the online Children First training.
When delivering Aware programmes in schools, Aware insist that a school staff member is present in the classroom for the duration of the class. Should a child approach a Training Partner with concerns, they are trained to refer the child to a class teacher in the school.
Appointed Safeguarding Person and DLP(s)

In undertaking this risk assessment, Aware has endeavoured to identify as far as possible the risks of harm that are relevant to working with young people and to ensure that adequate procedures are in place to manage all risks identified. While it is not possible to foresee and remove all risk of harm, Aware has in place the procedures listed in the risk assessment to manage and reduce risk to the greatest possible extent.

Aware Child Safeguarding Statement

Document Title: Aware Child Safeguarding Statement

Document Developed by: Emma Barnes, Volunteer Training and Online Support

Document Approved by: Aware CEO

First Approval Date: 18th May 2018

Responsibility for Implementation: All staff/volunteers

Responsibility for Review and Audit: Service Management Team

Review date: 18th May 2020

Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. The safety and welfare of children is everyone's responsibility. As and from 1st July 2017 all staff, training partners and volunteers must comply with Aware's Child Safeguarding Statement. This document was developed in conjunction with:

- *Children First: National Guidance for the Protection and Welfare of Children*
- *Guidance on Developing a Child Safeguarding Statement* (www.tusla.ie)
- *Child Safeguarding: A Guide for Policy, Procedure and Practice* (www.tusla.ie)

1. Name of service being provided:

Aware undertakes to create a society where people affected by stress, depression, bipolar and mood disorders are understood, supported, free from stigma, and are encouraged to access appropriate therapies. Aware provides a range of supports and services which include:

- Beat the Blues and Life Skills in Schools. Support Services – life skills online, support groups, support line and support mail. Adult educational programmes – Life Skills group and Relatives Programme.

2. Nature of service and principles to safeguard children from harm:

- Beat the Blues and Life Skills are free programmes delivered at the request of the school to senior cycle students aged 15 and over. Beat the Blues is a positive mental health programme. Life Skills is designed to help young people learn new ways to deal with concerns and challenges in life and is delivered over 4 sessions of 90 minutes per session. It uses an approach based on the principles of cognitive behavioural therapy (CBT) which focuses on thinking and behaviour. These two educational programmes are delivered on school premises by an Aware training partner (paid contractors). A teacher must be present throughout programme delivery. Any issues or concerns which come to the attention of the training partners are brought to the schools attention. All training partners comply with Aware Confidentiality Policy (<https://www.aware.ie/about/privacy-policy/#ConfidentialityStatement>)
- Support services (life skills online, support groups, support line and support mail) are delivered by trained volunteers. The services are for people aged 18 and over. The services delivered are non-directive and provide a proactive listening environment for

individuals to gain support and explore helpful options. All volunteers comply with Aware Confidentiality Policy

(<https://www.aware.ie/about/privacy-policy/#Confidentiality Statement>)

- Adult educational programmes (life skills group and relatives programme) are delivered by Aware training partners (paid contractors). The programmes are for individuals aged 18 and over. All training partners comply with Aware Confidentiality Policy
(<https://www.aware.ie/about/privacy-policy/#Confidentiality Statement>)
- Staff, volunteers and training partners have access to relevant information and role description regarding the post prior to applying for the role. The selected applicants engage in a thorough selection process which includes an application form, interview, reference checks and Garda Vetting. They receive extensive initial and ongoing training/supervision and take part in regular quality checks. Prior to commencing in the role all staff, training partners and volunteer must complete the online Children First training. Aware commits to ensure that where child neglect or abuse is suspected to be occurring, that Aware staff, training partners and volunteers will effectively deal with the matter in a timely, appropriate and professional manner.

We will adhere to the following:

- Recognise that the protection and welfare of children is paramount, regardless of all other considerations.
- Fully comply with its statutory obligations under the Children First Act 2015 and other relevant legislation relating to the protection and welfare of children.
- Fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
- Adopt safe practices to minimise the possibility of harm to children, vulnerable adults and staff.
- Fully respect confidentiality requirements in dealing with child protection matters.

3. Risk Assessment

Aware accepts that risk exists in all aspects and all levels within organisations. Risk management is undertaken to identify, mitigate and positively manage the level and types of risk. We have carried out an assessment of any potential form of harm to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

	Risk identified	Procedure in place to manage identified risk
1	Unsuitable adults having access to young people	Recruitment procedures – application process, interview, reference checks and online Children First training. Adherence to the statutory vetting requirements of the National Vetting Bureau.

2	Unsupervised access to a young person	A teacher must be present during the delivery of the programme
3	Disclosure of abuse or harm current or past	Induction training for all staff, training partners and volunteers. Any concerns or issues are brought to the attention of the school and actioned by DLP see Confidentiality Policy
4	Appropriate management of allegations of abuse or misconduct against staff, volunteers or students	Online Children First training. Child protection training for DLPs Clearly defined Confidentiality Policy HR policies and procedures.

4. Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, *Children First: National Guidance for the Protection and Welfare of Children* (2017), and Tusla's *Child Safeguarding: A Guide for Policy, Procedure and Practice*. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for the safe recruitment, selection and training of staff, training partners and volunteers;
- Procedure for the reporting of child protection or welfare concerns to Tusla;
- Procedure for the management of allegations of abuse or misconduct against Aware's staff, training partners and volunteers;
- Procedure for appointing a relevant person.
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons;
- Complaints procedure

All procedures listed are available upon request.

5. Implementation

We recognise that implementation is an on-going process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

This Child Safeguarding Statement will be reviewed 18th May 2020, or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed: _____ (Provider) Date _____
[Dominic Layden CEO]

For queries, please contact Emma Barnes 01-2374926, Relevant Person under the Children First Act 2015.

Confidentiality Policy

While much of what is said to Aware is confidential, there are exceptions. These exceptions are outlined in our Confidentiality Policy which is applicable across all Aware activities.

Confidentiality is very important to Aware and is guaranteed except:

- Where a person has immediate plans to self harm (with the intention to take own life) or plans to harm others.
- Where there is information that a child is at risk of, or has in the past been subjected to, harm/abuse/neglect.

Procedures for Volunteer/Contractor/Staff to Follow

1) Where a person has immediate plans to self harm (with the intention to take own life) or plans to harm others.

Volunteer/Contractor/Staff will:

- a) Where possible, obtain relevant contact/identifying details of the person and a number for a family member or doctor and attempt to contact them,
- b) Report to Emergency Services (Local Garda Station or 999/112) – inform emergency services of who you are, what the issues are and that you are following Aware Policy.
- c) Report situation to the Designated Liaison Person (DLP) so Aware can ensure the case is properly documented and, if appropriate, reported to TUSLA.

2) Where there is information that a child is at risk of harm/abuse/ neglect.

Volunteer/Contractor/Staff will:

- a) Where possible, obtain relevant contact/identifying details of child/caller/perpetrator.
- b) Report to the Emergency service – (Local Garda Station or 999/112) - inform emergency services of who you are, what the issues are and that you are following Aware Policy.
- c) Report situation to the Designated Liaison Person (DLP) so Aware can ensure the case is properly documented and if appropriate reported to TUSLA.

3) Where there is information that a child has in the past been subjected to harm/abuse/ neglect (Retrospective/Historic Abuse).

Volunteer/Contractor/Staff will:

- a) Where possible, obtain relevant contact/identifying details of caller/perpetrator.
- b) Report situation to Designated Liaison Person (DLP) so Aware can ensure the case is properly documented and if appropriate reported to TUSLA.

Aware Contact Person for Dealing with Issues of Confidentiality

Primary contact for Volunteer/Contractor/Staff:

During Office Hours (call 01 661 7211):

Designated Liaison Person (DLP):

Emma Barnes

Documenting Procedures:

The Volunteer/Contractor/Staff must log details of Issues Relating to Limit of Confidentiality through the **Volunteer Area** under **Reporting – Confidentiality Reporting Form**.

Aware's Responsibility:

- Comply with Children First
- DLP will monitor and report concerning information to TUSLA where appropriate.
- Guide Volunteers/Contractors/Staffs if issues arise when completing the Online Reporting Form.
- Inform the Director of Services each time a referral or report is made.

Relevant Person (Mandated Persons and Designated Liaison Person)

The designated liaison person is responsible for ensuring that reporting procedures within Aware are followed. The designated liaison person should record all concerns or allegations of child abuse brought to his or her attention and the actions taken in relation to a concern or allegation.

Mandated persons are people who have contact with children and or families and who because of their qualification, training and/or employment role, are in a key position to help protect children from harm. The mandated person has two main legal obligations under the Children First Act 2015. These are:

- To report the harm of children
- To assist Tusla if requested in assessing a concern which has been the subject of a mandated person.

The CEO appoints the Designated Liaison Person and deputy Designated Liaison Person based on their role within the organisation. The Designated Liaison Person and deputy receive initial training and follow up training at appropriate intervals.

Emma Barnes is the Designated Liaison Person and Maria Walsh is the deputy Designated Liaison Person.

Recording Concerns

All concerns relating to children and vulnerable adults must be reported to the DLP. The DLP records the information relating to the concerns, the actions taken and the outcome. This information is securely saved and password protected.

Responding to Complaints

We work in partnership with staff, volunteers and service user by seeking feedback and suggestions on the delivery of our services. We have a Complaints Policy in place and can be viewed here: <https://www.aware.ie/about/complaints-policy>

Appendix (i)	Children First National Guidance 2017
Appendix (ii)	A Guide for the Reporting of Child Protection and Welfare Concern
Appendix (iii)	Child Safeguarding: A Guide for Policy, Procedure and Practice

see www.tusla.ie/children-first