



Child Protection and Welfare Policy

Document Title: Aware Child Protection and Welfare Policy
Document Developed by: Emma Barnes, Volunteer Training and Online Support
Document Approved by: Aware CEO and Director of Services
Responsibility for Implementation: All staff/Training Partners/Volunteers
Responsibility for Review and Audit: Service Management Team
First Approval Date: 18th May 2018
1st Review Date: 1st June 2021
Next Review Date: 1st June 2023 or earlier if deemed necessary.

Contents

Overview and Introduction	3
Legal Framework.....	3
Aim of Procedures and Guidance	4
Definition of child and reasonable grounds	4
Retrospective abuse.....	5
Concerns about an adult who may pose a risk to children.	5
A concern could come to your attention in several ways:	5
Safe Recruitment	5
Code of Practice	5
Risk assessment of Aware services and Children First	6
Aware Child Safeguarding Statement.....	7
Aware Confidentiality & Risk Management Policy	11
Relevant Person (Designated Liaison Person and Mandated Persons).....	13
Recording Concerns	13
Responding to Complaints	13
Appendix (i) Children First National Guidance 2017	15
Appendix (ii) A Guide for the Reporting of Child Protection and Welfare Concern	15
Appendix (iii) Child Safeguarding: A Guide for Policy, Procedure and Practice	15

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 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 grounds 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 to 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 and Risk Management Policy (updated April 2021) 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 care 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 – Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. This omission of care is seen where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety.

Emotional abuse – Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Emotional abuse occurs when a child's basic need for attention, affection, approval, consistency, and security are not met, due to incapacity or indifference from their parent or caregiver.

Physical Abuse – Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and / or development is, may be, or has been damaged as a result of suspected physical abuse.

Sexual abuse – Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. Sexual abuse includes the child being involved in sexual acts or exposing the child to sexual activity directly or through pornography. It is important to remember that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise this activity as being abusive.

Referenced from: "*Children First: National Guidance for the Protection and Welfare of Children*", Department of Children and Youth Affairs, 2017.

Retrospective abuse

Some adults may disclose abuse that took place during their childhood. Identifiable information of alleged perpetrator(s) must be reported to Tusla. This information must be reported to Tusla as the alleged perpetrator(s) may pose a current risk to children. People using Aware services are notified of this through our Confidentiality and Risk Management Policy (updated April 2021) 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 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. We should report any such reasonable concerns to Tusla or the Gardaí, who will try to establish whether any child is currently at risk from the individual in question.

A concern could come to your attention in several ways:

- 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.
- Completion of Children First online training and Safeguarding Adults at Risk of Abuse online training.

Code of Practice

We are committed to:

- Valuing and respecting all 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 into 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: Life Skills in schools programme
Support Services: Support Groups and Self Care groups, Support Mail and Support Line
Adult Educational Programmes: Life Skills Programme (Group and Online) and
Relatives and Friends Programme
Fundraising activities

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 school's environment
Staff, training partners, volunteers, and service users 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.
Successful candidates receive extensive initial and going training/supervision and take part in regular quality checks.
Prior to commencing in their role, they must complete the online Children First training, as well as Safeguarding Vulnerable Adults at Risk of Abuse training and submit both Certificates to Aware.
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 Designated Liaison Person and Deputy Designated Liaison Person.

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

1st Review date: 18th May 2020

Revised date: 1st June 2021

Next review date: 1st June 2023 or earlier if deemed necessary.

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:

- Life Skills in Schools. Support Services – Support and Self Care groups, Support Line and Support Mail. Adult educational programmes – Life Skills (online and group) and Relatives and Friends Programme.

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

- Life Skills is a free programme delivered at the request of the school to senior cycle students aged 15 and over. 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. This educational programme is delivered on school premises and in a virtual setting 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 school's attention. All training partners comply with Aware Confidentiality and Risk Management Policy (updated April 2021):
https://www.aware.ie/images/uploads/general/Aware_Confidentiality_and_Risk_Management_policy_V8_April_2021.pdf
- Adult educational programmes (Life Skills (online and group) and Relatives and Friends programme) are delivered by Aware training partners and mental health professionals. The programmes are for individuals aged 18 and over. All training

partners comply with Aware Confidentiality and Risk Management Policy (updated April 2021). See above for the link to Aware's policy.

- Support services (Support and Self Care 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 and Risk Management Policy (updated April 2021). See above for the link to Aware's policy.
- 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 and Safeguarding Vulnerable Adults at Risk of Abuse training. Aware commits to ensure that where there is suspected harm, abuse or neglect occurring to a child or vulnerable adult 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 at risk of abuse 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 neglect, 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 and Risk Management 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 and Risk Management 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.
- Complaint's procedure.

All procedures listed are available upon request.

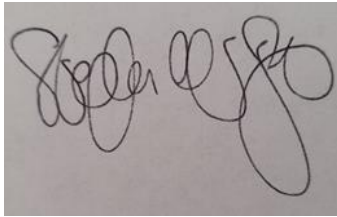
5. Implementation

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 1st June 2023, or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed:  (Provider)
[Dominic Layden, CEO]

Date 1st June 2021



Signed:
[Stephen McBride, Director of Services]

Date: 1st June 2021

For queries, please contact Emma Barnes at confidentiality@aware.ie, Relevant Person under the Children First Act 2015.

Aware Confidentiality & Risk Management Policy

Confidentiality is very important to Aware. Information provided by people who avail of Aware's services and programmes service users is to be kept confidential, except in specific circumstances where there is a risk to self or other.

Risk arises:

- When a person has immediate plans to die by suicide.
- When a person has immediate plans to harm others.
- When there is identifiable information that a child or a vulnerable adult* is at risk of, or has in the past been subjected to, harm/abuse/neglect.

** A Vulnerable Person considered to be 'an adult who may be restricted in capacity to guard himself / herself against harm or exploitation or to report such harm or exploitation. Restriction of capacity may arise as a result of physical or intellectual impairment', (Safeguarding Vulnerable Adults at Risk of Abuse: National Policy and Procedures. Incorporating Services for Elder Abuse and for Persons with a Disability 2014:3)*

Procedures for Volunteers/Training Partners/Staff to follow, having distinguished between suicidal ideation (i.e., thoughts about suicide) and immediate intent to die by suicide.

1) Where a person has immediate plans to die by suicide or plans to harm others.

Volunteer/Training Partner/Staff will:

- a) Where possible, obtain relevant contact/identifying details of the individual making the disclosure.
- b) Report to Emergency Services - (999/112 or Local Garda Station) – inform Emergency Services who you are, what disclosures have been made (that an individual is at risk of dying by suicide or of causing harm to another person) and that you are following Aware Policy.
- c) Report disclosure to the Designated Liaison Person (DLP) through the online form so Aware can ensure the case is properly documented and, if appropriate, reported to TUSLA or HSE.

2) Where there is identifiable information that a child or a vulnerable adult is currently at risk of harm/ abuse/ neglect.

Volunteer/Training Partner/Staff will:

- a) Where possible, obtain relevant contact/identifying details of the individual making the disclosure, that of the child/children or vulnerable adult at risk and alleged perpetrator(s).
- b) Report to the Emergency Service – (999/112 or Local Garda Station) - inform Emergency Services who you are, what disclosures have been made and that you are following Aware Policy.

- c) Report disclosure to the Designated Liaison Person (DLP) through the online form so Aware can ensure the case is properly documented and if appropriate reported to TUSLA or HSE.

3) Where there is identifiable information that an adult has been harmed/abused/neglected retrospectively (as a child, under 18 years).

Volunteer/Training Partner/Staff will:

- a) Where possible, obtain relevant contact/identifying details of the individual making the disclosure, any child/children currently at risk of harm/abuse/neglect and the alleged perpetrator(s).
- b) Report disclosure to Designated Liaison Person (DLP) through the online form so Aware can ensure the case is properly documented and if appropriate reported to TUSLA.

Aware Contact Person for Dealing with Issues of Confidentiality and Risk Management

Primary contact for Volunteers/Training Partners/Staff:

- Designated Liaison Person (DLP): Dr. Emma Barnes (During office hours: 01 6617211 and confidentiality@aware.ie)

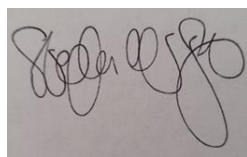
Documenting Procedures:

Volunteer/Training Partner/Staff must log details of disclosures relating to limits of Confidentiality and Risk Management through the **Volunteer Area** under **Online Forms – Confidentiality and Risk Management Policy**.

Aware's Responsibility:

- DLP and/or Director of Services will monitor and report concerning information to TUSLA/HSE and/or An Garda Siochana where appropriate.
- Guide Volunteers/Training Partners/Staff if disclosures arise when completing the Online Form

Reviewed by:



Stephen McBride
Director of Services



Dominic Layden
Chief Executive Officer

Claire Hayes

Dr. Claire Hayes,
Clinical Director

Relevant Person (Designated Liaison Person and Mandated Persons)

The Designated Liaison Person (DLP) is responsible for ensuring that reporting procedures within Aware are followed. DLP should record all concerns or allegations of child abuse or neglect brought to his or her attention and the actions taken in relation to a concern or allegation.

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.

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. A mandated person has two main legal obligations under the Children First Act 2015. These are:

- To report the harm of children above a defined threshold to Tusla
- To assist Tusla if requested in assessing a concern which has been the subject of a report

Mental health professionals who are recruited to deliver some of our educational programmes are mandated persons, as per Children First Act 2015, Schedule 2.

The Clinical Director and Director of Services, as currently employed by Aware, are also mandated persons, as per their respective qualification and training.

Recording Concerns

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

Disclosures are recorded through a secure online form (Wufoo). On a monthly basis the information on Wufoo is deleted and transferred to a password protected file. This is actioned and maintained by the DLP. All reports to Tusla and the HSE are password protected and stored on an internal drive (F drive) and in a lock cabinet.

Responding to Complaints

We work in partnership with staff, volunteers, and service users 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>

Procedure for the management of allegations of abuse or misconduct against Aware's staff, volunteers, and training partners:

Child protection and welfare reporting procedure:

- Priority is to protect the child. No child or young persons should be exposed to unnecessary risk.
- The agreed reporting procedure to TUSLA must be followed without delay.
- Relevant member of the management team to be alerted of any allegation.

Internal personnel procedure:

- Protective measures proportionate to the level of risk.
- Liaise with TUSLA and Gardaí as appropriate.
- Person subject to the allegation is informed of the allegation and given opportunity to respond.
- Parents/carers informed of action planned and taken.
- All stages recorded.

Procedure for the safe recruitment, selection and training of training partners to work with children:

- Job/role description
- Advertisement
- Application form
- Face to face interview
- Garda Vetting
- Children First online training
- Safeguarding Vulnerable Adults at Risk of Abuse online training.
- Written evidence of qualification or experience.
- Attend all induction and ongoing training.
- Monitored by Manager.

Procedure for provision of and access to child protection training and information, including the identification of the occurrence of harm:

- Children First online training
- Child Protection training delivered by Aware.
- Access to the DLP with queries
- DLP to access TUSLA with queries

Procedure for the reporting of child protection or welfare concerns to Tusla

- See Aware Confidentiality and Risk Management Policy (updated April 2021) and Procedures

- Staff has concern.
- Report/ record by DLP
- Are there reasonable grounds for concern?
 - Yes – report and record to TUSLA and An Garda Siochana
 - No – continue to monitor, support and record action.
- If in doubt consult TUSLA duty social worker.

Procedure for maintaining a list of the persons in the organisation who are mandated persons:

- A register of mandated persons (if any) should be compiled by Aware and updated on annual basis or when deemed necessary.
- CEO appoints the mandated person in writing outlining role and responsibilities.
- Mandated person will have access to training including Children First online training and any other training deemed appropriate.

Procedure for appointing a relevant person including DLP:

- A register of relevant persons should be compiled by Aware and updated on annual basis or when deemed necessary.
- CEO appoints a relevant person in writing outlining role and responsibilities.
- Relevant person will have access to training including Children First online training and any other training deemed appropriate.

- 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