

**South West Inner City Network
Youth Service**

Child Protection Policy

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Policy Statement

The South West Inner City Network Youth Service is committed to safeguarding the rights of young people, particularly those with whom we work. SWICN Youth Services duty to care is to provide a safe space for young people, ensuring they are safeguarded from sexual, physical and emotional harm, in a healthy learning environment.

The welfare of the child is paramount in decisions, activities and programmes involving young people and children at SWICN youth Service. SWICN Youth Service has developed the following procedures to be followed in all matters relating to young people under the age of 18 years whilst at any of the centres operated by SWICN Youth service or whilst involved in activities organised through SWICN Youth Service. All persons coming into contact with young people through involvement in organised activities or programmes at SWICN Youth Service are expected to follow the requirements laid out within this policy.

This policy applies to staff at SWICN Youth Service, volunteers, facilitators, programme participants, visitors and guests. SWICN Youth Service requires all other users of the facilities of the service to abide by the working practices contained within this policy.

This policy was developed by SWICN Youth Service in line with 'Children First' guidelines.

Definitions of abuse

In this policy, as per National Guidelines, "child" means a person under the age of 18 years, excluding a person who is or has been married.

Neglect

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food clothing, warmth, hygiene, intellectual stimulation, supervision and safety, medical care, attachment to and affection from adults or medical care. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her well being and/or development are severely affected. Neglect generally becomes apparent over a period of time, rather than at any one point. *Harm* can be defined as the ill-treatment or the impairment of the health or development of a child.

Emotional Abuse

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

- the imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- conditional parenting;
- emotional unavailability by the child's parent/carer;
- unrealistic, inappropriate expectations of the child;
- failure to show interest in, or provide age-appropriate opportunities for the child's cognitive and emotional development;
- unreasonable or over harsh disciplinary measures;
- Exposure to domestic violence.

The threshold of significant harm is reached when abusive interaction dominates and becomes typical of the relationship between the child and the parent/carer.

Physical Abuse

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

- shaking;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;
- Munchausen's Syndrome by proxy where an adult may fabricate stories of illness about a child so as to cause physical signs of illness.

Sexual Abuse

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

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of a child;
- sexual intercourse with a child;
- sexual exploitation of a child.

While child abuse has been described under the previous four heading, due consideration should also be given to instances of bullying, organized abuse and peer abuse.

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

Examples of bullying includes:

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion

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

Organised Abuse: Child abuse may 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.

Vulnerable Children: Certain children are more vulnerable to abuse than others. These include children with disabilities and children who, for one reason or another, are separated from parents or other family members and who depend on others for their care and protection. The same categories of abuse - neglect, emotional abuse, physical abuse, sexual abuse - may be applicable, but may take a slightly different form.

Recognising Child Abuse

There are commonly three stages in the identification of child abuse.

These are:

- (1) considering the possibility
- (2) looking out for signs and indicators of abuse
- (3) recording of information.

(1) Considering the Possibility

SWICN Youth Service endeavours to ensure that staff and volunteers have the skills and information to recognize child abuse. However, the ability to recognize child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information.

The possibility of child abuse should be considered if a child appears to have suffered suspicious injury for which no reasonable explanation can be offered, if they seem distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/ carers.

(2) Looking out for signs and indicators of abuse - possible physical and behavioral indicators of Child Abuse

The following are a list of indicators of child abuse. It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than child abuse. All signs and symptoms must be examined in the total context of the child's situation and family circumstances

Neglect

Frequent minor or serious injuries
Untreated illness
Hunger, lack of nutrition
Tiredness
Inadequate and inappropriate clothing
Lack of supervision
Low self esteem
Lack of peer relationships

Emotional

Unreasonable mood and/or behavioural changes
Aggression, withdrawal or an 'I don't care attitude'
Lack of attachment
Low self esteem
Attention seeking
Depression or suicide attempts
Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed
A fear of adults or particular individuals' e.g. family member, baby-sitter or indeed excessive clinging to parents/carers
Panic attacks

Physical

Frequent bruising, fractures, cuts, burns and other injuries
Torn clothing
Bite marks burns or welts
Bruises in places difficult to mark e.g. behind ears, groin
Undue or unnecessary fear
Aggressiveness or withdrawn
Absconding frequently from home

Sexual

Over affectionate or inappropriate sexual behaviour
Age inappropriate sexual knowledge given the child's age, which is often demonstrated in o language, play or drawings

Fondling or exposure of genital areas

Hints about sexual activity

Unusual reluctance to join in normal activities which involve undressing, e.g. games/swimming

(3) Recording of Information

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information which may be relevant.

Confidentiality

SWICN Youth Service Child Protection Policy operates a strict code 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 the sharing by young people to youth workers of personal information and problems is not uncommon. If there is a need to discuss the circumstances of a child/ young person or their family with other professionals, steps are taken to seek the child/ family's agreement first, unless it is believed that a child is likely to suffer serious harm without some form of immediate action. Anyone, (youth group member or adult leader), disclosing information in this context needs to know in advance the limits of confidentiality and the responsibilities attached.
- In matters of child abuse a youth worker can never promise to keep secret any information that is divulged. A youth worker should explain to the young person disclosing why s/he cannot keep this information secret and also explain to the young person what s/he intends to do with it. Every effort should be made to get the young person to understand this strategy and consent to it. Those working with a child and a family should make this clear to all parties involved.
- All information regarding concern or assessment of child abuse should be shared on "a need to know" basis in the best interest of the child. The giving of information to relevant others, for the protection of the child, is not a breach of confidentiality. It must be clearly understood that information, which is gathered for one purpose, must not be used for another without consulting the person who provided that information.
- If a child makes a disclosure, allegation or voices a concern to a staff member/ volunteer they must be informed gently but as quickly as appropriate in the

conversation that information cannot be kept secret. They must be informed about SWICN procedures about sharing information. They must be informed that the Child Protection Designated Person will be told and the (limited) list of other agencies/ individuals, including parents who may be informed during the follow up.

- If a third party makes a disclosure, allegation or voices a concern, they must be informed that the information cannot be secret. They must be informed that the Child Protection Designated Person will be told and the (limited) list of other agencies/ individuals, including parents who may be informed during the follow up.
- On informing parents about disclosures, they must be informed about SWICN procedures in this regard and the relationship between SWICN Youth Service's policy and the HSE procedures.
- Any party making a disclosure allegation or voicing a concern must be informed about follow up actions.
- In the interests of natural justice, it is important that anyone making a disclosure be firmly discouraged about discussing such a disclosure with anyone beyond the Child Protection Officer in the initial stages of the report, and beyond relevant statutory agencies further on.
- Records pertaining to any child protection incident will be kept in a safe and confidential manner. They are kept securely, with access limited to the Designated Child Protection Officer only. Individual records will be of limited access on a need to know basis only, according to involvement in individual cases.

Designated Child Protection Officer

SWICN Youth Service has appointed a Designated Child Protection Officer who is responsible for the maintaining of good practice in child protection in the organisation, and who deals with child protection concerns as reported by volunteers, staff members or young people, as per the directions of Children First.

The Child Protection Officer is responsible for ensuring that SWICN Youth Service implements these Child Protection Guidelines, and adheres to *Children First* and the *Code of Good Practice for The Youth Work Sector* as issued by the Department of Education and Science. The Child Protection Officer shall also assist in providing relevant training for staff and volunteers in child protection matters and shall act as a liaison person with the HSE and An Garda Siochana.

The Child Protection Officer should:

- have undertaken specific training in child protection procedures and practices
- have a knowledge of Community/Youth Work
- have good listening/feedback skills
- possess a level of knowledge on the topic of child abuse that is relevant and appropriate to their role
- be at ease in discussing emotional or sexual matters

The Child Protection Officers needs to be accessible to all persons associated with the organisation and will also need appropriate support and supervision in their role. A clear job description should outline his or her responsibilities to victims, volunteers, staff members, their employer and statutory authorities.

The Child Protection Officer will:

- Operate within the guidelines set by the HSE as approved by SWICN Youth Service
- Be available on-call on a 24 hour, 7 day week basis. During periods of illness or annual leave, the Chief Executive Officer will be on-call on the same basis.
- Report as appropriate, suspicions and allegations of child abuse to the statutory authorities
- Liaise between the organisation, members, staff and the authorities, where this is necessary
- Build up networks with authorities and relevant agencies/resource groups including HSEs, Gardai and Community Services.
- Facilitate the provision of support to alleged victims, youth leader and staff making a referral or against whom an allegation has been made.
- Advise the organisation, members or staff on individual cases
- Advise the organisation on good practice and on training needs
- Ensure policy and procedures relating to child protection and welfare are followed
- Organise/facilitate training and workshops on child protection
- Maintain proper records on all cases referred to him/her in a secure and confidential manner

- Remain informed about current developments re provision, practice, support services, legal obligations/requirements, policy and legislation

In cases where it is inappropriate for the Designated Child Protection Officer to investigate issues, i.e. an allegation against the Child Protection Officer, the role of Child Protection Officer will be taken on by the Chief Executive Officer, supported by the Chairperson of SWICN .

The Designated Child Protection Officer will maintain his/her training and awareness of Child Protection issues to remain updated on new developments.

Dealing with concerns

If a person has misgivings about the safety of a child they should discuss this immediately with the Designated Child Protection Officer in SWICN Youth Service.

If a staff member / volunteer has a concern, that concern should be immediately recorded.

- It is important that persons reporting suspected child abuse should establish the basis for their concerns. Ways of doing this could include informally checking in with the child or parent/guardian/ carer, as long as this does not put the child at further risk – if the parent/ guardian / carer is suspected. Outcomes of any informal check in should be recorded. Recording of concerns should be done on the specific forms provided, and given to the Child Protection Officer for storage.
- Workers can also check concerns with child, parent and colleagues. Check with the Child Protection Officer first. It is important to remember that checking concerns is not the same as interviewing or investigating.
- Do not interview the child or the child’s parents/carers in any detail about alleged abuse; this will be carried out by the HSE social worker or An Garda Síochána.
- Notify the Child Protection Officer immediately using the general procedure for reporting. If the incident occurs out of hours, the CEO should be contacted. Out of hours incidents will be referred immediately to the Gardai.

Dealing with disclosures

Youth work can provide an environment which encourages security, confidence and trust thus enabling young people to have the confidence to share their concerns with others. A child or young person will select carefully the recipient of his/ her disclosure and the person chosen will be the one who is trusted and in whom they have confidence.

It is important that a child who discloses child abuse feels supported and facilitated in what, for him or her, may be a frightening and traumatic process. A child may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings that the child may have are not increased by the kind of response which the disclosure elicits. A child who divulges an allegation of child abuse to a youth work leader, (whether a volunteer or paid staff member), makes a profound act of trust and must be treated with respect, sensitivity and care.

How to respond

When responding it is of utmost importance that allegations are handled in a sensitive and discreet manner and any response to a child making an allegation should take the following into consideration:

DO:

- React in a calm manner
- Accept and take what the child says seriously;
- Reassure the child that it was right to tell somebody what happened;
- Listen carefully and attentively to the child;
- Write down immediately afterwards what was said in the child's own words, including where, when, any other significant factors noting marks and signs observed. All reports should be signed, timed and dated by the person recording the event;
- Be careful when seeking clarification. Conversation should be supportive and for the purpose of clarification only;
- Explain and make sure that the child understands what will happen next;
- Confine and focus the information that is being recorded and referred. Ensure that it is shared with the child officer only and not made available to third parties who have no right to know;
- Report to the Child Protection Officer;
- Record your Report

DON'T:

- Do nothing;
- Panic;
- Ask leading questions or seek intimate details beyond those volunteered by the child, such as, whether specific acts not mentioned by the child occurred or whether a specific person not named by the child carried out the abuse;
- Promise to keep secret what will be revealed. It is important to tell the child that SWICN Youth Service has a 'no secret's policy but try to alleviate fears, while remembering that SWICN cannot guarantee the child's safety outside of the organisation, nor can SWICN reassure the child that they will be safe following the disclosure;
- Make the child repeat the story unnecessarily;
- Delay;
- Express any opinions about the alleged abuser to the person reporting to you;
- Confront the alleged abuser or start to investigate. (Allegations made should not be investigated or judged by SWICN Youth Service but passed on to the Child Protection Officer within SWICN Youth Service who will immediately report it to the HSE or Gardai)

Information from a third party

What is a third party?

The following categories of third party may be distinguished, each of which may have distinct requirements for protection:

- the child's family members
- other people – other children, friends, carers, neighbours and any other individual who can be identified within the record.

If the third party decides to report directly to the HSE themselves, this must also be recorded in the report, including date of reporting and known responses/ outcomes. The Child Protection Officer will also contact the HSE to ensure that the third party has made the report. If not, then the Child Protection Officer will then contact the HSE / Gardai themselves.

The person receiving the information should note the following:

- The third party must be told that their report cannot remain secret, and there may be follow-up. It should be determined whether the Third Party is willing to be involved in such follow-up.
- The person receiving the information should not express any opinions about the alleged abuser to the person reporting to you;
- All third party information must be recorded immediately. All third party reports must be forwarded to the Child Protection Officer immediately. The Child Protection Officer will then contact the HSE/ Gardai as per general procedures. Neither the person receiving the information or the Third Party should undertake any investigation themselves.

Retrospective disclosures of abuse by adults

In recent years there have been increasing numbers of disclosures by adults of abuse which took place during their childhood. These revelations often come to light in the context of the adults attending counselling. In these situations it is essential that consideration is given to the current risk to any child who may be in contact with the alleged abuser. If any risk is deemed to exist, the staff member should carefully record what has been said to them, and report the allegation to the Designated Child Protection Officer who should in turn report to the HSE without delay. The adult concerned should be given contact details of the HSE Adult Counselling Service. Investigation of disclosures by adult victims of past abuse frequently uncovers current incidences of abuse and is therefore an effective means of stopping the cycle of abuse.

Disclosures of abuse by another young person

If an allegation is made against a young person it should be considered a child protection issue for both of the young people involved and the child protection procedures should be adhered to for both the victim and the alleged abuser.

- The standard reporting procedures should be followed, and advice sought from the statutory authorities regarding informing the parents/carers/guardians of the young people concerned.
- The follow up on an allegation of abuse against a volunteer should be made in consultation with the HSE and An Garda Siochana. An immediate meeting should be arranged with these two agencies. Special consideration will have to be given to the

legal consideration of the young person(s) age and in particular if they are under 18 yrs of age. These are matters that should be discussed with the statutory authorities as a matter of urgency.

- Decisions regarding the future participation within SWICN Youth Service of the young person alleged to have committed the abuse should be made at management level, following the assessment made and the decisions arrived at above.

Internal Recording

All concerns, disclosures and information must be recorded at all stages of an incident, both by the reporting party, other staff/ volunteers involved and by the Child Protection Officer. Record only facts and observations, not speculation or opinion. A template for recording concerns, disclosures and information will be available at all times in the SWCIN Youth Service office. This form should be filled in as soon as possible and submitted to the Child Protection Officer for storage.

Information is recorded as *fact or hearsay* – if hearsay is being recorded it should be clearly identified as such. However, it may be difficult to distinguish fact and hearsay so the person recording information should indicate in the record if there may be doubt. It is essential that the person recording information records carefully what is said and reports to the Child Protection Officer.

When recording a concern, disclosures or information, record the disclosure / conversation, including the following:

- When the concern/ disclosure or information was given (time, date)
- Who gave the information
- Full account of grounds for concern
- Follow up action

It is important to tell the person making a disclosure that the conversation will be recorded to submitted to the Child Protection Officer.

Reporting Procedure

Record absolutely everything regarding the concern/ disclosure/ information. Any report to be made must be done so without delay.

When reporting a suspected incident/ concern the following should take place:

- The person making the initial report should write down the concern/ issue.
- They should then contact the Designated Child Protection officer immediately. Where the Designated person is not available, contact the deputy designated person. Where this person is not available, contact the HSE/ Gardai.
- The Designated Person will contact the Duty Social Worker/HSE Designated Officer in the HSE with the report, by telephone/ written report in the Standard Reporting Form. If a third party makes the report (e.g. Child Protection Officer), it is likely that the duty care social worker will wish to speak to the person who first witnessed the incident, received the disclosure or felt concerned to make the report.
- For out of duty social work hours, any emergency situation should be referred to the Gardai.

Storing of Information

- The Designated Child Protection Officer, and Deputy Designated Child Protection Officer have copies of the Standard Reporting Form.
- Written accounts of all meetings held in the initial report of a concern/ incident should be kept and submitted to the Designated Child Protection officer.
- The Child Protection Officer will keep a copy of the Standard Reporting Form submitted to the HSE
- The Child Protection Officer will maintain a file containing any correspondence / follow up / actions on the incident / concern/ individual child.
- This information will be stored in a safe secure location, separate to any other files on any of the individuals involved and accessible only to the Designated Child Protection Officer.
- A report of suspected abuse to the HSE would not normally be released under Freedom Of Information (FOI), as it would be considered to be 'third party confidential' information. However, if a request was appealed to the FOI commissioner, or if it was subject to a discovery order, the information could be released. The rule of thumb is, that when it comes to reporting information, there is no guarantee of confidentiality. This is written on the back of the yellow Standard Form for Reporting

Responsibility to report suspected or actual child abuse

Society has a duty of care towards children. Parents/carers are primarily responsible for the safety and welfare of the children in their care. The HSE is the statutory body responsible for child protection and welfare and must intervene when children are harmed or fail to receive

adequate care. However, HSE professionals are dependent on the co-operation of members of the public and professionals in contact with children to bring child care and protection concerns to their attention in as comprehensive a fashion as possible.

If staff and volunteers of SWICN Youth Service know/suspect/ have grounds for reasonable concern that a young person has been or is at risk of being harmed, they have a duty to convey this concern to the Designated Person/Child Protection Officer, who will report the information to the HSE. The HSE and Gardai have protocols in place for sharing reports on suspected child abuse. In an emergency situation, particularly out of hours, report directly to the Gardai.

SWICN Youth Services has the following responsibilities:

- To ensure that the protection and safety of the child is paramount
- To ensure that the principle of natural justice is preserved in that a person is innocent until proven otherwise
- To ensure that the principle of confidentiality whereby only those that need to know should be told of a suspicion/allegation/disclosure of abuse and that the number that need to be kept informed should be kept to a minimum
- To ensure that all staff/volunteers are committed to the adherence of our Child Protection Policy – the child protection policy should form part of an staff member’s written contract of employment / volunteer contract and should also form part of the condition of affiliation/registration by any group to the organisation.
- To provide children with the highest possible standard of care in order to promote their well-being and safeguard them from harm.

Procedures for reporting concerns to the HSE and Gardai

The statutory authorities should always be informed when a person has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse. A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute reasonable grounds of for concern.

The following examples would constitute reasonable grounds for concern:

- specific indication from the child that s/he was abused;
- an account by the person who saw the child being abused or a third party

- evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused in any other way;
- an injury or behaviour, which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour;
- consistent indication, over a period of time, that a child is suffering from emotional or physical neglect.

Copies of the Standard Reporting Form to be used with the HSE should be available at all times in the youth service offices.

Information required when a report is being made to the HSE/ Gardai

When the Child Protection Officer/ an individual is reporting an allegation of abuse to the HSE and/or An Garda Siochana, the Standard Reporting Form (Standard Form for Reporting Child Protection and/or Welfare Concerns to the HSE) should be filled in with as much detail as possible. The standard reporting form to the HSE is available in SWICN Youth Service office.

Ensure that as much detail as possible is recorded from the outset, including all relevant names and contact details, including the person making the report, relevant dates, a record of the incident / grounds for concern and details of any actions taken or to be taken.

Consultation with a Social Worker

Disclosure and allegations of abuse and information from a third party are clear grounds for reporting to the HSE and must always be reported without delay. If the Child Protection Officer is unsure about any aspect of the referral, or if they need to establish if there are reasonable grounds for reporting to the HSE, prior to making a formal written report to the HSE, the Child Protection Officer may find it useful to make an initial phone call. It is generally most helpful if the person wishing to report child abuse concerns makes personal contact with the duty social worker as this will assist in gathering as much information as possible about the child and their situation.

Protection for persons reporting child abuse

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to the HSE or An Garda Siochana. This means that even if a reported suspicion of child abuse proves

unfounded a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report. This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to HSEs and to the Gardai should be made by the Child Protection Officer, as per the organisation's policy and guidelines.

Section 3 (1) of the Act (1999) states:

3. (1) A person who apart from this section, would be so liable shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that:-

a child has been or is being assaulted, ill-treated, neglected or sexually abused, or

a child's health development or welfare has been or is being avoidably impaired or neglected, unless it is proven that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person.

Informing parents that concerns are being passed on to the HSE

The ideal scenario in any situation is that parents/carers are informed of any reasons for professional concern and that a report is being made to the HSE about a suspected incident / concern. Informing the parent/ carer should be done by the Child Protection Officer, in consultation with the duty Social Worker, in order to ensure that the safety of the child is maintained. Parents will not be informed by SWICN Youth Service if this would constitute a risk to the child. Irrespective of whether the parent/ carer is informed prior to the concern being passed on to the HSE, they will be contacted by the HSE on foot of further action being taken

Concerns not requiring HSE referral

The Designated Child Protection Officer and the Chief Executive Officer will decide whether or not to refer matters to the HSE, recording their decision. Any matters not referred to the HSE should be noted within a Child Protection Incident File along with any decisions made and signed by the Child Protection Officer and the Chief Executive Officer. The Child Protection Officer will inform the staff, facilitator or volunteer of any decisions not to refer to the HSE. If that staff member, facilitator or volunteer are unhappy with the decision, they have the right (and responsibility) to put their concerns in writing to the Child Protection Officer. The Child Protection Officer will respond in writing within 5 working days outlining their reasons for not reporting the case to the HSE. Should the staff member, facilitator or volunteer not be satisfied as to the reasons for the decision they can

refer the matter to the City of Dublin Youth Service Board Child Protection Officer who will assess the decision and give their findings.

Allegation against a staff member

In the case of an allegation against a staff member/ volunteer, SWICN Youth Service has due regard for the rights and interests of the child and those of the staff member/volunteer against whom the allegation is made. In recognising this dual responsibility in respect of the child and the staff member/ volunteer, SWICN Youth Service has agreed procedures to address the situations where allegations of child abuse are made against a staff member or a volunteer and will access legal advice as necessary. All SWICN Youth Service staff members and volunteers, will be informed of this policy on commencing employment/ voluntary work/ membership with SWICN Youth Service.

General Procedures

It is important to note that there are two basic procedures to be followed in SWICN Youth Service when an allegation is made against an employee or a volunteer:

- (1) the reporting procedure in respect of the child.
- (2) the procedure to be followed in dealing with an employee/volunteer, against whom an allegation has been made.

The same person should not have responsibility for dealing with both the reporting issues and the employment issues/support to staff member / volunteer. It is preferable to separate these issues and manage them independently. In the case whereby the Chief Executive is also the designated person, the Deputy Designated Child Protection Officer will be involved in the reporting side of the issue/ concern, while the CEO will have responsibility for the employment issues / support to staff member or volunteer.

Staff/volunteers may be subjected to erroneous or malicious allegations. Therefore, any allegation of abuse should be dealt with sensitively and support provided for staff including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the staff member/volunteer fairly.

Guidance on dealing with an allegation of abuse against a staff member/ volunteer

Where an allegation of abuse has been made against a staff member or volunteer, the first priority of the organisation is to ensure that no child is exposed to unnecessary risk. In addition the right of that staff member or volunteer to natural justice and due process has also to be respected. SWICN Youth Service must deal with the matter expeditiously, and with the highest possible standards of confidentiality, conscious at all times of the rights of the child, families and staff and the need for fairness to all concerned.

The staff member who receives a complaint/ allegation about another staff member or volunteer will automatically follow normal child protection procedures. The CEO / Chairperson of SWICN Youth Service will, as a matter of urgency, take any necessary protective measures. Referrals to the Chairperson are the role of the CEO / Child Protection Officer. These measures should be proportionate to the level of risk and should not unreasonably penalise the staff member or volunteer, financially or otherwise, unless necessary to protect the children. Where protective measures do penalise the staff member or volunteer, it is important that early consideration be given to the case. It may be necessary to take legal advice in this regard. Any action taken, based on an allegation, should be based on opinion formed reasonably and in good faith.

The standard reporting procedures should be followed for any report being made to the HSE. If the CEO is dealing with the matter, he/she may still require the assistance or advice of the Deputy Child Protection Officer. Where an allegation is made against the CEO or the Deputy Child Protection Officer, they cannot be involved. In this case of allegations being made against the CEO, the Chairperson of the organisation becomes the person responsible to deal with the situation, with support from the Deputy Designated Child Protection Officer.

In responding to an allegation against a staff member / volunteer the following must apply:

- The allegation must be recorded at source – record what the child has told the initial person, as soon as possible.
- The allegation must be reported to the CEO or chairperson immediately
- Determine what arrangements are required to protect children involved so that they are not exposed to any unnecessary risk. Determining the level of risk will consider other children, including access to other children, both within SWICN and in other fora. This should be considered as part of the assessment and, thus, any such information should be passed on to the HSE.

- The CEO must refer the matter immediately to the Chairperson of SWICN Youth Service and to the HSE.
- An assessment of the allegation will be carried out immediately involving the minimum amount of people in order to protect confidentiality. The CEO will work with the HSE to facilitate the assessment.
- The CEO must inform the staff member or volunteer that an allegation has been made and afford the staff member/ volunteer the right to respond in accordance with established grievance procedures.
- The staff person's/ volunteer's response and all other such detail should be offered to the HSE.
- The parents of the child must be informed of the allegation and this should be done following consultation with the statutory authorities.
- Where a child made the initial allegation, the child involved will be informed, in the presence of their parents, of the outcome of their allegation and any actions planned and/or taken. This action may be the role of the HSE/ Gardai – the decision regarding this will be made by the HSE.
- The Designated Child Protection Officer will ensure that any actions taken by them do not undermine or frustrate any investigation being conducted by the HSE or An Garda Síochána. It is strongly recommended that a close liaison remain between the CPO and the authorities to maintain such a relationship.

When it is proposed to interview the staff person/volunteer who is the subject of the allegation, the following procedures will apply:

- He/she will be advised that an allegation has been made, and that an assessment is being carried out.
- He/she will be asked to attend a meeting with the HSE/ Gardai if this is the decided course of action, and will be advised that he/she may be accompanied by a colleague or trade union representative who may, at this stage, act as an observer.
- At the meeting, he/she will be informed of the allegation or statements that have been made by whom and he/she may be offered an adjournment before responding. The adjournment may be very brief. All responses must be noted and such notes passed on to the relevant authorities should the matter proceed to that stage.
- Ensure that records are kept and retained on file, as per the recording procedure.
- Records must be accurate

There are four possible outcomes of this assessment:

- (1) The allegation may be shown to be unfounded, perhaps due to factors of time and place, or because there is a satisfactory explanation for whatever gave rise to the concern or allegation. In this event, the CEO must notify, in writing, the individual who initially made the complaint, giving the reasons why the allegation has been shown to be unfounded.
- (2) The allegation may be substantiated, in which case the Statutory Authorities will recommend to the CEO/Chairperson what action should to be taken. Such action will depend on the nature/level of the abuse.
- (3) The HSE may conclude that there are reasonable grounds for suspecting that abuse may have taken place but that further technical expertise is required.
- (4) The assessment may be inconclusive, without any prospect of additional evidence coming from a further assessment. This outcome will require a decision on what action if any is to be taken, and the HSE will make a recommendation to the CEO and the Chairperson, which may involve consultation with the relevant authorities (i.e. HSEs or An Garda Síochána). Such consultation should take place as a matter of priority.

The CEO will inform the Chairperson of the outcome of this assessment. The person who is the subject of the allegation will also receive a copy of the final outcome report presented to the Chairperson.

Additional Considerations involving Staff Members:

- SWICN Youth Service's HR Procedures, incorporating the Disciplinary Procedures, apply at all times. These procedures are provided to all staff members at the time of their induction.
- Legal advice will be sought to support the organisation. Due process and assessment will take place.
- Where disciplinary action is recommended, the normal disciplinary procedures will apply.
- SWICN Youth Service will endeavour to support the persons involved to accessing support services.
- Other staff members who may be involved in an incident may also require support, and such support should be tailored to their needs.
- The staff member/ volunteer who is the subject of the allegation may be suspended on full pay until the assessment is concluded and any consequent action, internally and externally is implemented. This decision will be taken following initial assessment by

the Chief Executive/ Chairperson as appropriate, and may be made in conjunction with the HSE/ Gardai.

Additional Considerations involving Volunteers:

- Where a volunteer is a member of a Youth Club, the volunteer will be requested to withdraw from participation in the Club immediately. In order to ensure natural justice and confidentiality, only the Chairperson of the Youth Project will be informed of the allegation.
- The Child Protection Officer will also inform the HSE of any other agency/organisation working with children with which the alleged abuser is thought to be involved. In the event of an investigation the HSE will include these organisations in any of their inquiries.
- The person accused will require support pending an investigation. SWICN Youth Service will endeavour to support the person accused to external services, as it would not be appropriate for SWICN Youth Service to provide this service ourselves.
- After these consultations referred to above, and when pursuing the question of the future position of the volunteer the child protection officer should advise the volunteer and the agreed procedures be followed.

Youth Work Practice

SWICN Youth Service is about enabling young people to acquire the knowledge, skills and experiences that will assist their personal and social development. SWICN Youth Service staff and volunteers educate not only through the programmes they facilitate but also through their behaviour and their manner of interaction.

SWICN Youth Service does not accept the following behaviours and will intervene to ensure the fair and equitable treatment of all young people:

- Bullying
- Violence
- Racism
- Sarcasm, name calling, ‘slagging’, and other forms of scapegoating.
- Favouritism of favouring some to the exclusion of others
- Abusive language or gestures
- Negative criticism of young people’s values, beliefs and opinions
- Negatively highlighting physical, social or emotional differences

Staff/volunteers should:

- When meeting individual young people ensure there is at least one other staff member/volunteer on-site. Inform the other staff member/volunteer that the meeting is taking place, and use a room with visual access through glass or, alternatively, leave the door to the room open.
- Monitor any physical contact between themselves and young people, ensuring that at all times contact is appropriate to a particular task and verifiable. Do not offer hugs or massages.
- When dealing with disruptive individuals on a one-to-one basis, ensure that you are accompanied by another staff member or volunteer. If disruption risks the safety of either yourself or the group you should immediately remove the young people and staff from that situation to a place of safety.
- Record all incidents and accidents involving young people on the relevant form, stating the date, time and nature of the incident, accident or injury. Any eye witnesses should be listed and any action taken in the care and treatment of the young person should be documented. If necessary, parents should be informed, and the form should be submitted to the Child Protection Officer.
- Keep records of any allegations a child/young person makes against you or other staff, e.g. “you’re always picking on me”, “you hit me”, “don’t touch me” etc. Keep records of dates and times.
- If a child touches you or talks to you in a sexually inappropriate way or place, record what happened and tell a colleague. Ignoring this or allowing it to go on may place you in a very difficult position.
- In the event of injury resulting from a child touching you ensure that it is recorded and witnessed by another adult.

Staff/volunteers should not:

- Spend time alone with children/young people away from others. If it is a one-to-one situation, make sure the door is open. Tell another member of staff if you are going to see a child/young person on your own, and ensure that they are close by.
- Take children/young people alone in a car on journeys
- Take children/young people to your home
- Engage in inappropriate contact with young people outside projects or clubs. Boundaries must be established and respected
- Engage in rough, physical games, including horseplay. If you physically restrain a child/young person for any reason, be aware that it could be misinterpreted as assault
- Allow or engage in inappropriate touching of any kind. Never pat a child/young person on the bottom. Lap-sitting is only appropriate for babies and pre-school children

- Allow children/young people to use inappropriate sexual language unchallenged
- Suspicions of abuse or inappropriate behaviour of a colleague should be reported to the designated officer within the organisation, but not discussed amongst staff
- Make suggestive comments about a child/young person, even in jest
- Do things of a personal nature that children/young people can do for themselves as it may be misconstrued
- Administer medication to a young person, including common pain medication.

Intimate Care

Tasks of a personal nature should be only carried out for very young children or children/young people with disabilities with the full understanding and consent of parents. Any intimate care procedure should be individually drawn up in writing with the agreement of the young person, their parents and SWICN. All tasks of a personal nature are to be undertaken with the utmost discretion and sensitivity. Adults should explain what help they are going to give the child with personal care and in accordance with their understanding gain their consent.

Do not go into the toilet alone with children/young people. In the case of an intimate care situation, to respect the child's need for dignity and privacy it is not recommended that two people go to the toilet with the child in these particular circumstances. In this case a procedure including safe practice should be agreed with parents. This may include leaving the door ajar, informing a colleague, recording and following the agreed procedure.

Outdoor Activities

1. Outdoor activities must be suitable for the age, development and needs of the group.
2. All instructors must be adequately qualified and insured.
3. Written parental/guardian consent for outdoor activities is required.
4. All equipment must be checked for safety before each activity.
5. First Aid facilities must be made available. Each leader should check this in advance and ensure they have sufficient access.

Activities/Visits Organised by SWICN Youth Service

When organising activities/visits staff, facilitators and volunteers must ensure:

- The physical and emotional safety of all young people is taken into consideration. There should be a clear programme of activity, and all facilities and activities should be checked for appropriateness and risk prior to booking.
- Written Parental/Guardian consent is required for those activities involving young people less than 18 years of age. Emergency contact numbers for parents/guardians, date of birth, dietary and medical requirements are required for each participant.
- Clear information on the activity must be made available to parents/guardians to explain the programme, travel arrangements, emergency contact details and requirements in a 'things to bring' list.
- Staff, facilitators and volunteers should ensure, in so far as is reasonable, that buildings, equipment and facilities are safe, sleeping and washing areas are adequate, separate sleeping spaces for males and females, and separate facilities for leaders that ensure supervision.
- Emergency contact information for participants, activity providers, accommodation and SWICN management must be checked and recorded prior to taking place and brought on the trip along with the consent forms.
- When dealing with groups of mixed gender, you must ensure there is sufficient staff, facilitators or volunteers to properly manage all activities and areas in use. There must be at least one leader for every eight young people.
- Adequate insurance coverage for all activities must be checked and secured.

Policy Implementation

The policy will be reviewed by the Chief Executive Officer and the Designated Child protection Officer in conjunction with the Youth Work Staff. Recommendations for finalisation are drawn up.

The Chief Executive Officer will discuss the policy review with the Board of SWICN Youth Service, who will authorise the implementation of the new policy.

The Designated Child protection Officer will implement the policy through arranging for:

- a. Public display of the Child Protection Statement
- b. Staff training on the policy
- c. Volunteer training on the policy
- d. Facilitator training on the policy
- e. The Designated Child protection Officer will open a file on Child Protection, to be held within the Youth Service Office in a secure locked filing cabinet.

The Chief Executive Officer and the Designated Child protection Officer will discuss child protection issues in their monthly meetings. The policy will be reviewed after six months in the first instance by the Chief Executive Officer and the Designated Child protection Officer.

The policy will thereafter be reviewed on an annual basis.

Amended By Brendan Marsh May 2015 on behave of Board of Management Of SWICN Youth Service.

Review took place with Implication team of the NQSF in April of 2015.

NQSF Implication team

| | |
|------------------|---|
| Thomas Dolan | Youth Worker |
| Evan Moore | CEO SWICN |
| Meadhbh Cooke | Youth Worker |
| Desmond Kernan | Volunteer |
| Kerryn Buck | Volunteer |
| Karzuna Szmumna | Parent |
| AgataGorzynska | Parent |
| Mary Lynch | Community Development Worker DCC |
| Garda Paul Moran | Juvenile Liaison Officer An Garda Siochana |
| Kylieanne Hill | Home School Liaison Officer St, James Secondary |
| Darragh Kavanagh | Young Person |
| Fran Jacobs | Board of Management |

To be reviewed end of 2016

