

# ***ENSURING THE SAFETY AND WELFARE OF CHILDREN***

## **The Children's Lodge Montessori School- Child Protection Policy and Code of Behaviour**

### **Introduction:**

"All statutory, voluntary and community organisations working with and in direct contact with children should have procedures and guidelines derived from and consistent with the current Children First: National Guidance for their staff and volunteers." (Children First 2011 4.7.2.)

Designated Liaison Person

At The Children's Lodge we aim to create a safe and healthy environment for children with whom we care for and we are committed at all times to ensuring their safety and welfare.

The Children's Lodge Child Protection Policy is based on Children First – National Guidelines for the Protection and Welfare of Children (2011), Child Protection and Welfare Practise Handbook (2011) and Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People (2002).

The Legislation adhered to in this policy is, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998, Child Care (Pre School Services) (No 2) Regulations and Amendments 2006, National Vetting Bureau Act 2012 and Children First Bill 2013.

### **STATEMENT OF POLICY:**

The Children's Lodge is fully committed to safeguarding the well-being of all the children in our care. Our policy on child protection is in accordance with "Children First", 2011. The aim of this policy is to enhance the knowledge and awareness of staff and volunteers as to how to safeguard children and report child protection and welfare concerns.

### **CONTEXT OF OUR POLICY:**

The Children First Guidelines were issued by the Department of Health and Children in 1999 and updated in 2011. It outlines procedures, which all organisations dealing with children and young people should put in place. They state that all such organisations should put in place a child protection policy tailored to their specific needs. The Children's Lodge policy outlines the procedures and arrangements in place to protect children in line with "Children First, 2011".

### **Our Duty to Care:**

*Our Duty to Care* was published by the Department of Health and Children in October 2002. It offers a practical guide to staff and volunteers who work with children by outlining a number of fundamental principles of good practice.

#### **1. Good Practice Guidelines**

Safe practice is essential in our work and we have put in place the following procedures to govern our work with children:

All staff and those assisting in The Children's Lodge in caring for children are aware of good practice guidelines and are familiar with the overall child protection policy of the centre. Parents of children availing of our service are informed of our guidelines and procedures. The following information/documentation is requested by The Children's Lodge in relation to each child attending the service:

- Contact details for the family/guardians, including emergency contact numbers
- All relevant medical information
- Consent form allowing centre to obtain emergency medical assistance if required
- Information relating to any special needs which the child may have in terms of access, diet, language assistance, etc

An appropriate ratio of adults to children is in place daily at The Children's Lodge. Staff show respect and understanding for the rights, safety and welfare of the children at all times.

A system is in place for recording any incidents or accidents while the child is in the care of The Children's Lodge.

A clear system of documenting the arrival and departure of children is in place.

There are clear channels of communication and access to staff within the centre if parents/guardians or children wish to voice their concerns regarding something they are not happy about.

There should be no unnecessary physical contact between staff and children although there are times when for example, placing a hand on a distressed child's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child.

The Children's Lodge respects and promotes the principles of equality and diversity and works with all children in a culturally sensitive way within the context of the Irish constitution and law and the UN Convention on the Rights of the Child.

### **RECRUITMENT AND TRAINING:**

Putting in place good procedures in recruitment and training practice is a central element in ensuring the safety and welfare of all children attending the service.

#### **Recruitment:**

In engaging staff (long term, short term or casual based) or volunteers for The Children's Lodge, the following procedures will be followed:

#### **Permanent staff of The Children's Lodge**

The applicant must provide the names of two referees (not family members) who are contacted.

Staff will be given a copy of The Children's Lodge Child Protection Policy and code of behaviour and will be asked to abide by its contents and ensure Management that there is no reason why they would be considered unsuitable for working with children.

#### **Staff on short term contracts**

Where short term contracts for staff are awarded, a clear job description is developed outlining the responsibilities of the job and the reporting procedure.

The applicant must supply information of previous, recent experience, particularly all experience relating to working with children/young people.

The applicant must supply the names of two referees who are relevant to the post (not family members).

Staff will be given a copy of The Children's Lodge Child Protection Policy and code of behaviour and agree to abide by its contents and ensure Management that there is no reason why they would be considered unsuitable for working with children/young people

### **Staff and volunteers from another agency/organisation**

When working with staff/volunteers from another agency/organisation/college each will be given The Children's Lodge Child Protection policy and code of behaviour and will be instructed to read it and agree to abide by its contents and also ensure Management there is no reason why they would be considered unsuitable for working with children/young people

### **Training**

All staff of The Children's Lodge will be expected to participate in relevant training from time to time.

Where young people, under 18 years, are assisting in the work of The Children's Lodge, they will receive appropriate information on The Children's Lodge Child Protection Policy at a level suitable to their age and experience. These young people will always work in partnership with and under the supervision of a senior member of staff.

Induction training for any new staff will include training on The Children's Lodge child protection policy.

### **3.KEEPING PARENTS AND GUARDIANS INFORMED:**

The Children's Lodge will keep parents and guardians informed of all aspects of the programme that their child is involved in. It is our policy to share information relating to the service with the parents/guardians. It is our practice to inform parents/guardians first in the event of a child disclosing an incident of abuse, unless this could put the child in danger.

When speaking to parents the Designated Liaison Person will adhere to Children First 2011 by:

- Considering time and space
- Begin by focusing on the positive statement about the child
- Acknowledge the parents efforts to be a good parent
- Outline that you want to work together for the best interest of the child
- State the concerns clearly, refer to observations
- Ask parent for information, opinions and ideas
- If the concern is child protection, outline obligations of the organisation under the child protection policy, and that a call will need to be made to TULSA for advice.

### **4. Categories of Child Abuse:**

As stated in Children First (2011) there are 4 categories of Child Abuse. All staff at the Children's Lodge are knowledgeable on each category and know how to respond to each as per Children First (2011) guidelines.

**Neglect-** “An omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to affection from adults, medical care.” (Children First 2.2.1.)

**Emotional Abuse** – “Emotional Abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met.” (Children First 2.3.1.)

**Physical Abuse** – “Physical Abuse is that which results in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust.” (Children First 2.4.1.)

**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.” (Children First 2.5.1.)

## **5. DEALING WITH CHALLENGING OR DISRUPTIVE BEHAVIOUR**

Staff will be given guidance and support in dealing with difficult behaviour and issued with a copy of the centres Behaviour Management Policy. The Children’s Lodge ensures that the safety and welfare of the children is a priority and that staff will deal sensitively and professionally with any difficult issues that may arise. Where instances of challenging or disruptive behaviour occur with children, a record will be kept of this where the instance requires the intervention of a worker or where the safety and well being of others are at risk. In a case of such behaviour, two workers should be present in dealing with the situation. Staff members who are present at the time, should complete the incident/accident report form

The report of the incident should include:

The programme or activity which was happening at the time;

Date of the incident;

A record of what happened;

Details of who was involved;

Details of where and when it happened;

A record of any significant comments;

A record of any injury to person or property;

Details of how the situation was resolved.

## **6. DEALING WITH A DISCLOSURE OF ABUSE**

In the event of a child disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the staff member/volunteer involved. The following are guidelines to support the worker/volunteer in this:

- React calmly;
- Listen carefully and attentively; take the child seriously;
- Reassure the child that they have taken the right action in talking to you;
- Do not promise to keep anything secret;
- Ask questions for clarification only. Do not ask leading questions;
- Check back with the child that what you have heard is correct and understood;
- Do not express any opinions about the alleged abuser.
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record;

- Ensure that the child understands the procedures which will now follow;
- Pass the information the Designated Liaison Person immediately, do not attempt to deal with the problem alone;
- Treat the information confidentially.

## **7.ROLE OF THE DESIGNATED LIAISON PERSON**

The Designated Liaison Person for The Children's Lodge is:

**Sinead Brady,  
The Children's Lodge,  
New Road,  
Bandon, Co.Cork.  
023-8844245/086-2471820**

Sinead Brady is a senior staff member who has the working knowledge of the organisation, listening and communication skills, an understanding of abuse and is available. Her role is to provide information and advice, receive and consider child protection concerns, informal consultation with TUSLA, make formal referral- standard report, manage confidential records and inform parents/carers.

The Designated Liaison Person in The Children's Lodge has the ultimate responsibility for ensuring that the child protection and welfare policy of The Children's Lodge is promoted and implemented.

The role of the Child Protection Officer involves the following duties:

- To be familiar with "Children First, 2011", National Guidelines for the Protection and Welfare of Children and "Our Duty to Care", the principles of good practice for the protection of children & young people and to have responsibility for the implementation and monitoring of the child protection and welfare policy of The Children's Lodge.
- To receive reports of alleged/suspected or actual child abuse and act on these in accordance with the guidelines.
- To ensure that training is provided for all new and existing staff in The Children's Lodge on the child protection policy.
- To build a working relationship with TUSLA, An Garda Síochána and other agencies, as appropriate.
- To ensure that supports are put in place for employees or volunteers in cases of allegations being made.
- To keep up to date and undertake relevant training on child protection policy and practice, in order to ensure the relevance and appropriateness of The Children's Lodge policy and procedures in this area.
- To review The Children's Lodge policy and procedures on child protection on an annual basis and amend as appropriate.
- To ensure that systems are in place for recording and retaining all relevant documentation in relation to child protection issues.

## **8.REPORTING PROCEDURE IN RESPECT OF CHILD ABUSE**

Protection for Person Reporting Child Abuse Act 1998

- Immunity from Civil liability when reporting child abuse 'reasonably and in good faith'
- Report to TUSLA or Gardaí
- Protection for employees reporting child abuse
- False reporting is an offence. (Children First 2011 3.10.1.)

The Children's Lodge has put in place a standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse.

## **9. Responsibility to Report Child Abuse**

Everyone must be alert to the possibility that children with whom they are in contact may be experiencing abuse or have been abused in the past. This is an important responsibility for staff and volunteers when working with children.

The guiding principles in regard to reporting children abuse are summarised as follows:

- The safety and well-being of the child must take priority
- Reports should be made without delay to the TUSLA
- While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse.

The reporting procedure for dealing with disclosures, concerns or allegations of child abuse is outlined in the following steps:

- The employee or volunteer who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of the Designated Liaison Person immediately.
- The Designated Liaison Person will assess and review the information that has been provided and may contact TUSLA for informal advice relating to the allegation, concern or disclosure.

After consultation with TUSLA officials, the Designated Liaison Person will then take one of two options:

- Report the allegation, concern or disclosure to the TUSLA or Not make a formal report to TUSLA but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The employee/volunteer who made the initial report will be informed if a formal report is not being made to the TUSLA and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary.
- Where a formal report is made TUSLA will then liaise with An Garda Síochána. It is likely that TUSLA will want to speak to the person who first made the report to clarify facts and the circumstances of the report. In an emergency a report should be made directly to An Garda Síochána.

In making a report on suspected or actual child abuse, the individual must ensure that the first priority is always for the safety and welfare of the child and that the child is ever left in an un-safe situation.

Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

### **Confidentiality**

In matters of child abuse, an employee/volunteer should never promise to keep secret, any information which is divulged. It should be explained to the child that this information cannot be kept secret but only those who need to know, will be told.

It is essential in reporting any case of alleged/suspected abuse that the principle of confidentiality applies. The information should only be shared on a 'need to know' basis and the number of people that need to be informed should be kept to a minimum.

The Protections for Persons Reporting Child Abuse Act, 1998.

This Act provides immunity from civil liability to persons who report child abuse 'reasonably and in good faith' to the Designated Liaison Person, TUSLA or An Garda Síochána.

#### **10. ACTION TO BE TAKEN WHEN AN ALLEGATION IS MADE AGAINST A STAFF MEMBER**

Where an allegation of abuse is made against an employee of The Children's Lodge, there are two procedures that The Children's Lodge will put in place:

- The reporting procedure in respect of the child;
- The procedure for dealing with the employee.

In the case of the allegation being against an employee of The Children's Lodge, the same person will not deal with both the child and the alleged abuser. Employment/contractual issues will be dealt with separately. The Designated Liaison Person will follow the normal reporting procedure in The Children's Lodge.

If an allegation is made against an employee of The Children's Lodge the following steps will be taken:

- The allegation will be assessed by the Designated Liaison Person to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities, at this point. The CPO may wish to contact TULSA for advice on the issue.
- The safety of the child is the first priority and all necessary measures will be taken to ensure that the child is safe. The measures taken will be proportionate to the level of risk.
- The Children's Lodge will ensure that no other children are at risk during this period and will inform other relevant agencies or parents/carers as appropriate.
- The measures which can be taken to ensure the safety of children may include the following: suspension of duties of the person accused, re-assignment of duties where the accused will not have contact with children, working under increased supervision during the period of the investigation or other measures as deemed appropriate.
- If a formal report is being made the employer will notify the employee that an allegation has been made and what the nature of the allegation is. The employee has a right to respond to this and this response will be documented and retained.
- The Children's Lodge will ensure that the principle of 'natural justice' will apply whereby a person is considered innocent until proven otherwise.
- The Children's Lodge will work in co-operation with An Garda Síochána and TULSA and any decisions on action to be taken in regard to the employee will be taken in consultation with these agencies.
- The person against whom the allegation is made will need support during this period and The Children's Lodge will provide advice on how to access the relevant support services.

In the case of an allegation being made against a volunteer within The Children's Lodge the Designated Liaison Person will deal with the issue as outlined in the steps above.

## **11..COMPLAINTS PROCEDURE IN RELATION TO CHILD SAFETY AND PROTECTION**

The Children's Lodge is committed to ensuring the safety and welfare of all children attending the service. The Children's Lodge has put in place a complaints procedure to cover any situations which may arise, when children or their parents/guardians are not happy with the way the children are cared for by The Children's Lodge. All complaints should be directed to the Supervisor.

## **12.RECORD KEEPING**

The Designated Liaison Person is responsible for keeping the following records related to Child Protection:

- Any complaints about the safety and welfare of children while working with The Children's Lodge.
- Any disclosures, concerns or allegations of child abuse.
- The follow up to any complaints, disclosure, concerns or allegations, including informal advice from TUSLA, reports to TUSLA and informing parents/guardians.
- All Parental/Guardian Consent Forms.

The Office of the Minister for Children holds records in accordance with the National Archives Act 1986. This means that no records can be destroyed without the permission of the National Archives. The Children's Lodge will discuss with the National Archives the appropriate length of time to hold the above records and this policy will be updated accordingly once agreement has been reached.

**Contact for TUSLA Child and Family Agency:**

**South Lee Social Work Department 021-4923001**

**<http://www.tusla.ie/services/child-protectin-welfare/contact-a-social-worker/>**

*updated August 2017*  
*S. Brady*  
*Reviewed*  
*2nd September, 2019*



**Appendix 4:**  
**STANDARD NOTIFICATION FORM for use by the HSE**  
**in notifying cases to An Garda Síochána**

**CONFIDENTIAL**

\_\_\_\_\_ HSE Local Health Office Area

\_\_\_\_\_ Address

**To: Superintendent**

Garda Síochána

Address \_\_\_\_\_ Ref. No. \_\_\_\_\_

**NOTIFICATION OF SUSPECTED CHILD ABUSE**

Child's Name \_\_\_\_\_

D.O.B. \_\_\_\_\_ Sex \_\_\_\_\_

Address \_\_\_\_\_

Father's Name \_\_\_\_\_ Mother's Name \_\_\_\_\_

1. The above named child has come to notice as a possible victim of child abuse.

2. Form(s) of abuse suspected:

Neglect     Physical Abuse     Emotional Abuse\*     Sexual Abuse

\* All abuse involves an element of emotional ill-treatment; this category should be used where it is the main or sole form of abuse suspected.

3. Additional information \_\_\_\_\_  
\_\_\_\_\_

**The Designated Social Worker dealing with this matter is:**

Name \_\_\_\_\_ Tel. No. \_\_\_\_\_

Address \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Designated Officer

**RETURN SLIP (to be returned to relevant HSE Local Health Office Area)**

Garda \_\_\_\_\_ Garda Ref. No. \_\_\_\_\_

Address \_\_\_\_\_ Child's Name \_\_\_\_\_

I acknowledge receipt of your notification.

**The Designated Garda assigned to this case is:**

Name \_\_\_\_\_ Tel. No. \_\_\_\_\_

Address \_\_\_\_\_ Signed \_\_\_\_\_

**Appendix 5:**  
**STANDARD NOTIFICATION FORM for use by An Garda Síochána**  
**in notifying cases to the HSE**

**CONFIDENTIAL**

Garda Síochána \_\_\_\_\_ Ref. No. \_\_\_\_\_

Address \_\_\_\_\_

**To: Designated Officer**

\_\_\_\_\_ HSE Local Health Office Area

\_\_\_\_\_ Address

**NOTIFICATION OF SUSPECTED CHILD ABUSE**

Child's Name \_\_\_\_\_

D.O.B. \_\_\_\_\_ Sex \_\_\_\_\_

Address \_\_\_\_\_

Father's Name \_\_\_\_\_ Mother's Name \_\_\_\_\_

1. The above named child has come to notice as a possible victim of child abuse.

2. Form(s) of abuse suspected:

Neglect     Physical Abuse     Emotional Abuse\*     Sexual Abuse

\* All abuse involves an element of emotional ill-treatment; this category should be used where it is the main or sole form of abuse suspected.

3. Additional information \_\_\_\_\_

**The Designated Garda dealing with this matter is:**

Name \_\_\_\_\_ Tel. No. \_\_\_\_\_

Address \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Designated Officer

**RETURN SLIP (to be returned to relevant Garda Station)**

HSE Local Health Office Area \_\_\_\_\_

HSE Local Health Office Area Ref. No. \_\_\_\_\_

Address \_\_\_\_\_ Child's Name \_\_\_\_\_

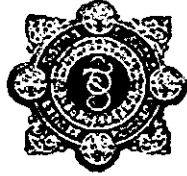
I acknowledge receipt of your notification.

**The Designated Social Worker allocated to this case is:**

Name \_\_\_\_\_ Tel. No. \_\_\_\_\_

Address \_\_\_\_\_ Signed \_\_\_\_\_

Appendix 6:  
RECORD OF GARDA – HSE LIAISON FORM



Part 1

**Record of Garda – HSE Liaison**

*Children First: National Guidance for Protection and Welfare of Children*

HSE Notification No. \_\_\_\_\_

Date of receipt of Formal Notification (*Children First* – Appendix 4/Appendix 5) \_\_\_\_\_

Date of Informal Notification \_\_\_\_\_

Child's Name \_\_\_\_\_ D.O.B. \_\_\_\_\_

Child's Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Category of Abuse \_\_\_\_\_  
\_\_\_\_\_

**Joint Action Team (*Children First* – Sections 7.2/7.3)**

Designated Garda \_\_\_\_\_ Garda Station \_\_\_\_\_

Designated Social Worker \_\_\_\_\_ HSE Office \_\_\_\_\_

**Liaison Management Team:**

Garda Sergeant/Inspector \_\_\_\_\_

Social Work Team Leader \_\_\_\_\_

**Strategy Discussion on receipt of Notification**

Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Place \_\_\_\_\_

Garda \_\_\_\_\_

Social Worker \_\_\_\_\_

Date for Strategy meeting \_\_\_\_\_

Responsibility undertaken by \_\_\_\_\_ for seeing child.

**Emergency Intervention** Yes  No

**Section 12 Child Care Act, 1991:** Yes  No

If Yes, by whom exercised \_\_\_\_\_ Date exercised \_\_\_\_\_

Reason for decision: \_\_\_\_\_

**Emergency Care Order:** Yes  No

Application made by \_\_\_\_\_ Date application made \_\_\_\_\_

Reason for decision: \_\_\_\_\_

**Forensic Evidence to be obtained:** Yes  No

**Scene**

Who preserved scene \_\_\_\_\_ Date preserved \_\_\_\_\_

Reason for decision: \_\_\_\_\_

**Person**

Who took the evidence \_\_\_\_\_ Date evidence taken \_\_\_\_\_

Reason for decision: \_\_\_\_\_

Change of clothing provided by: \_\_\_\_\_

**Medical Examination required:** \* Yes  No

Garda contacted \_\_\_\_\_ Date and Time contacted \_\_\_\_\_

Reason \_\_\_\_\_

*\* If Yes – Garda Forensic Evidence Sexual Offences Kit may be required.*

Part 3

**Strategy Meeting (*Children First* – Section 5.7)**

Convened by \_\_\_\_\_ HSE (*Children First* – Paragraph 5.7.2)

Who present \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Location \_\_\_\_\_  
 \_\_\_\_\_

Day/Date/Time \_\_\_\_\_

**DECISIONS – (*Children First* – Paragraph 7.14.3). Complete as appropriate.**

<b>Children First Guidelines – Paragraph 5.7.4</b>	<b>Action</b>	<b>By whom action carried out</b>	<b>Reason for action</b>	<b>Date completion of action</b>	<b>Review by Liaison Management Team</b>
Information shared					
Immediate action to protect child or children					
Section 16(1)(b) Criminal Evidence Act, 1992 Interview					
Legal options					
Early interventions					

Part 3 continued

<b>Children First Guidelines – Paragraph 5.7.4</b>	<b>Action</b>	<b>By whom action carried out</b>	<b>Reason for action</b>	<b>Date completion of action</b>	<b>Review by Liaison Management Team</b>
Protection/Supports for child					
Sources of information					
Further enquiries					
Agreed plan for remainder of enquiry					

Signed \_\_\_\_\_ Designated Garda

Signed \_\_\_\_\_ Designated Social Worker

If more than one strategy meeting, a new form at Part 3 to be completed in each case.

**Part 4**

**Child Protection Conference**

Convened by \_\_\_\_\_ HSE (*Children First* – Paragraph 5.8.3)

Who present  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location \_\_\_\_\_

Day/Date/Time \_\_\_\_\_

**Key Worker** \_\_\_\_\_

**Child Protection Plan in place** \_\_\_\_\_

**Date for Review** \_\_\_\_\_

Part 5

**Liaison Management Meeting**

<b>Day/Date/ Time/Place</b>	<b>Progress review</b>	<b>Matters arising/ Decisions</b>	<b>Reasons for decisions</b>	<b>Signatures</b>



**Part 6**

**Closure of Record of Garda – HSE Liaison**

DPP Decision: \_\_\_\_\_  
Court Date: \_\_\_\_\_  
Court Outcome: \_\_\_\_\_

Reason for closure of Record of Garda – HSE Liaison:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_ **Designated Garda**  
Date: \_\_\_\_\_

Signed: \_\_\_\_\_ **Designated Social Worker**  
Date: \_\_\_\_\_

Signed: \_\_\_\_\_ **Inspector/Sergeant – Liaison Management Team**  
Date: \_\_\_\_\_

Signed: \_\_\_\_\_ **Team Leader – Liaison Management Team**  
Date: \_\_\_\_\_