



Clare County Council

CHILD PROTECTION Policy & Procedure Document



Introduction

This document has been developed in accordance with government guidance Children First: National Guidance for the Protection and Welfare of Children.

Children, because of their dependency and immaturity, are vulnerable to abuse in various forms. Parents or guardians have primary responsibility for the care and protection of their children. However, Clare County Council has a responsibility to ensure the protection of children participating in any council activities. The achievement of this is detailed in this procedure.

This document extends to all staff and staff who are employed by services, which are run by the Council (i.e. Libraries; Clare Museum; Ennis Leisure Centre; Lees Road Complex, Fire Stations etc) where there is an exposure to working with Children. All employees must be sensitive to the vulnerability of children during the course of their duties and act in a responsible manner at all times. It is recognised that most staff members do not have expertise in this area; it is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities and shall **not** be undertaken by Clare Local Authorities' Designated Liaison Officer or other Local Authority employees. This Child Protection Policy and Procedure will reflect the "Principle of Paramountcy" whereby the welfare of the child is of paramount importance.

This document is directed at all those who have contact with children in the normal course of their duties, to provide guidance on appropriate behaviour around children and what to do if physical, sexual or emotional and neglect abuse is suspected.

Due to the specific Child Protection Requirements for specific sections in Clare Local Authorities – this document is colour coded into four sections.

Each colour code represents the following sections:

The GREEN Section covers the following areas:

Caretakers; Cemetery Employees; Civil Defence; Comhairle na nOg; Community and Enterprise Staff; Community Liaison Officers; Dog Wardens; Environmental Schools Programme; Environment Staff, inclusive of Wardens; Estate Managers; Housing Staff; Junior Achievement; Litter Wardens; Planning Staff; Rapid Co-ordinators; Revenue Collectors; Road Safety Officer; School Wardens; Traffic Wardens, Volunteers engaged in a range of activities; Water Services Staff

The above list is non-exhaustive

The YELLOW Section covers the following areas:

Arts Service; Library Service; Museum

The RED Section covers the following areas:

Fire and Emergency Service

The BLUE Section covers the following areas:

Ennis Leisure Complex; Amenity sites to include sports centres, parks and Water Safety Department

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Circulation and Revision List

Name	Date	Revision	Revision Reason
Designated Liaison Officer	April 2009	1	Initial Development
Nominated Persons (as listed in the policy)	April 2009	1	Initial Development
Softcopy to all employees of Clare Local Authorities	April 2009	1	Initial Development
All Libraries	July 2009	1	Initial Development
All Fire Stations	July 2009	1	Initial Development
Leisure Complex and ETC Staff	July 2009	1	Initial Development
Community & Enterprise Staff	July 2009	1	Initial Development
Relevant Housing Staff	July 2009	1	Initial Development
Softcopy made available to all employees of Clare Local Authorities and printed copies delivered upon request	Feb 2011	2	Retrospective Disclosure by Adults
Softcopy made available to all employees of Clare Local Authorities and printed copies delivered upon request	July 2012	3	New Children First: Guidance
Softcopy made available to all employees of Clare Local Authorities and printed copies delivered upon request	July 2012	3	New Children First: Guidance
Softcopy made available to all employees of Clare Local Authorities and printed copies delivered upon request	January 2013	4	Deputy DLP and extra Nominated Persons
Softcopy updated on the Intranet	December 2015	5	Change of Designated Liaison Person to Damien Mc Mahon

Clare County Council

Protection of Children Policy & Procedure Document

This GREEN Section covers the following areas:

**Caretakers
Cemetery Employees
Civil Defence
Comhairle na nOg
Community and Enterprise Staff
Community Liaison Officers
Dog Wardens
Environmental Schools Programme
Environment Staff inclusive of Wardens
Estate Managers
Housing Staff
Junior Achievement
Litter Wardens
Planning Staff
Rapid Co-ordinators
Revenue Collectors
Road Safety Officer
School Wardens
Traffic Wardens
Volunteers engaged in a range of activities
Water Services Staff
* The above list is not exhaustive**

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Section 1.0 Child Protection Policy Statement

A Child Protection Policy Statement is a statement of Clare Local Authorities intention to provide a safe environment for any children and young people with whom it interacts. This policy also details the procedures, which will be put in place to ensure this safe environment.

Child Protection Policy Statement:

Clare Local Authorities are committed to a child-centred approach to our work with children in all services and activities as operated by the council. We undertake to provide a safe environment where the welfare of the child is paramount. We will adhere to the Children First National Guidance for the Protection and Welfare of Children by implementing procedures covering:

- Appropriate recruitment and selection of employees and volunteers;
- A Garda Vetting Procedure for all relevant employees and volunteers;
- Appropriate management, supervision and training of employees;
- The reporting, investigation and recording of incidents and accidents complaints made against the Council, its employees/volunteers;
- The reporting of suspected or disclosed abuse confidentiality;
- Circulation of information to employees, volunteers, parents/guardians and participants on our activities and what can be expected of the Authority in relation to those activities;
- Allegations of misconduct or abuse by employees.

This policy will be reviewed on an annual basis or more frequently if necessary.

Designated Liaison Person: Damien Mc Mahon

Deputy Designated Liaison Person: Anne Rynne

Date: December 2015

Definition of 'Child'

A "Child" is defined under the Child Care Act 1991 as anyone under the age of 18 years who is not married. The child protection and welfare concerns for the unborn may need to be considered during pregnancy.

Child Protection Officer – herein referred to as the Designated Liaison Officer:

Clare Local Authorities has appointed a Designated Liaison Officer and a Deputy Designated Liaison Officer to:

- Act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns
- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The Designated Liaison Officer shall ensure that they are knowledgeable about child protection and that she undertakes any training considered necessary to keep updated on new development.

The role of the Designated Liaison Officer is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority's catchment area.
- Provide information and advice on child protection within Clare Local Authorities.
- Ensure that Clare Local Authorities child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See *Appendix 1*);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs and liaise with the training section for the implementation of such training.

The name and contact details of the Designated Liaison Officer will be made available to all employees, volunteers, relevant agencies and users of the Local Authority services, where appropriate.

Section 2.0 Code of Behaviour in relation to Children

Clare Local Authorities aims to create an environment in which children are listened to, given a sense of belonging, and kept safe; parents are supported and encouraged; and employees and volunteers who work with children and young people are supported and protected. In order to meet these aims CLA will follow a framework for good practice and a code of behaviour as set out in this document.

The Code of Behaviour will be categorised under the following headings:

- 2.1 Child Centred Approach
- 2.2 Good Practice
- 2.3 Inappropriate Behaviour
- 2.4 Physical Contact
- 2.5 Considerations to the Health and Safety of Children
- 2.6 Considerations for Children with Special Needs or Disabilities
- 2.7 General Supervision

2.1 Clare Local Authorities Child-Centred Approach

All CLA activities involving children shall be guided by what is best for children. Children's activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct. Taking a child-centred approach means to:

- Treat all children and young people equally;
- Listen to and respect children;
- Involve children as appropriate;
- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;

- Offer constructive criticism when needed;
- Treat all children as individuals;
- Respect a child's personal space;
- Use age-appropriate teaching aids;
- Lead by example;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Respect and be aware of differences of ability, culture, religion, race and sexual orientation and membership of the Traveller Community;
- Endeavour to provide equality/diversity training for employees in relation to cultural differences;
- Use all information in respect of children only for the purpose for which it is given, subject to child protection concern.

2.2 Good Practice Framework

Clare Local Authorities aim to work within the following framework for good practice

by:

- Providing training on this Child Protection Policy as well as the organisation of Keeping Safe or appropriate Code of Ethics awareness training for employees in line with the Children First Guidelines; This training to be completed by all staff in addition to staff who are employed by services run directly by the council (i.e. Libraries; Clare Museum; Ennis Leisure Complex; Lees Road Complex, Fire Stations etc).

- Attendance records must be kept for all activities with parental consent forms in addition to registering each child for day-long or long term activities or projects (name, address, phone, special requirements, attendance, emergency contact & parental consent). Registration forms outlining these required details will be established for the relevant service points (refer to *Appendix 8* sample check for records / standards for managing activities). Where it is a drop in activity (e.g. where older children may drop in without parents for a once off activity such as an exhibition or festival event etc) at a minimum an attendance record must be kept with contact details.
- It will be noted that it is not possible to cover all open, public or emergency events e.g. concerts, play days, playgrounds, library events.
- Keeping confidential, personal and sensitive data regarding children and their parents/guardians subject to child protection concerns;
- Making parents/guardians, children, visitors and facilitators aware of this Child Protection Policy and Procedures.
- Having procedures in place for accident/injuries or emergencies as outlined in the Clare Local Authorities Safety Management System;
- Reporting/recording any incidents and accidents;
- Being inclusive of children with special needs;
- Reporting any concerns to the Designated Liaison Officer or the Deputy Designated Liaison Officer and following reporting procedures;
- Encouraging children to report any bullying concerns and worries and be aware of the Dignity at Work Staff Policy and Procedures;
- Evaluation of work practices where contact with children occurs on a regular basis, this will be done by consultation with Children to ensure work practices are suited to their needs (completed by supervisor responsible for Children).
- Clare Local Authorities will be responsible for reviewing and updating policies and procedures regularly;

- Keeping parents/guardians informed of any issues of concern regarding their children as appropriate to the service i.e. formal organised activities e.g. sports events;
- Ensuring appropriate, to the service, supervision (including a minimum of two adults) depending on age, abilities and activities involved;
- Ensuring that all affected organisations are familiar with this policy and procedure document;
- Not ignoring concerns nor letting a problem get out of control;
- Not photographing/filming or otherwise recording or permitting the photographing/filming or otherwise recording of children without the written consent of the parent/guardian; also account will be taken of any guidelines issued by the HSE and National Arts Council.
- Not displaying images of children without the written consent of the parent/guardian/responsible supervisor (e.g. teacher).
- When a newspaper or similar publishing agency wishes to process an image of a child it is the responsibility of the newspaper / similar publishing agency to liaise with the parent / guardian / responsible supervisor (e.g. teacher). When Clare Local Authorities have the responsibility of supervising the child the newspaper or similar publishing agency must liaise with Clare Local Authorities for completion of a photo permission form and confirmation that parent / guardian consent has been sought prior to photo being taken.
- Ensure that Policy and Procedure Document will be available on the intranet and the website i.e. www.clarecoco.ie and www.clarelibrary.ie

2.3 Inappropriate Behaviour – Checklist for Employees/Volunteers

- Avoid spending excessive amounts of time alone with children;
- Avoid taking children on journeys alone in a car where possible and **never** without the consent of the parent/guardian;
- Where possible employees should avoid being in a one to one situation with a child;
- Do not use/allow offensive or sexually suggestive physical conduct and/or verbal language;
- Do not single out a particular child (for unfair favouritism, criticism or ridicule);
- Do not allow/engage in inappropriate touching of any form;

- Do not hit or physically chastise children;
- Do not socialise inappropriately with children e.g. outside of structured organisational activities;

Disruptive behaviour on the part of the Child

Disruptive behaviour on the part of the child is unacceptable, and disruptive children will be asked by employees to behave. Disruptive behaviour will be reported to the parent/guardian. If a child continues to be disruptive s/he will be advised that s/he is causing a disturbance and given a warning. If the disruptive behaviour continues, the child's parents will be phoned and a letter will be sent to the child's parents or guardian outlining the incident and explaining that the services have been withdrawn. If a child is in danger to themselves or others further action may be required i.e. Gardaí to be contacted.

When dealing with a disruptive child it is recommended that where possible more than one employee or volunteer be present. Instances of disruptive behaviour that require the intervention of the employee, and which put at risk the safety and well being of others, must be documented. The report shall describe:

- The programme or activity running at the time;
- What happened;
- Who was involved;
- Where and when it happened;
- What was said, if significant;
- Any injury to person or property;
- How the situation was resolved;
- An Incident Report Form shall be completed. A template is provided in *Appendix 2*.

2.4 Physical Contact

- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;

- Not revealing personal information about children in any way, subject to child protection concerns;

2.5 Considerations for the Health and Safety of Children

- Do not leave children unattended/unsupervised;
- In the event that a child is left unsupervised at an open event or space e.g. an amenity site, the parents / guardians must be informed that children must be supervised at all times. Signage must be posted in this regard.
- If a young child is left unattended the staff will attempt to contact the parents or guardian asking them to collect the child.
- Where there are repeated instances or non-cooperation with requests and a young child continues to be left unsupervised, the parents / guardians to be notified that the statutory authorities e.g. the Garda Síochána will be called.
- If a young child is left in a facility or amenity site under the control of Clare Local Authorities, after closing time, the person in charge is to immediately contact the parent / guardian. If no parent / guardian responds, the statutory authorities to be notified.
- In the event of a traffic warden noting a child left alone in a car, and the child becomes distressed, the warden is to take account of the incident and notify their line manager without delay. In addition, if the warden is concerned about the child, the advice from the local Garda Síochána station must be sought without delay.
- Ensure that children are not in contact with any dangerous materials;
- Provide a safe environment and where feasible ensure another employee/volunteer is present;
- Be aware of and comply with the Parent Safety Statement and relevant Ancillary Safety Statements. Be familiar with the particular risks associated with the activity and/or location at which you are based.
- When a risk assessment is completed it must take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure;
- Ensure that you are familiar with and comply the accident reporting procedures;
- Familiarise yourself with and where necessary comply with the emergency evacuation procedures particular to the location in which you are located

and brief the children in your care on what they are to do/where they must go in an emergency;

- For any further advice in relation to health and safety issues you should contact the Health and Safety Officer for your department.

2.6 Consideration for Children with Special Needs or Disabilities

Clare Local Authorities will adhere to national legislation including Disability Act 2005, and Equal Status Acts 2000-2007 in relation to children with disabilities or special needs to ensure as much as possible access to all services and activities.

2.7 General Supervision

It is imperative that employees/volunteers shall endeavour to ensure that there are adequate adult/child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide may be 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more adults). Where possible there will be at least one adult of each gender with mixed parties. This ratio may not be appropriate at service points as distinct from organised activities for this reason it is imperative that notes of an activity are recorded at all times so as to establish if there are any parts of the activity where extra supervision is required i.e. during times when children may become excited about an event etc.

- All Employees/volunteers shall endeavour to avoid being left alone with children;
- In the event of an Employee being scheduled to complete an inspection on a premises and there are children present at this location, these inspections must be planned appointments. When planning the appointments the tenant is to be informed that inspection will not proceed without the employee being accompanied by an adult (i.e. the tenant of the property) at all times.
- If an adult needs to talk separately to a child this should be done in an open environment in view of others whilst offering the child confidentiality;
- Employees should not be left alone with children at the end of an activity;
- It is not recommended that any employee under 18 years of age (e.g. beach lifeguards) is left alone to work with Children under any circumstances.
- Times for start and finish of activities should be clearly stated as part of a specific pick up / drop off policy specific to that service point;

- Late collection of children by parents/guardians presents a potentially difficult situation, and employees/volunteers shall attempt to contact the child's parent/guardian on their contact number;
- Use an alternative contact name/number agreed with the child's parent/guardian if necessary. Please also refer to the Section 2.5, considerations for the health and safety of children with reference to repeated occurrences of children being left unattended.
- Wait with the child with another employee member/volunteer present where possible;
- Make it clear to parents/guardians that it is not CLA's responsibility to transport children home on behalf of parents/guardians who have been delayed;
- If parents are used as volunteers in respect of achieving the above adult / child ratio then this parent(s) must be fully supervised when working with children other than their own.

Employees/volunteers **shall not:**

- Take the child home or to another location without permission from a parent /guardian;
- Send the child home with another person without permission from a parent/guardian;
- Leave a child unaccompanied.

Section 3.0 Reporting Child Protection & Welfare Concerns

3.1 Recognising Child Abuse

Child abuse can often be difficult to identify and may present in many forms (see below summary definitions on categories of abuse; also refer to *Appendix 3* for guidance on signs and symptoms of child abuse).

To safeguard Children please note the definitions of abuse as follows:

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

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, attachment to and affection from adults and or medical care. Instances of neglect can be measured under the following headings:

- Mild Neglect – usually does not warrant a report to the Child Protection Notification System
- Moderate Neglect – occurs when less intrusive measures, such as community interventions have failed or some moderate harm to the child has occurred
- Severe Neglect – occurs when severe or long-term harm has been done to the child
- Chronic Neglect – can be defined as ‘patterns of the same acts or omissions that extend over time and recur over time’

Emotional Abuse

Emotional abuse is normally to be found in the relationship between a parent / carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Emotional abuse can be manifested in terms of the child’s behavioural, cognitive, affective or physical functioning.

Physical Abuse

Physical abuse of a child 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. There may be single or repeated events.

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. It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the

Early detection is important and individuals working with children should share any concerns about child protection or welfare with the Designated Liaison Officer.

The ability to recognise 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. There are commonly three stages in the identification of child abuse.

These are:

- considering the possibility;
- looking out for signs of abuse;
- recording of information.

The possibility of child abuse should be considered if any of the signs or symptoms referred to above is presented. Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/guardians or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, without direct questioning. Play situations such as drawing or story telling may reveal information. Most signs are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse.

If abuse is suspected, it is important to establish the grounds for concern. The following examples would constitute reasonable grounds for concern.

- Specific indication from the child that (s)he was abused;
- An account by a person who saw the child being abused;
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with 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.

Observations should be accurately recorded and should include dates, times, names, and locations.

Who to contact about issues related to Child Protection and Welfare

Damien Mc Mahon has been designated as the Designated Liaison Person and Anne Rynne is the Deputy Designated Liaison Officer to contact if you have an issue or concern about any aspect of a child's safety and welfare. It is the responsibility of this person to support and advise staff about Policy & Procedures in relation to Child Protection and to ensure that procedures are followed. It is also the responsibility of this person to liaise with the Health Services Executive, Gardaí or any other Outside Agencies where appropriate.

Designated Liaison Officer can be contacted at 065 6846422

If however, you would like first to talk to a colleague in confidence about a Child Protection concern, there is a list of nominated persons specific to certain areas. The Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Syl Barrett and Jackie Coote - Ennis Town Council and Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Liam Griffin – Water Safety and Civil Defence Officer
- Ger Hartnett – Senior Executive Health and Safety Officer

3.2 Recording Procedures

Steps to be taken by an employee who knows about or suspects child abuse

- Record all details, including the date, time and people involved in the concern or disclosure or facts. Information recorded should be factual. Any opinions should be supported by facts.
- An Employee / Volunteer should also record the following information:
 - Suspicions
 - Concerns
 - Worrying Observations
 - Behavioural Changes
 - Actions and Outcomes
- An employee/volunteer who knows or suspects that a child has been or is at risk of being harmed has a duty to convey this concern to the Designated Liaison Officer without delay;
- The Designated Liaison Officer or Deputy Designated Liaison Officer will report the information to the Health Service Executive, who in turn, notifies An Garda Síochána; In an emergency, the Designated Liaison Officer must report directly to An Garda Síochána;

- If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay.
- The person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Health Service Executive or An Garda Síochána;
- Under no circumstances should any individual member of employee or volunteer attempt to intervene or deal with the problem of abuse alone.

3.3 Dealing with a Disclosure

Dealing with a Disclosure
<p>A child may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.</p> <ul style="list-style-type: none"> • Be as calm and as natural as possible • Remember that you have been approached because you are trusted and possibly liked. Do not panic • Be aware that disclosures can be very difficult for the child • Remember, the child may initially be testing your reactions and may only fully open up over a period of time • Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to • Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language • Conceal any signs of disgust, anger or disbelief • Accept what the child has to say – false disclosures are very rare • It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child. • It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.

When asking questions:

- Questions should be supportive and for the purpose of clarification only
- Avoid leading questions

The primary responsibility of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously. The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority;
- Reports should be made without delay;
- The principle of natural justice shall apply, as appropriate;
- A person is innocent until proven otherwise however any measures necessary to protect a child must be taken;
- The principle of confidentiality shall apply, whereby only those who need to know should be told of a suspicion/allegation/disclosure of abuse and the number that need to be kept informed shall be kept to a minimum.

3.4 Confidentiality with disclosures – Do not promise to keep secrets

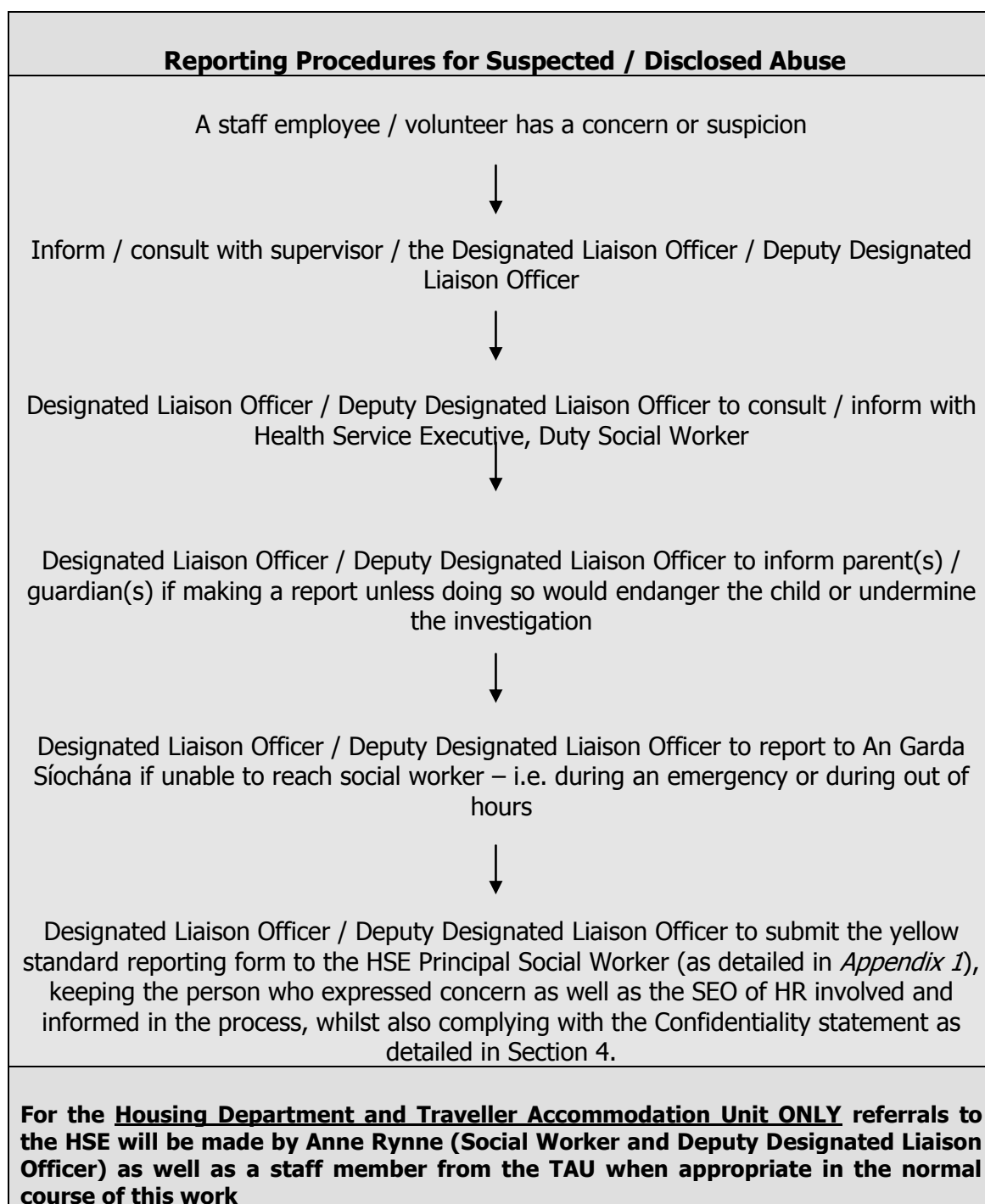
At the earliest opportunity, tell the child that

- You acknowledge that they have come to you because they trust you
- You will be sharing this information only with people who understand this area and who can help. There are secrets, which are not helpful and should not be kept because they make matters worse. It is better to honestly tell the child that you cannot keep a secret than to tell a lie and ruin the child's confidence in another adult.

Think before you promise anything – Do not make promises you cannot keep

3.5 Reporting Procedure

The reporting procedure for Clare Local Authorities is as follows:



*Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers

- Ger Hartnett – Senior Executive Health and Safety Officer

* A nominated person is a person who has been involved in the development of this Policy and Procedure and who an employee can contact in confidence with a query in relation to the content of this policy. In this event, this nominated person will in turn liaise / report to the Designated Liaison Officer or Deputy Designated Liaison Officer.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances; earlier suspicions may provide important information.

Where reasonable grounds exist for the reporting of suspected or actual child abuse a report shall be made to the Health Service Executive in person, by telephone or in writing by the Designated Liaison Officer. Reports may be made to the HSE Duty Social Worker Department or directly to the social worker. Each Health Service Executive office has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns.

In cases of emergency, where a child or a minor appears to be at immediate and serious risk and the member of staff cannot contact the Designated Liaison Officer or Duty Social Worker; An Garda Síochána must be contacted by a senior member of staff immediately. Under no circumstances should a child or minor be left in a dangerous situation pending the intervention by statutory authorities. The Designated Liaison Officer must be kept informed of the events so that the Designated Liaison Officer if necessary can send a formal report to the HSE. A record must be kept of all events.

3.5.1 Informal Consultation

If any person has misgivings about the safety or welfare of a child, the Designated Liaison Person may consult with the HSE Children and Family Services' Duty Social Worker to seek advice through initiating an informal consultation.

The consulting party needs to state explicitly that they are not making a report – that they are giving details of a concern, but no identifying information in relation to a child or a family.

3.5.2 Information required when a report is being made

The ability of the Health Service Executive and/or An Garda Síochána to assess suspicions or allegations of child abuse will depend on the amount and quality of information conveyed to them by persons reporting their concerns.

The template form in *Appendix 1* should be used for reporting suspected child abuse to the Health Service Executive or An Garda Síochána. If a report is made by phone, this form should be forwarded subsequently to the Health Service Executive. In the interest of openness the parents/guardians should be informed if a report is to be submitted to the Health Service Executive or An Garda Síochána unless doing so is likely to endanger the child or undermine an investigation. The Designated Liaison Officer will be responsible for providing this information.

Any CLA employee/volunteer who suspects child abuse shall not interview the child or the child's parents/guardians in any detail about the alleged abuse. All actions taken and outcomes should be recorded.

3.5.3 Cases where concerns are not referred on

In those cases where Clare Local Authorities decides that it should not refer concerns to the Health Service Executive or An Garda Síochána, the employee/volunteer who raised the concern must be given a clear written statement, from the Designated Liaison Officer, of the reasons why the Council is not doing so. Prior to this statement the Designated Liaison Officer will have received advice from the Health Services Executive and if necessary they will quote the HSE's advice for non referral.

Malicious or vexatious allegations of child abuse made by employees/volunteers may be considered to be a disciplinary matter and dealt with accordingly.

3.5.4 Common Impediments to the Reporting of Child Abuse

Child abuse is a difficult and, to some people, distasteful or sensitive subject. At times, it is hard to distinguish between abusive situations and those where other social problems such as unemployment, poverty, poor housing, mental illness or isolation are present. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. Reluctance to act on suspicions about child abuse can often stem from uncertainty and fear. Individuals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking confidence, or afraid of being disloyal. Knowledge and information about child abuse will help to overcome reluctance to take action.

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers, the HSE or any member of An Garda Síochána. 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.

3.5.5 Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. **It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.**

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Designated Liaison Officer must be notified who will report the allegation to the HSE Duty Social Worker without delay.

There is a HSE **National Counselling Service**, which is in place to listen to, value and understand those who have been abused in childhood. The Service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country.

The service can be accessed either through your local HSE office (details in Appendix 4 of this policy) or by way of self-referral (Freephone 1800 670700).

Section 4.0 Dealing with Complaints/Allegations against the Clare Local Authorities, Employees and Volunteers

4.1 Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against Clare Local Authorities, its employees or volunteers must be investigated, dealt with and managed in accordance with the Complaints Procedure. A copy of the Complaints Procedure is available in the Customer Action Plan, located on www.clarecoco.ie.

Employees/volunteers are required to co-operate with investigations by or on behalf of CLA in accordance with the Complaints Procedure. The Council's Disciplinary Procedure may be invoked in circumstances where it is found that an employee/volunteer has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

4.2 Allegations against an Employee or Volunteer

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure will be dealt with and managed by Clare Local Authorities, guided by the Designated Liaison Officer or Deputy Designated Liaison Officer. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Health Service Executive/An Garda Síochána and shall not be undertaken by the Designated Liaison Officer or Deputy Designated Liaison Officer or other Local Authority employees. Where such an allegation is made against an employee, or volunteer contact and consultation with the Health Service Executive and An Garda Síochána will take place as soon as reasonably practical. This may be done through the Designated Liaison Officer. Following these consultations any action will be guided by the relevant Statutory Body. (Refer back to Section 3 – Reporting Procedures, for any necessary clarification e.g. If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay).

Clare Local Authorities will, as a matter of urgency, take any necessary protective measures that are proportionate to the level of risk and will balance its obligations to its employee with its obligations in respect of the best interests of children.

When an allegation is made against an employee, the following steps shall be taken –:

- (i) The first priority shall be to ensure that no child is exposed to unnecessary risk. The employer should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk.
- (ii) Action shall be guided by the agreed internal procedures i.e. Grievance and Disciplinary Procedures, the applicable employment contract and the rules of natural justice, where appropriate;

(See *Appendix 7c: Employee/Volunteer Allegation Chart*)

- (iii) The County Manager or his nominated deputy as well as the SEO of Human Resources shall be informed as soon as possible;
- (iv) The follow up on an allegation of abuse against an employee shall be made in consultation with the Health Service Executive and An Garda Síochána. An immediate meeting shall be arranged with these two agencies for this purpose;
- (v) When pursuing the question of the future position of the employee, the Designated Liaison Officer shall advise the person accused of the allegation and the agreed procedures shall be followed;
- (vi) Clare Local Authorities shall take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

Employees/volunteer's may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse will be dealt with sensitively and support will be offered to employees including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the employee/volunteer fairly.

4.3 Anonymous, Malicious and Third Party Referrals

Anonymous referrals – It is best practice that reports are not to be made anonymously. Under the Freedom of Information Act, in the event of a name being supplied anonymity should never be promised since it cannot be guaranteed by the Social Work Service.

Malicious referrals – Malicious reporting is not a common occurrence, but creates a significant impact on the innocent person. The Protection of Persons Reporting Child Abuse Act 1998 includes the creation of an offence of false reporting of child abuse, where a person makes a referral of child abuse to the appropriate authorities "knowing that statement to be false". In the event that any staff member is concerned that a report is malicious, this should be discussed with their line manager with immediate effect.

Third Party Referrals – In the event that any member receiving information in respect of a suspicion of child abuse / welfare from a third party, and those reasonable grounds for the concern exists, this must be reported to the Designated Liaison Officer, who will make contact with the Duty Social Worker of the HSE. The HSE will then investigate the concerns.

Section 5.0 Confidentiality

The confidentiality statement as detailed below is designed to give clear guidance about the issues of sharing information and maintaining appropriate levels of confidentiality.

Confidentiality Statement
<p>Clare Local Authorities are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:</p> <p>Information will only be forwarded on a "need to know" basis in order to safeguard the child.</p> <p>No undertakings regarding secrecy can be given.</p> <p>Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.</p> <p>Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.</p> <p>Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.</p> <p>Images of a child will not be used for any reason without the consent of the parent / carer (however, we cannot guarantee that cameras / videos will not be used in public performances / arenas).</p>

Section 6.0 Recruitment and Selection

Clare Local Authorities have a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined as part of CLA's recruitment and selection process.

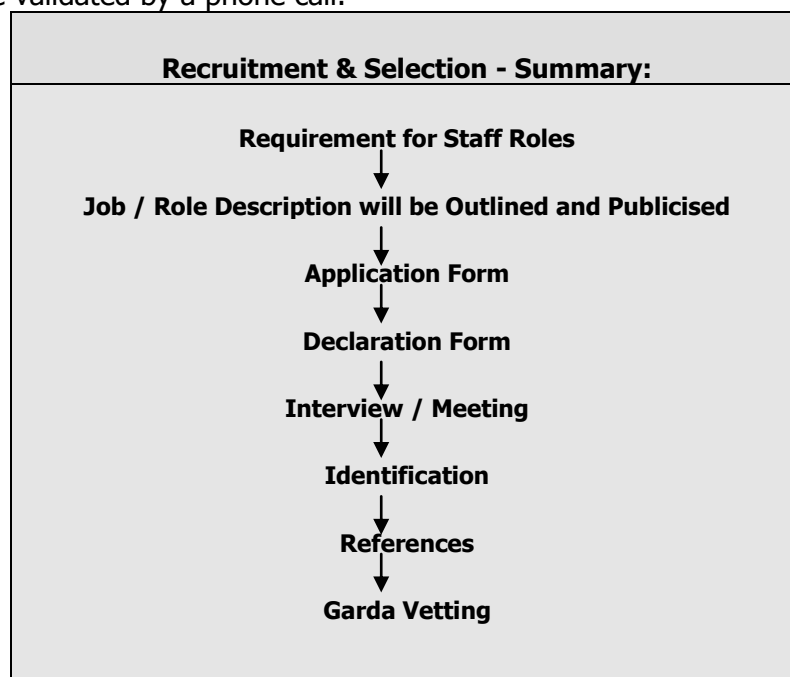
All applicants for appointment or engagement will be required to supply information in writing on the prescribed Application Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records. This Declaration Form will be attached to the Application Form.

When a candidate is being considered for appointment or is being placed on a panel, it is the intention that the completed Consent Form will be sent to the Garda Central Vetting Unit by the Council's Authorised Signatory as appointed under the Garda Vetting Procedure.

For Volunteers groups that are directly linked to Clare Local Authorities it will be established by Clare Local Authorities if there is a possibility of their work being in contact with Children and Vulnerable Adults. If this is regular contact with the possibility being unsupervised, the full volunteer structure will be Garda Vetted. This Garda Vetting will be organised by Clare Local Authorities.

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.



Section 7.0 Further information

Further information on child protection and welfare is available from Clare Local Authorities Designated Liaison Officer; from the Health Service Executive and / or from the Department of Health and Children.

Clare County Council

Protection of Children Policy & Procedure Document

This YELLOW Section covers the following areas:

Arts Service
Library Service
Museum

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Section 1.0 Child Protection Policy Statement

A Child Protection Policy Statement is a statement of Clare Local Authorities intention to provide a safe environment for any children and young people with whom it interacts. This policy also details the procedures, which will be put in place to ensure this safe environment.

Child Protection Policy Statement:

Clare Local Authorities are committed to a child-centred approach to our work with children in all services and activities as operated by the council. We undertake to provide a safe environment where the welfare of the child is paramount. We will adhere to the Children First National Guidance for the Protection and Welfare of Children by implementing procedures covering:

- Appropriate recruitment and selection of employees and volunteers;
- A Garda Vetting Procedure for all relevant employees and volunteers;
- Appropriate management, supervision and training of employees;
- The reporting, investigation and recording of incidents and accidents complaints made against the Council, its employees/volunteers;
- The reporting of suspected or disclosed abuse confidentiality;
- Circulation of information to employees, volunteers, parents/guardians and participants on our activities and what can be expected of the Authority in relation to those activities;
- Allegations of misconduct or abuse by employees.

This policy will be reviewed on an annual basis or more frequently if necessary.

Designated Liaison Person: Damien Mc Mahon

Deputy Designated Liaison Person: Anne Rynne

Date: December 2015

Definition of 'Child'

A "Child" is defined under the Child Care Act 1991 as anyone under the age of 18 years who is not married. The child protection and welfare concerns for the unborn may need to be considered during pregnancy.

Child Protection Officer – herein referred to as the Designated Liaison Officer:

Clare Local Authorities has appointed a Designated Liaison Officer and a Deputy Designated Liaison Officer to:

- Act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns
- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The Designated Liaison Officer shall ensure that she is knowledgeable about child protection and that she undertakes any training considered necessary to keep updated on new development.

The role of the Designated Liaison Officer is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority's catchment area.
- Provide information and advice on child protection within Clare Local Authorities.
- Ensure that Clare Local Authorities child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See *Appendix 1*);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs and liaise with the training section for the implementation of such training.

The name and contact details of the Designated Liaison Officer will be made available to all employees, volunteers, relevant agencies and users of the Local Authority services, where appropriate.

Section 2.0 Code of Behaviour in relation to Children

Clare Local Authorities aims to create an environment in which children are listened to, given a sense of belonging, and kept safe; parents are supported and encouraged; and employees and volunteers who work with children and young people are supported and protected. In order to meet these aims CLA will follow a framework for good practice and a code of behaviour as set out in this document.

The Code of Behaviour will be categorised under the following headings:

- 2.1 Child Centred Approach
- 2.2 Good Practice
- 2.3 Inappropriate Behaviour
- 2.4 Physical Contact
- 2.5 Considerations to the Health and Safety of Children
- 2.6 Considerations for Children with Special Needs or Disabilities
- 2.7 General Supervision

2.1 Clare Local Authorities Child-Centred Approach

All CLA activities involving children shall be guided by what is best for children. Children's activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct. Taking a child-centred approach means to:

- Treat all children and young people equally;
- Listen to and respect children;
- Involve children as appropriate;
- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;

- Offer constructive criticism when needed;
- Treat all children as individuals;
- Respect a child's personal space;
- Use age-appropriate teaching aids;
- Lead by example;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Respect and be aware of differences of ability, culture, religion, race and sexual orientation and membership of the Traveller Community;
- Endeavour to provide equality/diversity training for employees in relation to cultural differences;
- Use all information in respect of children only for the purpose for which it is given, subject to child protection concern.

2.2 Good Practice Framework

Clare Local Authorities aim to work within the following framework for good practice

by:

- Providing training on this Child Protection Policy as well as the organisation of Keeping Safe or appropriate Code of Ethics awareness training for employees in line with the Children First Guidelines; This training to be completed by all staff in addition to staff who are employed by services run directly by the council (i.e. Libraries; Clare Museum; Ennis Leisure Centre; Lees Road Complex, Fire Stations etc).

- Attendance records will be kept for all activities with parental consent forms in addition to registering each child for day-long or long term activities or projects (name, address, phone, special requirements, attendance, emergency contact & parental consent). Registration forms outlining these required details will be established for the relevant service points (refer to *Appendix 8* sample check for records / standards for managing activities).
- It will be noted that it is not possible to cover all open, public or emergency events e.g. concerts, play days, playgrounds, library events as well as visits by Children that are on a casual drop-in basis.
- Keeping confidential, personal and sensitive data regarding children and their parents/guardians subject to child protection concerns;
- Making parents/guardians, children, visitors and facilitators aware of this Child Protection Policy and Procedures.
- Having procedures in place for accident/injuries or emergencies as outlined in the Clare Local Authorities Safety Management System;
- Reporting/recording any incidents and accidents;
- Being inclusive of children with special needs;
- Reporting any concerns to the Designated Liaison Officer and following reporting procedures;
- Encouraging children to report any bullying concerns and worries and be aware of the Dignity at Work Staff Policy and Procedures;
- Evaluation of work practices where contact with children occurs on a regular basis, this will be done by consultation with Children to ensure work practices are suited to their needs (completed by supervisor responsible for Children).
- Clare Local Authorities will be responsible for reviewing and updating policies and procedures regularly;

- Keeping parents/guardians informed of any issues of concern regarding their children as appropriate to the service i.e. formal organised activities e.g. sports events;
- Ensuring appropriate, to the service, supervision (including a minimum of two adults) depending on age, abilities and activities involved;
- Ensuring that all affected organisations are familiar with this policy and procedure document;
- Not ignoring concerns nor letting a problem get out of control;
- Not photographing/filming or otherwise recording or permitting the photographing/filming or otherwise recording of children without the written consent of the parent/guardian; also account will be taken of any guidelines issued by the HSE and National Arts Council.
- Not displaying images of children without the written consent of the parent/guardian/responsible supervisor (e.g. teacher).
- When a newspaper or similar publishing agency wishes to process an image of a child it is the responsibility of the newspaper / similar publishing agency to liaise with the parent / guardian / responsible supervisor (e.g. teacher). When Clare Local Authorities have the responsibility of supervising the child the newspaper or similar publishing agency must liaise with Clare Local Authorities for completion of a photo permission form and confirmation that parent / guardian consent has been sought prior to photo being taken.
- Ensure that Policy and Procedure Document will be available on the intranet and the website i.e. www.clarecoco.ie and www.clarelibrary.ie

2.3 Inappropriate Behaviour – Checklist for Employees/Volunteers

- Avoid spending excessive amounts of time alone with children;
- Avoid taking children on journeys alone in a car where possible and **never** without the consent of the parent/guardian;
- Where possible employees should avoid being in a one to one situation with a child;
- Do not use/allow offensive or sexually suggestive physical conduct and/or verbal language;
- Do not single out a particular child (for unfair favouritism, criticism or ridicule);

- Do not allow/engage in inappropriate touching of any form;
- Do not hit or physically chastise children;
- Do not socialise inappropriately with children e.g. outside of structured organisational activities;
- A minor who continues to cause a disturbance in the library will not be permitted to use the library unless a parent or guardian accompanies and supervises the minor while he or she is in the library.

Disruptive behaviour on the part of the Child

Disruptive behaviour by children in libraries and similar facilities is unacceptable and if it occurs the child in question will be advised that s/he is causing a disturbance and given a warning. If s/he continues to misbehave s/he will be offered the opportunity to call a parent to come and collect them. If s/he refuses to do this her / his behaviour will result in the immediate withdrawal of library facilities and services for that child and that child will be asked to leave. The child's parents will be phoned and a letter will be sent to the child's parents or guardian outlining the incident and explaining why his/her library services have been withdrawn. The Gardaí will be called at the librarian's discretion, to deal with disruptive children who refuse to leave the library premises and continue to misbehave.

When dealing with a disruptive child it is recommended that where possible more than one employee or volunteer be present. Instances of disruptive behaviour that require the intervention of the employee, and which put at risk the safety and well being of others, must be documented. The report shall describe:

- The programme or activity running at the time;
- What happened;
- Who was involved;
- Where and when it happened;
- What was said, if significant;
- Any injury to person or property;
- How the situation was resolved;
- An Incident Report Form shall be completed. A template is provided in *Appendix 2*.

2.5 Physical Contact

- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation);

- Avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;
- Not revealing personal information about children in any way, subject to child protection concerns;

2.5 Considerations for the Health and Safety of Children

- In the event that a child is left unsupervised at an open event or space e.g. an amenity site, the parents / guardians must be informed that children must be supervised at all times. Signage must be posted in this regard.
- If a young child is left unattended the staff will attempt to contact the parents or guardian asking them to collect the child.
- Where there are repeated instances or non-cooperation with requests and a young child continues to be left unsupervised, the parents / guardians to be notified that the statutory authorities e.g. the Garda Síochána will be called.
- If a young child is left in a facility or amenity site under the control of Clare Local Authorities, after closing time, the person in charge is to immediately contact the parent / guardian. If no parent / guardian responds, the statutory authorities to be notified.
- In the event of a traffic warden noting a child left alone in a car, and the child becomes distressed, the warden is to take account of the incident and notify their line manager without delay. In addition, if the warden is concerned about the child, the advice from the local Garda Síochána station must be sought without delay.
- Ensure that children are not in contact with any dangerous materials;
- Provide a safe environment and where feasible ensure another employee/volunteer is present;
- Be aware of and comply with the Parent Safety Statement and relevant Ancillary Safety Statements. Be familiar with the particular risks associated with the activity and/or location at which you are based.
- When a risk assessment is completed it must take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure;
- Ensure that you are familiar with and comply the accident reporting procedures;
- Familiarise yourself with and where necessary comply with the emergency evacuation procedures particular to the location in which you are located and brief the children in your care on what they are to do/where they must go in an emergency;
- For any further advice in relation to health and safety issues you should contact the Health and Safety Officer for your department.

2.6 Consideration for Children with Special Needs or Disabilities

Clare Local Authorities will adhere to national legislation including Disability Act 2005, and Equal Status Acts 2000-2007 in relation to children with disabilities or special needs to ensure as much as possible access to all services and activities.

2.7 General Supervision

It is imperative that employees/volunteers shall endeavour to ensure that there are adequate adult/child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide may be 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more adults). Where possible there will be at least one adult of each gender with mixed parties. This ratio may not be appropriate at service points as distinct from organised activities for this reason it is imperative that notes of an activity are recorded at all times so as to establish if there are any parts of the activity where extra supervision is required i.e. during times when children may become excited about an event etc.

- Where circumstances require the above adult / child ratios will be met by the use of teachers accompanying groups (e.g. in the instance where school groups visit the museum).
- Good behaviour is expected from children at all times while in the library. Parents / Guardians or in a school group, their teachers, supervisors and the school which they attend are expected to take responsibility for the behaviour of children while on library premises.
- All Employees/volunteers shall endeavour to avoid being left alone with children;
- If an adult needs to talk separately to a child this should be done in an open environment in view of others whilst offering the child confidentiality;
- Employees should not be left alone with children at the end of an activity;
- It is not recommended that anyone under 18 years of age is left alone to work with Children under any circumstances.
- Times for start and finish of activities should be clearly stated as part of a specific pick up / drop off policy specific to that service point;
- Late collection of children by parents/guardians presents a potentially difficult situation, and employees/volunteers shall attempt to contact the child's parent/guardian on their contact number;
- Library staff cannot provide supervision of children who are left unattended in the library. Children, when left unattended in the library could:
 - Become lost, sick or distressed

- Leave the premises themselves
- Be at risk of approach from strangers
- Children under the age of eight years must be accompanied by an adult at all times in the library. This is for the child's safety.
- Every attempt will be made to ensure the safety of children in libraries, but their supervision while visiting cannot be guaranteed. Many branches and similar facilities are staffed by a single employee. For this reason the arts, library and museum service cannot ensure that children are not on their own with staff at certain times, however staff will always ensure that in the event that there is one member of staff present, this situation will be in an open area only i.e. a staff member will not be alone with a child in an enclosed space.
- Use an alternative contact name/number agreed with the child's parent/guardian if necessary. Please also refer to the Section 2.5, considerations for the health and safety of children with reference to repeated occurrences of children being left unattended.
- Wait with the child with another employee member/volunteer present where possible;
- Make it clear to parents/guardians that it is not CLA's responsibility to transport children home on behalf of parents/guardians who have been delayed;
- Children regularly await collection outside libraries on closing, and it is not the responsibility of staff to wait with them. All children in libraries will be advised of closing times 15 minutes in advance and signs will be clearly visible in all branches showing opening and closing times.
- If parents are used as volunteers in respect of achieving the above adult / child ratio then this parent(s) must be fully supervised when working with children other than their own.

Employees/volunteers **shall not:**

- Take the child home or to another location without permission from a parent /guardian;
- Send the child home with another person without permission from a parent/guardian;
- Leave a child unaccompanied where possible (ref first paragraph 2.7)

Section 3.0 Reporting Child Protection & Welfare Concerns

3.1 Recognising Child Abuse

Child abuse can often be difficult to identify and may present in many forms (see below summary definitions on categories of abuse; also refer to *Appendix 3* for guidance on signs and symptoms of child abuse).

To safeguard Children please note the definitions of abuse as follows:

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

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, attachment to and affection from adults and or medical care. Instances of neglect can be measured under the following headings:

- Mild Neglect – usually does not warrant a report to the Child Protection Notification System
- Moderate Neglect – occurs when less intrusive measures, such as community interventions have failed or some moderate harm to the child has occurred
- Severe Neglect – occurs when severe or long-term harm has been done to the child
- Chronic Neglect – can be defined as ‘patterns of the same acts or omissions that extend over time and recur over time’

Emotional Abuse

Emotional abuse is normally to be found in the relationship between a parent / carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Emotional abuse can be manifested in terms of the child’s behavioural, cognitive, affective or physical functioning.

Physical Abuse

Physical abuse of a child 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. There may be single or repeated events.

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. It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Early detection is important and individuals working with children should share any concerns about child protection or welfare with the Designated Liaison Officer.

The ability to recognise 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. There are commonly three stages in the identification of child abuse.

These are:

- considering the possibility;
- looking out for signs of abuse;
- recording of information.

The possibility of child abuse should be considered if any of the signs or symptoms referred to above is presented. Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/guardians or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, without direct questioning. Play situations such as drawing or story telling may reveal information. Most signs are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse.

If abuse is suspected, it is important to establish the grounds for concern. The following examples would constitute reasonable grounds for concern.

- Specific indication from the child that (s)he was abused;
- An account by a person who saw the child being abused;
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour, which is consistent both with abuse and with 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.

Observations should be accurately recorded and should include dates, times, names, and locations.

Who to contact about issues related to Child Protection and Welfare

Damien Mc Mahon has been designated as the Designated Liaison Person and Anne Rynne is the Deputy Designated Liaison Officer to contact if you have an issue or concern about any aspect of a child's safety and welfare. It is the responsibility of this person to support and advise staff about Policy & Procedures in relation to Child Protection and to ensure that procedures are followed. It is also the responsibility of this person to liaise with the Health Services Executive, Gardaí or any other Outside Agencies where appropriate.

Designated Liaison Officer can be contacted at 065 6846422

If however, you would like first to talk to a colleague in confidence about a Child Protection concern, there is a list of nominated persons specific to certain areas. The Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Ger Hartnett – Senior Executive Health and Safety Officer

3.2 Recording Procedures

Steps to be taken by an employee who knows about or suspects child abuse

- Record all details, including the date, time and people involved in the concern or disclosure or facts. Information recorded should be factual. Any opinions should be supported by facts.
- An Employee / Volunteer should also record the following information:
 - Suspicions
 - Concerns
 - Worrying Observations
 - Behavioural Changes
 - Actions and Outcomes
- An employee/volunteer who knows or suspects that a child has been or is at risk of being harmed has a duty to convey this concern to the Designated Liaison Officer without delay;
- The Designated Liaison Officer will report the information to the Health Service Executive, who in turn, notifies An Garda Síochána; In an emergency, the Designated Liaison Officer must report directly to An Garda Síochána;

- If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay.
- The person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Health Service Executive or An Garda Síochána;
- Under no circumstances should any individual member of employee or volunteer attempt to intervene or deal with the problem of abuse alone.

3.3 Dealing with a Disclosure

Dealing with a Disclosure
<p>A child may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.</p> <ul style="list-style-type: none"> • Be as calm and as natural as possible • Remember that you have been approached because you are trusted and possibly liked. Do not panic • Be aware that disclosures can be very difficult for the child • Remember, the child may initially be testing your reactions and may only fully open up over a period of time • Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to • Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language • Conceal any signs of disgust, anger or disbelief • Accept what the child has to say – false disclosures are very rare • It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child. • It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.

When asking questions:

- Questions should be supportive and for the purpose of clarification only
- Avoid leading questions

The primary responsibility of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously. The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority;
- Reports should be made without delay;
- The principle of natural justice shall apply, as appropriate;
- A person is innocent until proven otherwise however any measures necessary to protect a child must be taken;
- The principle of confidentiality shall apply, whereby only those who need to know should be told of a suspicion/allegation/disclosure of abuse and the number that need to be kept informed shall be kept to a minimum.

3.6 Confidentiality with disclosures – Do not promise to keep secrets

At the earliest opportunity, tell the child that

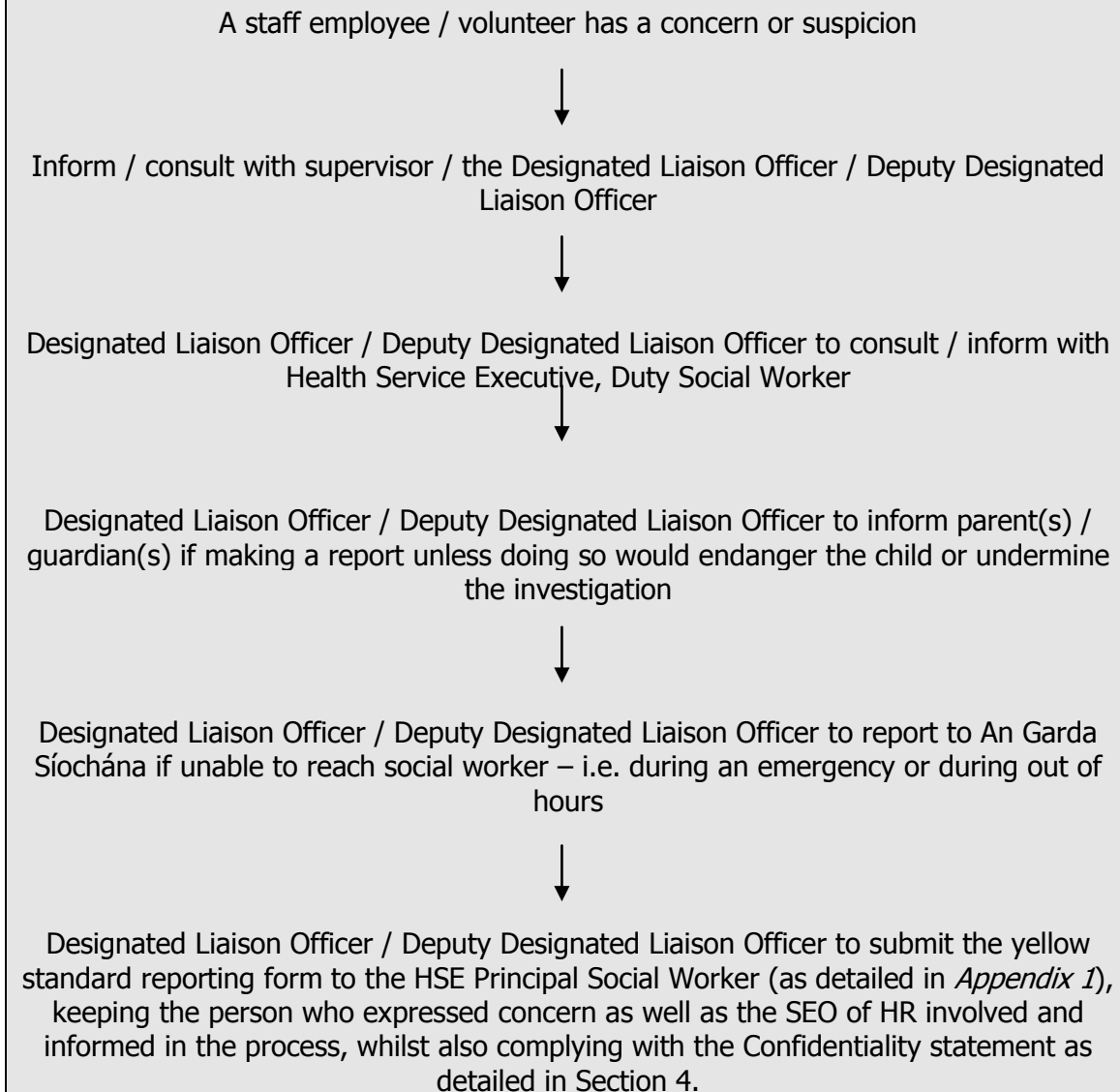
- You acknowledge that they have come to you because they trust you
- You will be sharing this information only with people who understand this area and who can help. There are secrets, which are not helpful and should not be kept because they make matters worse. It is better to honestly tell the child that you cannot keep a secret than to tell a lie and ruin the child's confidence in another adult.

Think before you promise anything – Do not make promises you cannot keep

3.4 Reporting Procedure

The reporting procedure for Clare Local Authorities is as follows:

Reporting Procedures for Suspected / Disclosed Abuse



For the Housing Department and Traveler Accommodation Unit ONLY referrals to the HSE will be made by Anne Rynne (Social Worker and Deputy Designated Liaison Officer) as well as a staff member from the TAU when appropriate in the normal course of this work

*Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Ger Hartnett – Senior Executive Health and Safety Officer

* A nominated person is a person who has been involved in the development of this Policy and Procedure and who an employee can contact in confidence with a query in relation to the content of this policy. In this event, this nominated person will in turn liaise / report to the Designated Liaison Officer or Deputy Designated Liaison Officer.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances; earlier suspicions may provide important information.

Where reasonable grounds exist for the reporting of suspected or actual child abuse a report shall be made to the Health Service Executive in person, by telephone or in writing by the Designated Liaison Officer. Reports may be made to the HSE Duty Social Worker Department or directly to the social worker. Each Health Service Executive office has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns.

In cases of emergency, where a child or a minor appears to be at immediate and serious risk and the member of staff cannot contact the Designated Liaison Officer or Duty Social Worker; An Garda Síochána must be contacted by a senior member of staff immediately. Under no circumstances should a child or minor be left in a dangerous situation pending the intervention by statutory authorities. The Designated Liaison Officer must be kept informed of the events so that the Designated Liaison Officer if necessary can send a formal report to the HSE. A record must be kept of all events.

3.5.2 Information required when a report is being made

The ability of the Health Service Executive and/or An Garda Síochána to assess suspicions or allegations of child abuse will depend on the amount and quality of information conveyed to them by persons reporting their concerns.

The template form in *Appendix 1* should be used for reporting suspected child abuse to the Health Service Executive or An Garda Síochána. If a report is made by phone, this form should be forwarded subsequently to the Health Service Executive. In the interest of openness the parents/guardians should be informed if a report is to be submitted to the Health Service Executive or An Garda Síochána unless doing so is likely to endanger the child or undermine an investigation. The Designated Liaison Officer will be responsible for providing this information.

Any CLA employee/volunteer who suspects child abuse shall not interview the child or the child's parents/guardians in any detail about the alleged abuse. All actions taken and outcomes should be recorded.

3.5.3 Cases where concerns are not referred on

In those cases where Clare Local Authorities decides that it should not refer concerns to the Health Service Executive or An Garda Síochána, the employee/volunteer who raised the concern must be given a clear written statement, from the Designated Liaison Officer, of the reasons why the Council is not doing so. Prior to this statement the Designated Liaison Officer will have received advice from the Health Services Executive and if necessary they will quote the HSE's advice for non referral.

Malicious or vexatious allegations of child abuse made by employees/volunteers may be considered to be a disciplinary matter and dealt with accordingly.

3.5.4 Common Impediments to the Reporting of Child Abuse

Child abuse is a difficult and, to some people, distasteful or sensitive subject. At times, it is hard to distinguish between abusive situations and those where other social problems such as unemployment, poverty, poor housing, mental illness or isolation are present. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. Reluctance to act on suspicions about child abuse can often stem from uncertainty and fear. Individuals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking confidence, or afraid of being disloyal. Knowledge and information about child abuse will help to overcome reluctance to take action.

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers, the HSE or any member of An Garda Síochána. 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.

3.5.5 Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. **It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.**

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Designated Liaison Officer must be notified who will report the allegation to the HSE Duty Social Worker without delay.

There is a HSE **National Counselling Service**, which is in place to listen to, value and understand those who have been abused in childhood. The Service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country.

The service can be accessed either through your local HSE office (details in Appendix 4 of this policy) or by way of self-referral (Freephone 1800 670700).

Section 4.0 Dealing with Complaints/Allegations against the Clare Local Authorities, Employees and Volunteers

4.1 Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against Clare Local Authorities, its employees or volunteers must be investigated, dealt with and managed in accordance with the Complaints Procedure. A copy of the Complaints Procedure is available in the Customer Action Plan, located on www.clarecoco.ie.

Employees/volunteers are required to co-operate with investigations by or on behalf of CLA in accordance with the Complaints Procedure. The Council's Disciplinary Procedure may be invoked in circumstances where it is found that an employee/volunteer has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

4.2 Allegations against an Employee or Volunteer

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure will be dealt with and managed by Clare Local Authorities, guided by the Designated Liaison Officer. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Health Service Executive/An Garda Síochána and shall not be undertaken by the Designated Liaison Officer or other Local Authority employees. Where such an allegation is made against an employee, or volunteer contact and consultation with the Health Service Executive and An Garda Síochána will take place as soon as reasonably practical. This may be done through the Designated Liaison Officer. Following these consultations any action will be guided by the relevant Statutory Body. (Refer back to Section 3 – Reporting Procedures, for any necessary clarification e.g. If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay).

Clare Local Authorities will, as a matter of urgency, take any necessary protective measures that are proportionate to the level of risk and will balance its obligations to its employee with its obligations in respect of the best interests of children.

When an allegation is made against an employee, the following steps shall be taken –:

- (i) The first priority shall be to ensure that no child is exposed to unnecessary risk. The employer should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk.

- (ii) Action shall be guided by the agreed internal procedures i.e. Grievance and Disciplinary Procedures, the applicable employment contract and the rules of natural justice, where appropriate;

(See *Appendix 7c: Employee/Volunteer Allegation Chart*)

- (iii) The County Manager or his nominated deputy shall be informed as soon as possible;
- (v) The follow up on an allegation of abuse against an employee shall be made in consultation with the Health Service Executive and An Garda Síochána. An immediate meeting shall be arranged with these two agencies for this purpose;
- (v) When pursuing the question of the future position of the employee, the Designated Liaison Officer shall advise the person accused of the allegation and the agreed procedures shall be followed;
- (vi) Clare Local Authorities shall take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

Employees/volunteer's may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse will be dealt with sensitively and support will be offered to employees including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the employee/volunteer fairly.

4.3 Anonymous, Malicious and Third Party Referrals

Anonymous referrals – It is best practice that reports are not to be made anonymously. Under the Freedom of Information Act, in the event of a name being supplied anonymity should never be promised since it cannot be guaranteed by the Social Work Service.

Malicious referrals – Malicious reporting is not a common occurrence, but creates a significant impact on the innocent person. The Protection of Persons Reporting Child Abuse Act 1998 includes the creation of an offence of false reporting of child abuse, where a person makes a referral of child abuse to the appropriate authorities "knowing that statement to be false". In the event that any staff member is concerned that a report is malicious, this should be discussed with their line manager with immediate effect.

Third Party Referrals – In the event that any member receiving information in respect of a suspicion of child abuse / welfare from a third party, and those reasonable grounds for the concern exists, this must be reported to the Designated Liaison Officer, who will make contact with the Duty Social Worker of the HSE. The HSE will then investigate the concerns.

Section 5.0 Confidentiality

The confidentiality statement as detailed below is designed to give clear guidance about the issues of sharing information and maintaining appropriate levels of confidentiality.

Confidentiality Statement
<p>Clare Local Authorities are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:</p> <p>Information will only be forwarded on a "need to know" basis in order to safeguard the child.</p> <p>No undertakings regarding secrecy can be given.</p> <p>Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.</p> <p>Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.</p> <p>Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.</p> <p>Images of a child will not be used for any reason without the consent of the parent / carer (however, we cannot guarantee that cameras / videos will not be used at public performances).</p>

Section 6.0 Recruitment and Selection

Clare Local Authorities have a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined as part of CLA's recruitment and selection process.

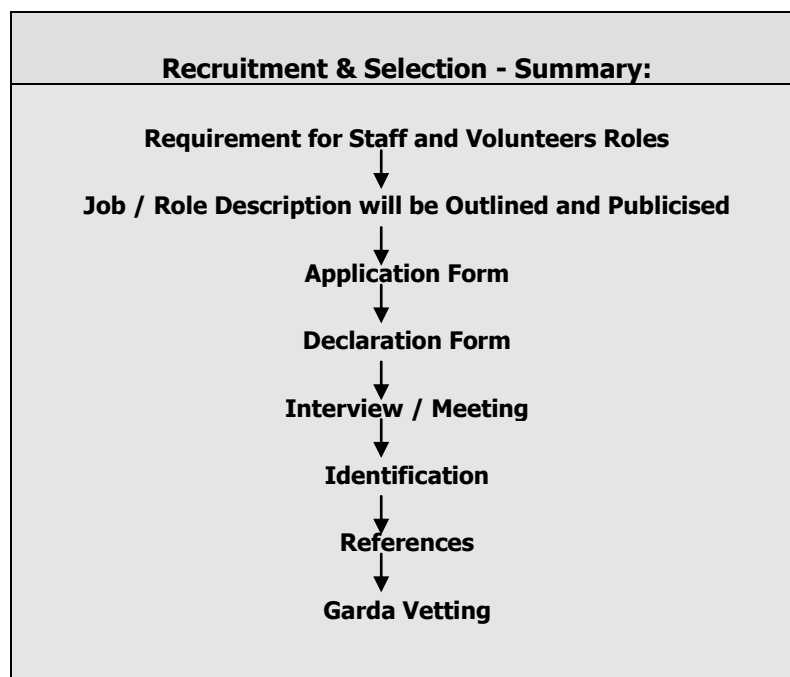
All applicants for appointment or engagement will be required to supply information in writing on the prescribed Application Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records. This Declaration Form will be attached to the Application Form.

When a candidate is being considered for appointment or is being placed on a panel, it is the intention that the completed Consent Form will be sent to the Garda Central Vetting Unit by the Council's Authorised Signatory as appointed under the Garda Vetting Procedure.

For Volunteers groups that are directly linked to Clare Local Authorities it will be established by Clare Local Authorities if there is a possibility of their work being in contact with Children and Vulnerable Adults. If this is regular contact with the possibility being unsupervised, the full volunteer structure will be Garda Vetted. This Garda Vetting will be organised by Clare Local Authorities.

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.



Section 7.0 Further information

Further information on child protection and welfare is available from Clare Local Authorities Designated Liaison Officer; from the Health Service Executive and / or from the Department of Health and Children.

Clare County Council

Protection of Children Policy & Procedure Document

This RED Section covers the following areas:

Clare Fire and Emergency Service

Table of Contents

Section 1	Child Protection Policy Statement
Section 2	Code of Behaviour in relation to Children
Section 3	Reporting Child Protection & Welfare Concerns
Section 4	Dealing with Complaints/Allegations against the Council, Employees and Volunteers
Section 5	Confidentiality
Section 6	Recruitment and Selection
Section 7	Further Information

Section 1.0 Child Protection Policy Statement

A Child Protection Policy Statement is a statement of Clare Local Authorities intention to provide a safe environment for any children and young people with whom it interacts. This policy also details the procedures, which will be put in place to ensure this safe environment.

Child Protection Policy Statement:

Clare Local Authorities are committed to a child-centred approach to our work with children in all services and activities as operated by the council. We undertake to provide a safe environment where the welfare of the child is paramount. We will adhere to the Children First National Guidance for the Protection and Welfare of Children by implementing procedures covering:

- Appropriate recruitment and selection of employees and volunteers;
- A Garda Vetting Procedure for all relevant employees and volunteers;
- Appropriate management, supervision and training of employees;
- The reporting, investigation and recording of incidents and accidents complaints made against the Council, its employees/volunteers;
- The reporting of suspected or disclosed abuse confidentiality;
- Circulation of information to employees, volunteers, parents/guardians and participants on our activities and what can be expected of the Authority in relation to those activities;
- Allegations of misconduct or abuse by employees.

This policy will be reviewed on an annual basis or more frequently if necessary.

Designated Liaison Person: Damien Mc Mahon

Deputy Designated Liaison Person: Anne Rynne

Date: December 2015

Definition of 'Child'

A "Child" is defined under the Child Care Act 1991 as anyone under the age of 18 years who is not married. The child protection and welfare concerns for the unborn may need to be considered during pregnancy.

Child Protection Officer – herein referred to as the Designated Liaison Officer:

Clare Local Authorities has appointed a Designated Liaison Officer and a Deputy Designated Liaison Officer to:

- Act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns
- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The Designated Liaison Officer shall ensure that she is knowledgeable about child protection and that she undertakes any training considered necessary to keep updated on new development.

The role of the Designated Liaison Officer is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority's catchment area.
- Provide information and advice on child protection within Clare Local Authorities.
- Ensure that Clare Local Authorities child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See *Appendix 1*);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs and liaise with the training section for the implementation of such training.

The name and contact details of the Designated Liaison Officer will be made available to all employees, volunteers, relevant agencies and users of the Local Authority services, where appropriate.

Section 2.0 Code of Behaviour in relation to Children

Clare Local Authorities aims to create an environment in which children are listened to, given a sense of belonging, and kept safe; parents are supported and encouraged; and employees and volunteers who work with children and young people are supported and protected. In order to meet these aims CLA will follow a framework for good practice and a code of behaviour as set out in this document.

The Code of Behaviour will be categorised under the following headings:

- 4.4 Child Centred Approach
- 4.5 Good Practice
- 4.6 Inappropriate Behaviour
- 4.7 Physical Contact
- 4.8 Considerations to the Health and Safety of Children
- 4.9 Considerations for Children with Special Needs or Disabilities
- 4.10 General Supervision

2.1 Clare Local Authorities Child-Centred Approach

All CLA activities involving children shall be guided by what is best for children. Children's activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct. Taking a child-centred approach means to:

- Treat all children and young people equally;
- Listen to and respect children;
- Involve children as appropriate;
- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;

- Offer constructive criticism when needed;
- Treat all children as individuals;
- Respect a child's personal space;
- Use age-appropriate teaching aids;
- Lead by example;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Respect and be aware of differences of ability, culture, religion, race and sexual orientation and membership of the Traveller Community;
- Endeavour to provide equality/diversity training for employees in relation to cultural differences;
- Use all information in respect of children only for the purpose for which it is given, subject to child protection concern.

2.2 Good Practice Framework

Clare Local Authorities aim to work within the following framework for good practice

by:

- Providing training on this Child Protection Policy as well as the organisation of Keeping Safe or appropriate Code of Ethics awareness training for employees in line with the Children First Guidelines; This training to be completed by all staff in addition to staff who are employed by services run directly by the council (i.e. Libraries; Clare Museum; Ennis Leisure Centre; Lees Road Complex, Fire Stations etc).

- Attendance records must be kept for all pre-arranged activities such as school tours with parental consent forms. Registration forms outlining the required details will be established for the relevant service points (refer to *Appendix 8* sample check for records / standards for managing activities). Due to the open nature of “open nights” at fire stations it will not be possible to keep attendance records for such events.
- It will be noted that it is not possible to cover all open, public or emergency events e.g. concerts, play days, playgrounds;
- Keeping confidential, personal and sensitive data regarding children and their parents/guardians subject to child protection concerns;
- Making parents/guardians, children, visitors and facilitators aware of this Child Protection Policy and Procedures.
- Having procedures in place for accident/injuries or emergencies as outlined in the Clare Local Authorities Safety Management System;
- Reporting/recording any incidents and accidents;
- Being inclusive of children with special needs;
- Reporting any concerns to the Designated Liaison Officer and following reporting procedures;
- Encouraging children to report any bullying concerns and worries and be aware of the Dignity at Work Staff Policy and Procedures;
- Evaluation of work practices where contact with children occurs on a regular basis (except in an emergency or dangerous situation), this will be done by consultation with Children to ensure work practices are suited to their needs (completed by supervisor responsible for Children). In the event of a child becoming distressed during a school tour our employee will revert to the supervising adult of the children regarding the continuance of the practice that is causing the distress. The evaluation of work practices that may cause distress to a child may not be possible during “open nights” to fire stations.
- Clare Local Authorities will be responsible for reviewing and updating policies and procedures regularly;

- Keeping parents/guardians informed of any issues of concern regarding their children as appropriate to the service i.e. formal organised activities e.g. sports events;
- Ensuring appropriate, to the service, supervision (including a minimum of two adults) depending on age, abilities and activities involved;
- Ensuring that all affected organisations are familiar with this policy and procedure document;
- Not ignoring concerns nor letting a problem get out of control;
- Not photographing/filming or otherwise recording or permitting the photographing/filming or otherwise recording of children without the written consent of the parent/guardian; also account will be taken of any guidelines issued by the HSE and National Arts Council.
- Not displaying images of children without the written consent of the parent/guardian/responsible supervisor (e.g. teacher).
- When a newspaper or similar publishing agency wishes to process an image of a child it is the responsibility of the newspaper / similar publishing agency to liaise with the parent / guardian / responsible supervisor (e.g. teacher). When Clare Local Authorities have the responsibility of supervising the child the newspaper or similar publishing agency must liaise with Clare Local Authorities for completion of a photo permission form and confirmation that parent / guardian consent has been sought prior to photo being taken.
- Ensure that Policy and Procedure Document will be available on the intranet and the website i.e. www.clarecoco.ie

2.3 Inappropriate Behaviour – Checklist for Employees/Volunteers

- Avoid spending excessive amounts of time alone with children;
- Avoid taking children on journeys alone in a car where possible and **never** without the consent of the parent/guardian;
- Where possible employees should avoid being in a one to one situation with a child;
- Do not use/allow offensive or sexually suggestive physical conduct and/or verbal language;
- Do not single out a particular child (for unfair favouritism, criticism or ridicule);
- Do not allow/engage in inappropriate touching of any form;

- Do not hit or physically chastise children;
- Do not socialise inappropriately with children e.g. outside of structured organisational activities;

Disruptive behaviour on the part of the Child

Disruptive behaviour on the part of the child is unacceptable, and disruptive children will be asked by employees to behave. During a school tour disruptive behaviour will be reported to the parent/guardian/supervisor. If a child continues to be disruptive s/he will be advised that s/he is causing a disturbance and given a warning that if the disruptive behaviour continues that the school tour will end. If a child continues to be disruptive the school tour will end. In other situations disruptive children will be asked by employees to behave. Disruptive behaviour will be reported to the Parent/Guardian/Supervisor if possible. If a child continues to be disruptive s/he will be advised that s/he is causing a disturbance and given a warning that the Parent / Gardaí will be called, the Parent / Gardaí will then be contacted if the disruptive behaviour continues. If a child is in danger to themselves Gardaí are to be contacted.

When dealing with a disruptive child it is recommended that where possible more than one employee or volunteer be present. Instances of disruptive behaviour that require the intervention of the employee, and which put at risk the safety and well being of others, must be documented. The report shall describe:

- The programme or activity running at the time;
- What happened;
- Who was involved;
- Where and when it happened;
- What was said, if significant;
- Any injury to person or property;
- How the situation was resolved;
- An Incident Report Form shall be completed. A template is provided in *Appendix 2*.

2.4 Physical Contact

- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may

involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;

- Not revealing personal information about children in any way, subject to child protection concerns;

2.5 Considerations for the Health and Safety of Children

- In the event that a child is left unsupervised at an open event or space e.g. an amenity site, the parents / guardians must be informed that children must be supervised at all times. Signage must be posted in this regard.
- If a young child is left unattended the staff will attempt to contact the parents or guardian asking them to collect the child.
- Where there are repeated instances or non-cooperation with requests and a young child continues to be left unsupervised, the parents / guardians to be notified that the statutory authorities e.g. the Garda Síochána will be called.
- If a young child is left in a facility or amenity site under the control of Clare Local Authorities, after closing time, the person in charge is to immediately contact the parent / guardian. If no parent / guardian responds, the statutory authorities to be notified.
- In the event of a traffic warden noting a child left alone in a car, and the child becomes distressed, the warden is to take account of the incident and notify their line manager without delay. In addition, if the warden is concerned about the child, the advice from the local Garda Síochána station must be sought without delay.
- Ensure that children are not in contact with any dangerous materials;
- Provide a safe environment and where feasible ensure another employee/volunteer is present;
- Be aware of and comply with the Parent Safety Statement and relevant Ancillary Safety Statements. Be familiar with the particular risks associated with the activity and/or location at which you are based.
- When a risk assessment is completed it must take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure;
- Ensure that you are familiar with and comply the accident reporting procedures;
- Familiarise yourself with and where necessary comply with the emergency evacuation procedures particular to the location in which you are located

and brief the children in your care on what they are to do/where they must go in an emergency;

- For any further advice in relation to health and safety issues you should contact the Health and Safety Officer for your department.

2.6 Consideration for Children with Special Needs or Disabilities

Clare Local Authorities will adhere to national legislation including Disability Act 2005, and Equal Status Acts 2000-2007 in relation to children with disabilities or special needs to ensure as much as possible access to all services and activities.

2.7 General Supervision

It is imperative that employees/volunteers shall endeavour to ensure that there are adequate adult/child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide may be 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more adults). There shall be at least one adult of each gender with mixed parties. This ratio may not be appropriate at service points as distinct from organised activities for this reason it is imperative that notes of an activity are recorded at all times so as to establish if there are any parts of the activity where extra supervision is required i.e. during times when children may become excited about an event etc.

- All Employees/volunteers shall endeavour to avoid being left alone with children;
- In the event of an Employee being scheduled to complete an inspection on a premises and there are children present at this location, these inspections must be planned appointments. When planning the appointments the tenant is to be informed that inspection will not proceed without the employee being accompanied by an adult (i.e. the tenant of the property) at all times.
- If an adult needs to talk separately to a child this should be done in an open environment in view of others whilst offering the child confidentiality;
- Employees should not be left alone with children at the end of an activity;
- Times for start and finish of activities should be clearly stated as part of a specific pick up / drop off policy specific to that service point;
- Late collection of children by parents/guardians presents a potentially difficult situation, and employees/volunteers shall attempt to contact the child's parent/guardian on their contact number;
- Use an alternative contact name/number agreed with the child's parent/guardian if necessary. Please also refer to the Section 2.5, considerations

for the health and safety of children with reference to repeated occurrences of children being left unattended.

- Wait with the child with another employee member/volunteer present where possible;
- Make it clear to parents/guardians that it is not CLA's responsibility to transport children home on behalf of parents/guardians who have been delayed;
- If parents are used as volunteers in respect of achieving the above adult / child ratio then this parent(s) must be fully supervised when working with children other than their own.

Employees/volunteers **shall not:**

- Take the child home or to another location without permission from a parent /guardian;
- Send the child home with another person without permission from a parent/guardian;
- Leave a child unaccompanied.

Section 3.0 Reporting Child Protection & Welfare Concerns

3.1 Recognising Child Abuse

Child abuse can often be difficult to identify and may present in many forms (see below summary definitions on categories of abuse; also refer to *Appendix 3* for guidance on signs and symptoms of child abuse).

To safeguard Children please note the definitions of abuse as follows:

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

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, attachment to and affection from adults and or medical care. Instances of neglect can be measured under the following headings:

- Mild Neglect – usually does not warrant a report to the Child Protection Notification System
- Moderate Neglect – occurs when less intrusive measures, such as community interventions have failed or some moderate harm to the child has occurred
- Severe Neglect – occurs when severe or long-term harm has been done to the child
- Chronic Neglect – can be defined as ‘patterns of the same acts or omissions that extend over time and recur over time’

Emotional Abuse

Emotional abuse is normally to be found in the relationship between a parent / carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Emotional abuse can be manifested in terms of the child’s behavioural, cognitive, affective or physical functioning.

Physical Abuse

Physical abuse of a child 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. There may be single or repeated events.

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. It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Early detection is important and individuals working with children should share any concerns about child protection or welfare with the Designated Liaison Officer.

The ability to recognise 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. There are commonly three stages in the identification of child abuse.

These are:

- considering the possibility;
- looking out for signs of abuse;
- recording of information.

The possibility of child abuse should be considered if any of the signs or symptoms referred to above is presented. Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/guardians or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, without direct questioning. Play situations such as drawing or story telling may reveal information. Most signs are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse.

If abuse is suspected, it is important to establish the grounds for concern. The following examples would constitute reasonable grounds for concern.

- Specific indication from the child that (s)he was abused;
- An account by a person who saw the child being abused;
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with 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.

Observations should be accurately recorded and should include dates, times, names, and locations.

Who to contact about issues related to Child Protection and Welfare

Damien Mc Mahon has been designated as the Designated Liaison Person and Anne Rynne is the Deputy Designated Liaison Officer to contact if you have an issue or concern about any aspect of a child's safety and welfare. It is the responsibility of this person to support and advise staff about Policy & Procedures in relation to Child Protection and to ensure that procedures are followed. It is also the responsibility of this person to liaise with the Health Services Executive, Gardaí or any other Outside Agencies where appropriate.

Designated Liaison Officer can be contacted at 065 6846435

If however, you would like first to talk to a colleague in confidence about a Child Protection concern, there is a list of nominated persons specific to certain areas. The Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Ger Hartnett – Senior Executive Health and Safety Officer

3.2 Recording Procedures

Steps to be taken by an employee who knows about or suspects child abuse

- Record all details, including the date, time and people involved in the concern or disclosure or facts. Information recorded should be factual. Any opinions should be supported by facts.
- An Employee / Volunteer should also record the following information:
 - Suspicions
 - Concerns
 - Worrying Observations
 - Behavioural Changes
 - Actions and Outcomes
- An employee/volunteer who knows or suspects that a child has been or is at risk of being harmed has a duty to convey this concern to the Designated Liaison Officer without delay;
- The Designated Liaison Officer will report the information to the Health Service Executive, who in turn, notifies An Garda Síochána; In an emergency, the Designated Liaison Officer must report directly to An Garda Síochána;

- If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay.
- The person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Health Service Executive or An Garda Síochána;
- Under no circumstances should any individual member of employee or volunteer attempt to intervene or deal with the problem of abuse alone

3.3 Dealing with a Disclosure

Dealing with a Disclosure
<p>A child may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.</p> <ul style="list-style-type: none"> • Be as calm and as natural as possible • Remember that you have been approached because you are trusted and possibly liked. Do not panic • Be aware that disclosures can be very difficult for the child • Remember, the child may initially be testing your reactions and may only fully open up over a period of time • Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to • Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language • Conceal any signs of disgust, anger or disbelief • Accept what the child has to say – false disclosures are very rare • It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child. • It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.

When asking questions:

- Questions should be supportive and for the purpose of clarification only
- Avoid leading questions

The primary responsibility of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously. The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority;
- Reports should be made without delay;
- The principle of natural justice shall apply, as appropriate;
- A person is innocent until proven otherwise however any measures necessary to protect a child must be taken;
- The principle of confidentiality shall apply, whereby only those who need to know should be told of a suspicion/allegation/disclosure of abuse and the number that need to be kept informed shall be kept to a minimum.

3.4 Confidentiality with disclosures – Do not promise to keep secrets

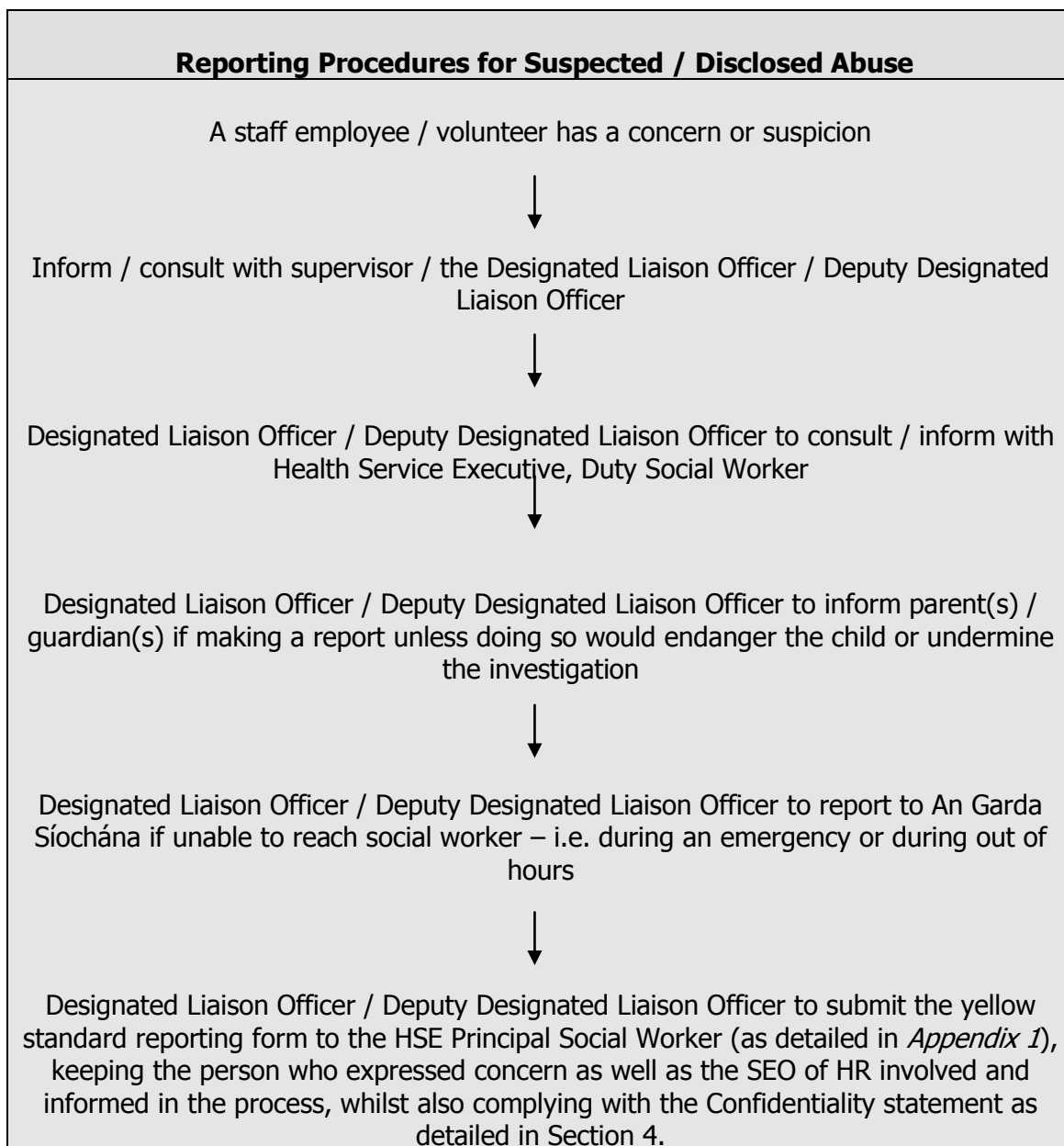
At the earliest opportunity, tell the child that

- You acknowledge that they have come to you because they trust you
- You will be sharing this information only with people who understand this area and who can help. There are secrets, which are not helpful and should not be kept because they make matters worse. It is better to honestly tell the child that you cannot keep a secret than to tell a lie and ruin the child's confidence in another adult.

Think before you promise anything – Do not make promises you cannot keep

3.5 Reporting Procedure

The reporting procedure for Clare Local Authorities is as follows:



*Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Ger Hartnett – Senior Executive Health and Safety Officer

* A nominated person is a person who has been involved in the development of this Policy and Procedure and who an employee can contact in confidence with a query in

relation to the content of this policy. In this event, this nominated person will in turn liaise / report to the Designated Liaison Officer or Deputy Designated Liaison Officer.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances; earlier suspicions may provide important information.

Where reasonable grounds exist for the reporting of suspected or actual child abuse a report shall be made to the Health Service Executive in person, by telephone or in writing by the Designated Liaison Officer. Reports may be made to the HSE Duty Social Worker Department or directly to the social worker. Each Health Service Executive office has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns.

In cases of emergency, where a child or a minor appears to be at immediate and serious risk and the member of staff cannot contact the Designated Liaison Officer or Duty Social Worker, An Garda Síochána must be contacted by a senior member of staff immediately. Under no circumstances should a child or minor be left in a dangerous situation pending the intervention by statutory authorities. The Designated Liaison Officer must be kept informed of the events so that the Designated Liaison Officer if necessary can send a formal report to the HSE. A record must be kept of all events.

3.5.2 Information required when a report is being made

The ability of the Health Service Executive and/or An Garda Síochána to assess suspicions or allegations of child abuse will depend on the amount and quality of information conveyed to them by persons reporting their concerns.

The template form in *Appendix 1* should be used for reporting suspected child abuse to the Health Service Executive or An Garda Síochána. If a report is made by phone, this form should be forwarded subsequently to the Health Service Executive. In the interest of openness the parents/guardians should be informed if a report is to be submitted to the Health Service Executive or An Garda Síochána unless doing so is likely to endanger the child or undermine an investigation. The Designated Liaison Officer will be responsible for providing this information.

Any CLA employee/volunteer who suspects child abuse shall not interview the child or the child's parents/guardians in any detail about the alleged abuse.

All actions taken and outcomes should be recorded.

3.5.3 Cases where concerns are not referred on

In those cases where Clare Local Authorities decides that it should not refer concerns to the Health Service Executive or An Garda Síochána, the employee/volunteer who raised the concern must be given a clear written statement, from the Designated Liaison Officer, of the reasons why the Council is not doing so. Prior to this statement

the Designated Liaison Officer will have received advice from the Health Services Executive and if necessary they will quote the HSE's advice for non referral.

Malicious or vexatious allegations of child abuse made by employees/volunteers may be considered to be a disciplinary matter and dealt with accordingly.

3.5.4 Common Impediments to the Reporting of Child Abuse

Child abuse is a difficult and, to some people, distasteful or sensitive subject. At times, it is hard to distinguish between abusive situations and those where other social problems such as unemployment, poverty, poor housing, mental illness or isolation are present. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. Reluctance to act on suspicions about child abuse can often stem from uncertainty and fear. Individuals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking confidence, or afraid of being disloyal. Knowledge and information about child abuse will help to overcome reluctance to take action.

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers, the HSE or any member of An Garda Síochána. 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.

3.5.5 Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. **It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.**

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Designated Liaison Officer must be notified who will report the allegation to the HSE Duty Social Worker without delay.

There is a HSE **National Counselling Service**, which is in place to listen to, value and understand those who have been abused in childhood. The Service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country.

The service can be accessed either through your local HSE office (details in Appendix 4 of this policy) or by way of self-referral (Freephone 1800 670700).

Section 4.0 Dealing with Complaints/Allegations against the Clare Local Authorities, Employees and Volunteers

4.1 Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against Clare Local Authorities, its employees or volunteers must be investigated, dealt with and managed in accordance with the Complaints Procedure. A copy of the Complaints Procedure is available in the Customer Action Plan, located on www.clarecoco.ie.

Employees/volunteers are required to co-operate with investigations by or on behalf of CLA in accordance with the Complaints Procedure. The Council's Disciplinary Procedure may be invoked in circumstances where it is found that an employee/volunteer has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

4.2 Allegations against an Employee or Volunteer

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure will be dealt with and managed by Clare Local Authorities, guided by the Designated Liaison Officer. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Health Service Executive/An Garda Síochána and shall not be undertaken by the Designated Liaison Officer or other Local Authority employees. Where such an allegation is made against an employee, or volunteer contact and consultation with the Health Service Executive and An Garda Síochána will take place as soon as reasonably practical. This may be done through the Designated Liaison Officer. Following these consultations any action will be guided by the relevant Statutory Body. (Refer back to Section 3 – Reporting Procedures, for any necessary clarification e.g. If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay).

Clare Local Authorities will, as a matter of urgency, take any necessary protective measures that are proportionate to the level of risk and will balance its obligations to its employee with its obligations in respect of the best interests of children.

When an allegation is made against an employee, the following steps shall be taken –:

- (i) The first priority shall be to ensure that no child is exposed to unnecessary risk. The employer should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk.
- (ii) Action shall be guided by the agreed internal procedures i.e. Grievance and Disciplinary Procedures, the applicable employment contract and the rules of natural justice, where appropriate;

(See *Appendix 7c: Employee/Volunteer Allegation Chart*)

- (iii) The County Manager or his nominated deputy shall be informed as soon as possible;
- (vi) The follow up on an allegation of abuse against an employee shall be made in consultation with the Health Service Executive and An Garda Síochána. An immediate meeting shall be arranged with these two agencies for this purpose;
- (v) When pursuing the question of the future position of the employee, the Designated Liaison Officer shall advise the person accused of the allegation and the agreed procedures shall be followed;
- (vi) Clare Local Authorities shall take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

Employees/volunteer's may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse will be dealt with sensitively and support will be offered to employees including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the employee/volunteer fairly.

4.3 Anonymous, Malicious and Third Party Referrals

Anonymous referrals – It is best practice that reports are not to be made anonymously. Under the Freedom of Information Act, in the event of a name being supplied anonymity should never be promised since it cannot be guaranteed by the Social Work Service.

Malicious referrals – Malicious reporting is not a common occurrence, but creates a significant impact on the innocent person. The Protection of Persons Reporting Child Abuse Act 1998 includes the creation of an offence of false reporting of child abuse, where a person makes a referral of child abuse to the appropriate authorities "knowing that statement to be false". In the event that any staff member is concerned that a report is malicious, this should be discussed with their line manager with immediate effect.

Third Party Referrals – In the event that any member receiving information in respect of a suspicion of child abuse / welfare from a third party, and those reasonable grounds for the concern exists, this must be reported to the Designated Liaison Officer, who will make contact with the Duty Social Worker of the HSE. The HSE will then investigate the concerns.

Section 5.0 Confidentiality

The confidentiality statement as detailed below is designed to give clear guidance about the issues of sharing information and maintaining appropriate levels of confidentiality.

Confidentiality Statement
<p>Clare Local Authorities are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:</p> <p>Information will only be forwarded on a "need to know" basis in order to safeguard the child.</p> <p>No undertakings regarding secrecy can be given.</p> <p>Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.</p> <p>Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.</p> <p>Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.</p> <p>Images of a child will not be used for any reason without the consent of the parent / carer (however, we cannot guarantee that cameras / videos will not be used at public performances).</p>

Section 6.0 Recruitment and Selection

Clare Local Authorities have a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined as part of CLA's recruitment and selection process.

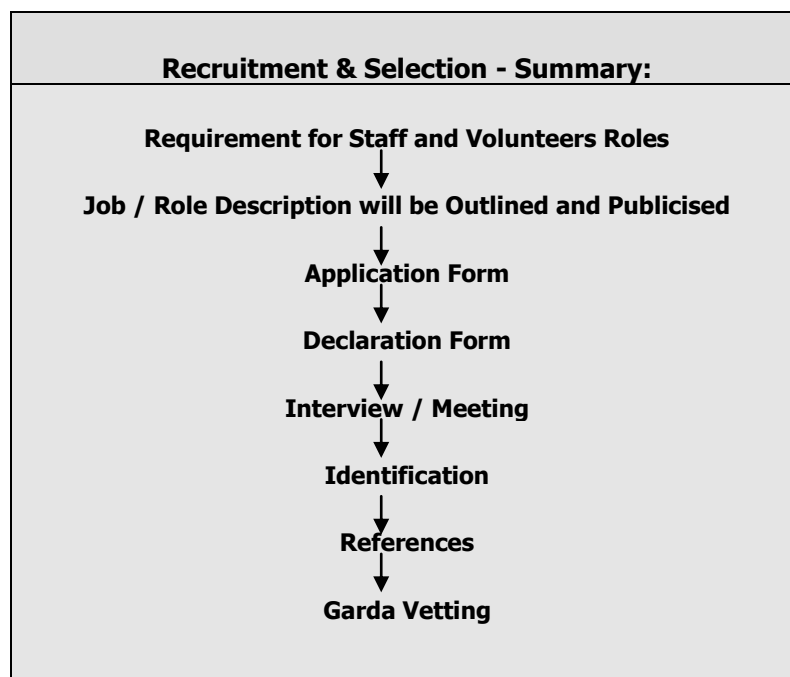
All applicants for appointment or engagement will be required to supply information in writing on the prescribed Application Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records. This Declaration Form will be attached to the Application Form.

When a candidate is being considered for appointment or is being placed on a panel, it is the intention that the completed Consent Form will be sent to the Garda Central Vetting Unit by the Council's Authorised Signatory as appointed under the Garda Vetting Procedure.

For Volunteers groups that are directly linked to Clare Local Authorities it will be established by Clare Local Authorities if there is a possibility of their work being in contact with Children and Vulnerable Adults. If this is regular contact with the possibility being unsupervised, the full volunteer structure will be Garda Vetted. This Garda Vetting will be organised by Clare Local Authorities.

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.



Section 7.0 Further information

Further information on child protection and welfare is available from Clare Local Authorities Designated Liaison Officer; from the Health Service Executive and / or from the Department of Health and Children.

Clare County Council

Protection of Children Policy & Procedure Document

This BLUE section covers the following areas:

**Ennis Leisure Complex
Sports Centres and Parks
Beach Lifeguards
All Amenity Sites**

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Section 1.0 Child Protection Policy Statement

A Child Protection Policy Statement is a statement of Clare Local Authorities intention to provide a safe environment for any children and young people with whom it interacts. This policy also details the procedures, which will be put in place to ensure this safe environment.

Child Protection Policy Statement:

Clare Local Authorities are committed to a child-centred approach to our work with children in all services and activities as operated by the council. We undertake to provide a safe environment where the welfare of the child is paramount. We will adhere to the Children First National Guidance for the Protection and Welfare of Children by implementing procedures covering:

- Appropriate recruitment and selection of employees and volunteers;
- A Garda Vetting Procedure for all relevant employees and volunteers;
- Appropriate management, supervision and training of employees;
- The reporting, investigation and recording of incidents and accidents complaints made against the Council, its employees/volunteers;
- The reporting of suspected or disclosed abuse confidentiality;
- Circulation of information to employees, volunteers, parents/guardians and participants on our activities and what can be expected of the Authority in relation to those activities;
- Allegations of misconduct or abuse by employees.

This policy will be reviewed on an annual basis or more frequently if necessary.

Designated Liaison Person: Damien Mc Mahon

Deputy Designated Liaison Person: Anne Rynne

Date: December 2015

Definition of 'Child'

A "Child" is defined under the Child Care Act 1991 as anyone under the age of 18 years who is not married. The child protection and welfare concerns for the unborn may need to be considered during pregnancy.

Child Protection Officer – herein referred to as the Designated Liaison Officer:

Clare Local Authorities has appointed a Designated Liaison Officer and a Deputy Designated Liaison Officer to:

- Act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns
- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The Designated Liaison Officer shall ensure that she is knowledgeable about child protection and that she undertakes any training considered necessary to keep updated on new development.

The role of the Designated Liaison Officer is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority's catchment area.
- Provide information and advice on child protection within Clare Local Authorities.
- Ensure that Clare Local Authorities child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See *Appendix 1*);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs and liaise with the training section for the implementation of such training.

The name and contact details of the Designated Liaison Officer will be made available to all employees, volunteers, relevant agencies and users of the Local Authority services, where appropriate.

Section 2.0 Code of Behaviour in relation to Children

Clare Local Authorities aims to create an environment in which children are listened to, given a sense of belonging, and kept safe; parents are supported and encouraged; and employees and volunteers who work with children and young people are supported and protected. In order to meet these aims CLA will follow a framework for good practice and a code of behaviour as set out in this document.

The Code of Behaviour will be categorised under the following headings:

- 2.1 Child Centred Approach
- 2.2 Good Practice
- 2.3 Inappropriate Behaviour
- 2.4 Physical Contact
- 2.5 Considerations to the Health and Safety of Children
- 2.6 Considerations for Children with Special Needs or Disabilities
- 2.7 General Supervision

2.1 Clare Local Authorities Child-Centred Approach

All CLA activities involving children shall be guided by what is best for children. Children's activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct. Taking a child-centred approach means to:

- Treat all children and young people equally;
- Listen to and respect children;
- Involve children as appropriate;
- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;

- Offer constructive criticism when needed;
- Treat all children as individuals;
- Respect a child's personal space;
- Use age-appropriate teaching aids;
- Lead by example;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Respect and be aware of differences of ability, culture, religion, race and sexual orientation and membership of the Traveller Community;
- Endeavour to provide equality/diversity training for employees in relation to cultural differences;
- Use all information in respect of children only for the purpose for which it is given, subject to child protection concern.

2.2 Good Practice Framework

Clare Local Authorities aim to work within the following framework for good practice

by:

- Providing training on this Child Protection Policy as well as the organisation of Keeping Safe or appropriate Code of Ethics awareness training for employees in line with the Children First Guidelines; This training to be completed by all staff in addition to staff who are employed by services run directly by the council (i.e. Libraries; Clare Museum; Ennis Leisure Centre; Lees Road Complex, Fire Stations etc). In Ennis Leisure Complex, employees attend a yearly Code of Ethics Childrens Workshop in conjunction with Clare Sports Partnership Organisation.
- Attendance records must be kept for all activities with parental consent forms in addition to registering each child for daylong or long term activities or projects (name, address, phone, special requirements, attendance, emergency contact & parental consent). Registration forms outlining these required details will be established for the relevant service points (refer to *Appendix 8* sample check for records / standards for managing activities). Where it is a drop in activity (e.g. where older children may drop in without parents for a once off activity such as an exhibition or festival event etc) at a minimum an attendance record must be kept with contact details.

Parent/guardian contact details, attendance records of the child are compiled for each child's activity, i.e. swimming lessons, teenager's gym hours and activity camps. In the swimming pool children under 8 have to be accompanied by an adult (person over 16 years of age) Teenagers are requested to sign in at the gym area during teenage hours.

- If children participate in camps, an application form must be filled out and filed stating any medical problems and a contact number in an emergency;
- Their attendance to camps/lessons/parties is recorded and filed;
- It will be noted that it is not possible to cover all open, public e.g. concerts, play days, playgrounds, open library events or emergency events / situations.
- Keeping confidential, personal and sensitive data regarding children and their parents/guardians subject to child protection concerns;
- Making parents/guardians, children, visitors and facilitators aware of this Child Protection Policy and Procedures.
- Having procedures in place for accident/injuries or emergencies as outlined in the Clare Local Authorities Safety Management System;
- Reporting/recording any incidents and accidents;
- Being inclusive of children with special needs, all children are encouraged to participate in every activity at the complex, if a special needs child wishes to attend any activity, a carer shall accompany the child;
- Reporting any concerns to the Designated Liaison Officer and following reporting procedures;
- Encouraging children to report any bullying concerns and worries and be aware of the Dignity at Work Staff Policy and Procedures;
- Evaluation of work practices where contact with children occurs on a regular basis, this will be done by consultation with Children to ensure work practices are suited to their needs (completed by supervisor responsible for Children).
- Clare Local Authorities will be responsible for reviewing and updating policies and procedures regularly;
- Keeping parents/guardians informed of any issues of concern regarding their children as appropriate to the service i.e. formal organised activities e.g. sports events;
- Ensuring appropriate, to the service, supervision (including a minimum of two adults) depending on age, abilities and activities involved;

- Ensuring that all affected organisations are familiar with this policy and procedure document;
- Not ignoring concerns nor letting a problem get out of control;
- Not photographing/filming or otherwise recording or permitting the photographing/filming or otherwise recording of children without the written consent of the parent/guardian; Account will also be taken of any guidelines issued by the HSE and National Arts Council.
- No photographs to be taken of children without written consent of parents and the child;
- Not displaying images of children without the written consent of the parent/guardian.
- Also ensure that all swim teachers have the relevant up to date information i.e. adequate insurance cover and appropriate qualifications etc.
- Ensure that Policy and Procedure Document will be available on the intranet and the website i.e. www.clarecoco.ie
- For Ennis Leisure Complex specifically (in addition to the general approach as above) – Ennis Leisure Complex ensures that the Good Practice Framework for Child Protection is achieved in the following ways:
 - The Performance Development System (PMDS), as part of Clare County Council Training Plan, is implemented with every member of staff. These individual evaluations are carried out every six months where one of the issues discussed are training requirements and requests. Carry out yearly appraisal and ensure Performance Management Development System and Personal Development Plan is carried out on a continuous basis;
 - All staff have completed the Child Protection briefing in conjunction with the Health Service Executive/Clare Sports Partnership;
 - All staff have individual training folders where all certificates are kept and available to be seen;
 - Where a new employee joins Ennis Leisure Complex, an induction is carried out with management and one of the procedures is for the new employee to read and understand the Child Protection Policy;
 - All staff are aware of the content and location of the Child Protection Policy;
 - Ennis Leisure Complex are registered with ILAM which provide courses and training which staff regularly attend;

- Child Welfare Officers will attend training courses as and when provided by the Department of Health and Children;
- For Ennis Leisure Complex and Sports Centres controlled and supervised by Clare Local Authorities Staff, Phones/Camcorders/Cameras or any other recording equipment cannot be used in the complex to take photographs of any user.
- For Ennis Leisure Complex and Sports Centres controlled and supervised by Clare Local Authorities staff specifically, photo permission forms can be obtained from the reception area of the complex (prior permission must be sought). In the event of unauthorised photography, filming or recording, staff of Ennis Leisure Complex and Sports Centres controlled and supervised by Clare Local Authorities staff reserve the right to confiscate the recording equipment from the individual concerned. The staff at Ennis Leisure Complex and Sports Centres controlled and supervised by Clare Local Authorities staff further reserve the right to delete the images and/or retain such equipment and images pending any investigation into the matter or until such time as a referral is made to the appropriate authorities if deemed necessary in the circumstances by the general manager of that complex.

For Ennis Leisure Complex specifically - Lifeguards must strictly enforce and encourage the rules of the pool to ensure the safety of children and all users:

- Instructors must tell children what they are about to show them and the instructors receive prior consent from the child;
- Parents should be encouraged to spectate from the gallery whilst their child is in the pool. However if they insist or are required to be at the poolside, relevant permission must be sought from Senior Lifeguard;
- Instructors must use an appropriate tone with children;
- When children need a toilet break, lifeguards must ensure they return to their swimming class;
- Lesson plans are in place to make sure all children get the necessary progression to ensure their swim time is as effective as possible;

In relation to teaching in the water:

- Instructors must make appropriate contact with a child relevant to their instruction only

In relation to teaching from the deck:

- Instructors must carry a safety aid at all times
- Children should never be shouted at

- o Bear in mind that a child may have difficulty hearing you from the deck so use plenty of hand signals

In relation to school groups using the swimming pool, the following must be adhered to:

- o A school teacher must accompany the school children down to the changing village and must supervise them from the deck also. The teacher also locks the doors to the changing village while the children are in swimming. All schools are aware of this arrangement.

2.3 Inappropriate Behaviour – Checklist for all Employees/Volunteers

- Clare Local Authorities staff must ensure staff never use physical punishment or bad language to children;
- Avoid spending excessive amounts of time alone with children;
- Avoid taking children on journeys alone in a car where possible and **never** without the consent of the parent/guardian;
- Where possible employees should avoid being in a one to one situation with a child;
- Do not use/allow offensive or sexually suggestive physical conduct and/or verbal language;
- Do not single out a particular child (for unfair favouritism, criticism or ridicule);
- Do not allow/engage in inappropriate touching of any form;
- Do not hit or physically chastise children;
- Dangerous behaviour on the part of the child will not be allowed nor tolerated.
- Always talk in a calming and courteous manner, be respectful. Never use inappropriate language or pass suggestive comments;
- Encourage children to respect each other;
- Never use physical or rough actions, or bad language towards children;
- Always knock loudly on doors when entering toilets or changing areas;
- Lastly when checking & signing off on check lists e.g. changing rooms / health suite, always knock on the door before entering, if the door is locked

and there is no answer, tell the person that you are going to get the door opened;

- Do not socialise inappropriately with children e.g. outside of structured organisational activities;
- In relation to Beach Lifeguards specifically, please refer to the full contents of the Irish Water Safety Child Protection Policy as well as the Operational Guidelines, particularly in relation to Beach Lifeguards, aged between 16-18 – commonly referred to as “Young Persons”. It is the responsibility of the adult / most senior Beach Lifeguard that they and the team:
 - Ensure that their behaviour is appropriate at all times
 - Refrain from making sexually suggestive comments or engaging in jokes of a sexual nature
 - Refrain from making comments which might be construed as offensive by an individual
 - Be aware of what is appropriate physical contact and do not exceed these boundaries
 - No alcohol or drugs
 - Ensure an open environment whereby all beach lifeguards feel free to express their concerns openly to a senior lifeguard.
 - In the event that a beach lifeguard, aged between 16 and 18 is involved on duty, a minimum of two beach lifeguards should be present where possible, one of which is over 18 years.

Disruptive behaviour on the part of the Child

Disruptive behaviour by children in all amenity sites and sports centres to include Ennis Leisure Complex and Lees Road is unacceptable and if it occurs the child in question will be advised that s/he is causing a disturbance and given a warning. If s/he continues to misbehave s/he will be offered the opportunity to call a parent to come and collect them. If s/he refuses to do this her / his behaviour will result in the immediate withdrawal of leisure facilities and services for that child. That child will also be asked to leave. The child's parents will be phoned and a letter will be sent to the child's parents or guardian outlining the incident and explaining why his/her services have been withdrawn.

Specifically in relation to Ennis Leisure Centre Complex, during school swim times, a schoolteacher is asked to spectate on the deck, in a supervisory capacity only. If a child disrupts the class, the swim teacher corrects the child. If the problem persists, the schoolteacher is then asked to intervene. If any child/teenager misbehaves to a level that is offensive or unsafe to staff or clients, the action as detailed above will be taken. If the child/ teenager refuses the gardai will be called. The incident is then written up and reported.

When dealing with a disruptive child it is recommended that where possible more than one employee or volunteer be present. Instances of disruptive behaviour that require the intervention of the employee, and which put at risk the safety and well being of others, must be documented. The report shall describe:

- The programme or activity running at the time;

- What happened;
- Who was involved;
- Where and when it happened;
- What was said, if significant;
- Any injury to person or property;
- How the situation was resolved;
- An Incident Report Form shall be completed. A template is provided in *Appendix 2*.

2.4 Physical Contact

- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;
- Never engage in inappropriate touching;
- Not revealing personal information about children in any way, subject to child protection concerns;
- For swimming - when a child is learning a new skill/stroke, demonstrations must be done in an open environment with the permission and understanding of the child. It should be determined by age and developmental stage of the child for example, doesn't do something a child can do for themselves.

2.5 Considerations for the Health and Safety of Children

- In the event that a child is left unsupervised at an open event or space e.g. an amenity site, the parents / guardians must be informed that children must be supervised at all times. Signage must be posted in this regard.
- If a young child is left unattended the staff will attempt to contact the parents or guardian asking them to collect the child.
- Where there are repeated instances or non-cooperation with requests and a young child continues to be left unsupervised, the parents / guardians to be notified that the statutory authorities e.g. the Garda Síochána will be called.
- If a young child is left in a facility or amenity site under the control of Clare Local Authorities, after closing time, the person in charge is to immediately contact the parent / guardian. If no parent / guardian responds, the statutory authorities to be notified.
- Ensure that children are not in contact with any dangerous materials;
- Provide a safe environment and where feasible ensure another employee/volunteer is present;
- Be aware of and comply with the Parent Safety Statement and relevant Ancillary Safety Statements. Be familiar with the particular risks associated with the activity and/or location at which you are based.
- When a risk assessment is completed it must take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure;
- Ensure that you are familiar with and comply the accident reporting procedures;
- Familiarise yourself with and where necessary comply with the emergency evacuation procedures particular to the location in which you are located and brief the children in your care on what they are to do/where they must go in an emergency;
- For any further advice in relation to health and safety issues you should contact the Health and Safety Officer for your department.

2.5.1 Ennis Leisure Complex response to accidents/incidents/complaints:

Ennis Leisure Complex prioritises a speedy and effective response by ensuring that:

- Emergency telephone numbers are prominently displayed;

- All staff have read and understood the Normal Operating Plan, Emergency Action Plan and Safety Statement;
- All staff are aware where the nearest telephone is;
- Ensuring all staff know the location of the panic button and how to recognise when it is activated;
- All staff are trained in Occupational First Aid/Fire Training and Fire Safety;
- Staff have knowledge of how to deal with a medical emergency;
- First Aid boxes are easily located and regularly stocked;
- Accident/Incident report form is completed as soon as possible and all necessary follow up actions implemented;
- There is a formal complaints procedure for children and parents (refer to Section 4);
- Paying attention to health and safety matters, for example house keeping, fire alarms, regular equipment checks, first aid facilities, heating and ventilation in good working order

2.5.2 In specific relation to life guarding at Ennis Leisure Complex:

- 2 lifeguards must always be in the building and if possible on deck;
- Lifeguards must ensure children can swim 2 lengths of the pool before being allowed in the deep end;
- Lifeguards must engage in preventative life guarding and protect children and all users;
- Children under 8 years of age must be supervised in the water by an adult
- The public must realise it is the job of the lifeguard to observe and safeguard all users of the pool;
- Any incident or accident that a child is involved in must be reported/form filled out/management informed/parent or guardian informed;
- Never leave children unattended;
- Dangerous behaviour is not allowed or tolerated;
- Be publicly open when working with children & staff must work in pairs where possible;
- If manual support is needed either in the pool, be it swim lessons or gym work, this must be carried out openly;

2.6 Consideration for Children with Special Needs or Disabilities

Clare Local Authorities will adhere to national legislation including Disability Act 2005, and Equal Status Acts 2000-2007 in relation to children with disabilities or special needs to ensure as much as possible access to all services and activities.

2.7 General Supervision

It is imperative that employees/volunteers shall endeavour to ensure that there are adequate adult/child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide may be 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more adults). Where possible there will be at least one adult of each gender with mixed parties. This ratio may not be appropriate at service points as distinct from organised activities for this reason it is imperative that notes of an activity are recorded at all times so as to establish if there are any parts of the activity where extra supervision is required i.e. during times when children may become excited about an event etc.

- All Employees/volunteers shall endeavour to avoid being left alone with children;
- In the event of an Employee being scheduled to complete an inspection on a premises and there are children present at this location, these inspections must be planned appointments. When planning the appointments the tenant is to be informed that inspection will not proceed without the employee being accompanied by an adult (i.e. the tenant of the property) at all times.
- If parents are used as volunteers in respect of achieving the above adult / child ratio then this parent(s) must be fully supervised when working with children other than their own.
- If an adult needs to talk separately to a child this should be done in an open environment in view of others whilst offering the child confidentiality;
- Employees should not be left alone with children at the end of an activity;
- It is not recommended that anyone under 18 years of age is left alone to work with Children under any circumstances.
- Times for start and finish of activities should be clearly stated as part of a specific pick up / drop off policy specific to that service point;
- Late collection of children by parents/guardians presents a potentially difficult situation, and employees/volunteers shall attempt to contact the child's parent/guardian on their contact number;
- Children may await collection outside amenity sites upon closing, and it is not the responsibility of staff to wait with them. All children will be advised

of closing times 15 minutes in advance and signs will be clearly visible in all relevant areas showing opening and closing times.

- Use an alternative contact name/number agreed with the child's parent/guardian if necessary. Please also refer to the Section 2.5, considerations for the health and safety of children with reference to repeated occurrences of children being left unattended.
- If necessary wait with the child with another employee member/volunteer present where possible;
- Make it clear to parents/guardians (on arrival) that it is not CLA's responsibility to transport children home on behalf of parents/guardians who have been delayed;
- Parents must take responsibility for their children in or around amenity sites;
- Parents/ Guardians must be able to observe their children at all times and never leave young children unattended;

In general all Employees/volunteers **shall not:**

- Take the child home or to another location without permission from a parent /guardian;
- Send the child home with another person without permission from a parent/guardian;
- Leave a child unaccompanied, if a young child is left to wait for a parent / guardian outside the amenity site after closure, and there is no response from the Parent / Guardian then the Gardai must be notified.

For Ennis Leisure Complex specifically (in addition to the general approach as above)

- Children under 8 must be accompanied by an adult in the main pool; Children under 6 must be accompanied by an adult in the kiddies pool;
- Ennis Leisure Complex is aware of the need for proper supervision and support for staff. This is available in the following ways:
 - Ennis Leisure Complex has a clearly defined management structure so all staff are aware of their leaders;
 - Staff have clearly defined reporting structures;

- Regular staff meetings are held where feedback from staff is considered vital and prompt action can be taken where appropriate;

For Beach Lifeguards specifically (in addition to the general approach as above)

- In the event of a child needing attention and there is only one lifeguard on duty, and then the attention must be given in an open environment. The beach lifeguard must never be in a situation where they are alone in an enclosed space (e.g. beach lifeguard station) with a child.
- In the event that a beach lifeguard, aged between 16 and 18 is involved on duty, a minimum of two beach lifeguards should be present where possible, one of which is over 18 years.

Section 3.0 Reporting Child Protection & Welfare Concerns

3.1 Recognising Child Abuse

Child abuse can often be difficult to identify and may present in many forms (see below summary definitions on categories of abuse; also refer to *Appendix 3* for guidance on signs and symptoms of child abuse).

To safeguard Children please note the definitions of abuse as follows:

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

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, attachment to and affection from adults and or medical care. Instances of neglect can be measured under the following headings:

- Mild Neglect – usually does not warrant a report to the Child Protection Notification System
- Moderate Neglect – occurs when less intrusive measures, such as community interventions have failed or some moderate harm to the child has occurred
- Severe Neglect – occurs when severe or long-term harm has been done to the child
- Chronic Neglect – can be defined as ‘patterns of the same acts or omissions that extend over time and recur over time’

Emotional Abuse

Emotional abuse is normally to be found in the relationship between a parent / carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Emotional abuse can be manifested in terms of the child’s behavioural, cognitive, affective or physical functioning.

Physical Abuse

Physical abuse of a child 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. There may be single or repeated events.

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. It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Early detection is important and individuals working with children should share any concerns about child protection or welfare with the Designated Liaison Officer.

The ability to recognise 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. There are commonly three stages in the identification of child abuse.

These are:

- considering the possibility;
- looking out for signs of abuse;
- recording of information.

The possibility of child abuse should be considered if any of the signs or symptoms referred to above is presented. Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/guardians or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, without direct questioning. Play situations such as drawing or story telling may reveal information. Most signs are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse.

If abuse is suspected, it is important to establish the grounds for concern. The following examples would constitute reasonable grounds for concern.

- Specific indication from the child that (s)he was abused;
- An account by a person who saw the child being abused;
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour, which is consistent both with abuse and with 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.

Observations should be accurately recorded and should include dates, times, names, and locations.

Who to contact about issues related to Child Protection and Welfare

Damien Mc Mahon has been designated as the Designated Liaison Person and Anne Rynne is the Deputy Designated Liaison Officer to contact if you have an issue or concern about any aspect of a child's safety and welfare. It is the responsibility of this person to support and advise staff about Policy & Procedures in relation to Child Protection and to ensure that procedures are followed. It is also the responsibility of this person to liaise with the Health Services Executive, Gardaí or any other Outside Agencies where appropriate.

Designated Liaison Officer can be contacted at 065 6846422

If however, you would like first to talk to a colleague in confidence about a Child Protection concern, there is a list of nominated persons specific to certain areas. The Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Jackie Coote - Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Ger Hartnett – Senior Executive Health and Safety Officer

3.2 Recording Procedures

Steps to be taken by an employee who knows about or suspects child abuse

- Record all details, including the date, time and people involved in the concern or disclosure or facts. Information recorded should be factual. Any opinions should be supported by facts.
- An Employee / Volunteer should also record the following information:
 - Suspicions
 - Concerns
 - Worrying Observations
 - Behavioural Changes
 - Actions and Outcomes
- An employee/volunteer who knows or suspects that a child has been or is at risk of being harmed has a duty to convey this concern to the Designated Liaison Officer without delay;
- The Designated Liaison Officer will report the information to the Health Service Executive, who in turn, notifies An Garda Síochána; In an emergency, the Designated Liaison Officer must report directly to An Garda Síochána;

- If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay.
- The person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Health Service Executive or An Garda Síochána;
- Under no circumstances should any individual member of employee or volunteer attempt to intervene or deal with the problem of abuse alone.

3.3 Dealing with a Disclosure

Dealing with a Disclosure
<p>A child may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.</p> <ul style="list-style-type: none"> • Be as calm and as natural as possible • Remember that you have been approached because you are trusted and possibly liked. Do not panic • Be aware that disclosures can be very difficult for the child • Remember, the child may initially be testing your reactions and may only fully open up over a period of time • Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to • Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language • Conceal any signs of disgust, anger or disbelief • Accept what the child has to say – false disclosures are very rare • It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child. • It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.

When asking questions:

- Questions should be supportive and for the purpose of clarification only
- Avoid leading questions

The primary responsibility of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously. The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority;
- Reports should be made without delay;
- The principle of natural justice shall apply, as appropriate;
- A person is innocent until proven otherwise however any measures necessary to protect a child must be taken;
- The principle of confidentiality shall apply, whereby only those who need to know should be told of a suspicion/allegation/disclosure of abuse and the number that need to be kept informed shall be kept to a minimum.

3.4 Confidentiality with disclosures – Do not promise to keep secrets

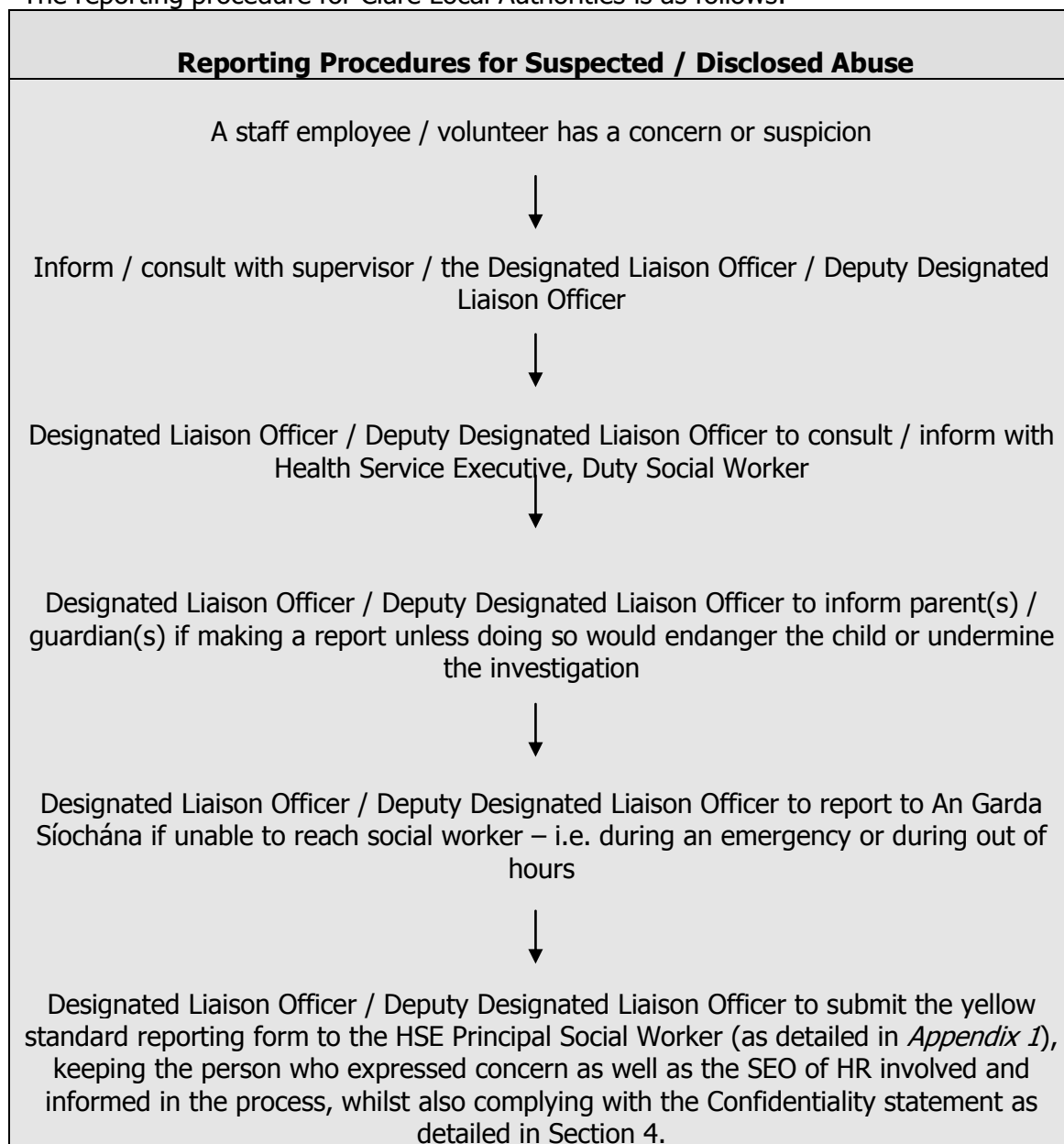
At the earliest opportunity, tell the child that

- You acknowledge that they have come to you because they trust you
- You will be sharing this information only with people who understand this area and who can help. There are secrets, which are not helpful and should not be kept because they make matters worse. It is better to honestly tell the child that you cannot keep a secret than to tell a lie and ruin the child's confidence in another adult.

Think before you promise anything – Do not make promises you cannot keep

3.5 Reporting Procedure

The reporting procedure for Clare Local Authorities is as follows:



*Nominated Persons are as follows:

- Anne Rynne – Social Worker and Deputy Designated Liaison Officer
- Siobhan Mulcahy and Patricia Fitzgerald – Arts and Library Service
- Syl Barrett and Jackie Coote - Ennis Town Council and Ennis Leisure Complex
- Angela Naughton - Fire Service
- Clare Mc Grath – Account Managers
- Liam Griffin – Civil Defence and Water Safety Officer
- Ger Hartnett – Senior Executive Health and Safety Officer

* A nominated person is a person who has been involved in the development of this Policy and Procedure and who an employee can contact in confidence with a query in relation to the content of this policy. In this event, this nominated person will in turn liaise / report to the Designated Liaison Officer or Deputy Designated Liaison Officer.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances; earlier suspicions may provide important information.

Where reasonable grounds exist for the reporting of suspected or actual child abuse a report shall be made to the Health Service Executive in person, by telephone or in writing by the Designated Liaison Officer. Reports may be made to the HSE Duty Social Worker Department or directly to the social worker. Each Health Service Executive office has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns.

In cases of emergency, where a child or a minor appears to be at immediate and serious risk and the member of staff cannot contact the Designated Liaison Officer or Duty Social Worker, An Garda Síochána must be contacted by a senior member of staff immediately. Under no circumstances should a child or minor be left in a dangerous situation pending the intervention by statutory authorities. The Designated Liaison Officer must be kept informed of the events so that the Designated Liaison Officer if necessary can send a formal report to the HSE. A record must be kept of all events.

3.5.2 Information required when a report is being made

The ability of the Health Service Executive and/or An Garda Síochána to assess suspicions or allegations of child abuse will depend on the amount and quality of information conveyed to them by persons reporting their concerns.

The template form in *Appendix 1* should be used for reporting suspected child abuse to the Health Service Executive or An Garda Síochána. If a report is made by phone, this form should be forwarded subsequently to the Health Service Executive. In the interest of openness the parents/guardians should be informed if a report is to be submitted to the Health Service Executive or An Garda Síochána unless doing so is likely to endanger the child or undermine an investigation. The Designated Liaison Officer will be responsible for providing this information.

Any CLA employee/volunteer who suspects child abuse shall not interview the child or the child's parents/guardians in any detail about the alleged abuse. All actions taken and outcomes should be recorded.

3.5.3 Cases where concerns are not referred on

In those cases where Clare Local Authorities decides that it should not refer concerns to the Health Service Executive or An Garda Síochána, the employee/volunteer who raised the concern must be given a clear written statement, from the Designated Liaison Officer, of the reasons why the Council is not doing so. Prior to this statement the Designated Liaison Officer will have received advice from the Health Services Executive and if necessary they will quote the HSE's advice for non referral.

Malicious or vexatious allegations of child abuse made by employees/volunteers may be considered to be a disciplinary matter and dealt with accordingly.

3.5.4 Common Impediments to the Reporting of Child Abuse

Child abuse is a difficult and, to some people, distasteful or sensitive subject. At times, it is hard to distinguish between abusive situations and those where other social problems such as unemployment, poverty, poor housing, mental illness or isolation are present. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. Reluctance to act on suspicions about child abuse can often stem from uncertainty and fear. Individuals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking confidence, or afraid of being disloyal. Knowledge and information about child abuse will help to overcome reluctance to take action.

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers, the HSE or any member of An Garda Síochána. 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.

3.5.5 Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. **It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.**

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Designated Liaison Officer must be notified who will report the allegation to the HSE Duty Social Worker without delay.

There is a HSE **National Counselling Service**, which is in place to listen to, value and understand those who have been abused in childhood. The Service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country.

The service can be accessed either through your local HSE office (details in Appendix 4 of this policy) or by way of self-referral (Freephone 1800 670700).

Section 4.0 Dealing with Complaints/Allegations against the Clare Local Authorities, Employees and Volunteers

4.1 Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against Clare Local Authorities, its employees or volunteers must be investigated, dealt with and managed in accordance with the Complaints Procedure. A copy of the Complaints Procedure is available in the Customer Action Plan, located on www.clarecoco.ie.

Employees/volunteers are required to co-operate with investigations by or on behalf of CLA in accordance with the Complaints Procedure. The Council's Disciplinary Procedure may be invoked in circumstances where it is found that an employee/volunteer has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

4.2 Allegations against an Employee or Volunteer

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure will be dealt with and managed by Clare Local Authorities, guided by the Designated Liaison Officer. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Health Service Executive/An Garda Síochána and shall not be undertaken by the Designated Liaison Officer or other Local Authority employees. Where such an allegation is made against an employee, or volunteer contact and consultation with the Health Service Executive and An Garda Síochána will take place as soon as reasonably practical. This may be done through the Designated Liaison Officer. Following these consultations any action will be guided by the relevant Statutory Body. (Refer back to Section 3 – Reporting Procedures, for any necessary clarification e.g. If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the SEO, Human Resources without delay).

For Beach Lifeguards specifically, the Irish Water Safety (IWS) have issued and distribute IWS Guidelines for Child Protection. These IWS guidelines must be read in conjunction with this policy for Clare Local Authorities.

Clare Local Authorities will, as a matter of urgency, take any necessary protective measures that are proportionate to the level of risk and will balance its obligations to its employee with its obligations in respect of the best interests of children.

When an allegation is made against an employee, the following steps shall be taken –:

- (i) The first priority shall be to ensure that no child is exposed to unnecessary risk. The employer should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk.

- (ii) Action shall be guided by the agreed internal procedures i.e. Grievance and Disciplinary Procedures, the applicable employment contract and the rules of natural justice, where appropriate;

(See *Appendix 7c: Employee/Volunteer Allegation Chart*)

- (iii) The County Manager or his nominated deputy shall be informed as soon as possible;
- (vii) The follow up on an allegation of abuse against an employee shall be made in consultation with the Health Service Executive and An Garda Síochána. An immediate meeting shall be arranged with these two agencies for this purpose;
- (v) When pursuing the question of the future position of the employee, the Designated Liaison Officer shall advise the person accused of the allegation and the agreed procedures shall be followed;
- (vi) Clare Local Authorities shall take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

Employees/volunteer's may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse will be dealt with sensitively and support will be offered to employees including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the employee/volunteer fairly.

4.3 Anonymous, Malicious and Third Party Referrals

Anonymous referrals – It is best practice that reports are not to be made anonymously. Under the Freedom of Information Act, in the event of a name being supplied anonymity should never be promised since it cannot be guaranteed by the Social Work Service.

Malicious referrals – Malicious reporting is not a common occurrence, but creates a significant impact on the innocent person. The Protection of Persons Reporting Child Abuse Act 1998 includes the creation of an offence of false reporting of child abuse, where a person makes a referral of child abuse to the appropriate authorities "knowing that statement to be false". In the event that any staff member is concerned that a report is malicious, this should be discussed with their line manager with immediate effect.

Third Party Referrals – In the event that any member receiving information in respect of a suspicion of child abuse / welfare from a third party, and those reasonable grounds for the concern exists, this must be reported to the Designated Liaison Officer, who will make contact with the Duty Social Worker of the HSE. The HSE will then investigate the concerns.

Section 5.0 Confidentiality

The confidentiality statement as detailed below is designed to give clear guidance about the issues of sharing information and maintaining appropriate levels of confidentiality.

Confidentiality Statement
<p>Clare Local Authorities are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:</p> <p>Information will only be forwarded on a "need to know" basis in order to safeguard the child.</p> <p>No undertakings regarding secrecy can be given.</p> <p>Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.</p> <p>Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.</p> <p>Any complaint against staff must be dealt with sensitively & handled confidentially.</p> <p>Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.</p> <p>Images of a child will not be used for any reason without the consent of the parent / carer (however, we cannot guarantee that cameras / videos will not be used in public unsupervised areas).</p>

Section 6.0 Recruitment and Selection

Clare Local Authorities have a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined as part of CLA's recruitment and selection process.

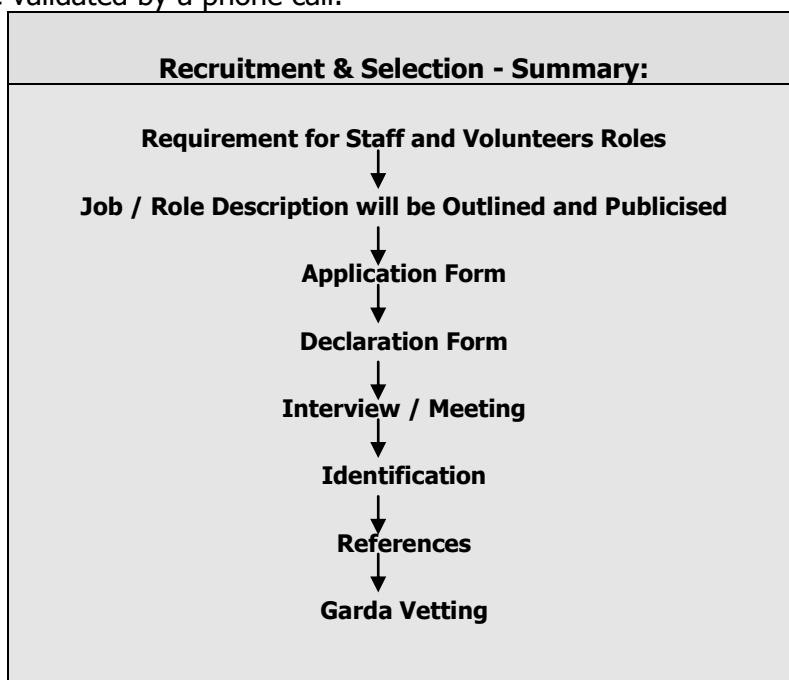
All applicants for appointment or engagement will be required to supply information in writing on the prescribed Application Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records. This Declaration Form will be attached to the Application Form.

When a candidate is being considered for appointment or is being placed on a panel, it is the intention that the completed Consent Form will be sent to the Garda Central Vetting Unit by the Council's Authorised Signatory as appointed under the Garda Vetting Procedure.

For Volunteers groups that are directly linked to Clare Local Authorities it will be established by Clare Local Authorities if there is a possibility of their work being in contact with Children and Vulnerable Adults. If this is regular contact with the possibility being unsupervised, the full volunteer structure will be Garda Vetted. This Garda Vetting will be organised by Clare Local Authorities.

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.



Section 7.0 Further information

Further information on child protection and welfare is available from Clare Local Authorities Designated Liaison Officer; from the Health Service Executive and / or from the Department of Health and Children.

Appendices – Table of Contents

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Appendix 2	Incident Report Form
Appendix 3	Guidance on Categories of Child Abuse
Appendix 4	List of Local HSE Social Work Contact Details
Appendix 5	Key Legislative Provisions & National Guidelines
Appendix 6	List of Areas in the Council with Regular Contact with Children
Appendix 7	Flowcharts for Reporting Procedures
Appendix 8	Sample Check for Records and Standards (Management of Activities)

Appendix 1

Standard Report Form for reporting child protection and or welfare concerns to the HSE

This form is available from the Designated Liaison Officer, Human Resources Department
(065 6846435)

Appendix 2

Incident Report Form

<p>Clare Local Authorities</p> <p>Protection of Children Policy & Procedure Document</p> <p>COMPLAINT / INCIDENT REPORT FORM - CONFIDENTIAL</p>
--

TYPE OF INCIDENT _____

OCCURRED ON: DATE ____ / ____ / ____ TIME _____

REPORTED ON: DATE ____ / ____ / ____ TIME _____

LOCATION: _____

EVENT / ACTIVITY: _____

Particulars of Incident _____

Relevant Child Details

Witness Details (if appropriate)

Name: _____	Name _____
Address: _____	Address: _____
_____	_____
_____	_____
Tel: _____ D OB ____ / ____ / ____	Tel: _____

WERE GARDAÍ CONTACTED Yes ☐ No ☐ Date / /

WAS SECURITY CONTACTED Yes ☐ No ☐ Date / /

WERE MEDICAL PERSONNEL CONTACTED Yes ☐ No ☐ Date / /

WAS PARENT / GUARDIAN CONTACTED Yes ☐ No ☐ Date / /

No ☐ Date / /

If yes, provide brief details:

- *Please submit to the Designated Liaison Officer, without delay.*
- *Any supporting evidence or other relevant documentation should be attached to this form*

Appendix 3 Guidance on Categories of Child Abuse

1. Recognition of Child Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

2. Signs and Symptoms of Child Neglect

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

The neglect of children is 'usually a passive form of abuse involving omission rather than acts of commission'. It comprises 'both a lack of physical caretaking and supervision and a failure to fulfil the developmental needs of the child in terms of cognitive stimulation'.

Signs and Symptoms - Child neglect may be suspected in cases of:

- Abandonment or desertion
- Children persistently being left alone without adequate care and supervision
- Malnourishment, lacking food, inappropriate food or erratic feeding
- Lack of warmth
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger including moral danger or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Non-organic failure to thrive i.e. child not gaining weight not alone due to malnutrition but also due to emotional deprivation
- Failure to provide adequate care for the child's medical problems
- Exploited, overworked

3. Signs and Symptoms of Emotional Abuse

Emotional neglect and abuse is found typically in a home lacking emotional warmth. It is not necessarily associated with physical deprivation. The emotional needs of the children are not met; the parent's relationship to the child may be without empathy and devoid of emotional responsiveness.

Emotional neglect and abuse occurs when adults responsible for taking care of children are unaware or unable to meet their children's emotional and developmental needs. Emotional neglect and abuse is not easy to recognise because the effects are not easily observable.

Emotional neglect and abuse can be identified with reference to the indices below. However, it should be noted that no one indicator is conclusive of emotional abuse. In the case of emotional abuse and neglect, it is more likely to impact negatively on a child where there is a cluster of indices, where these are persistent over time and where there is a lack of other protective factors.

- Rejection
- Lack of comfort or love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly planned)
- Continuous lack of praise and encouragement
- Serious over-protectiveness
- Inappropriate non-physical punishment (e.g. locking in rooms)
- Family conflicts and / or violence
- Every child who is abused sexually, physically or neglected is also emotionally abused
- Inappropriate expectations of a child relative to his/her age and stage of development

4. Signs and Symptoms of 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 injury include the following:

Unsatisfactory explanations or varying explanations, frequency and clustering for the following events are high indices for concern regarding physical abuse:

- Bruises
- Fractures
- Swollen joints
- Burns/Scalds(see below for more detail)
- Abrasions/Lacerations
- Hemorrhages (retinal, subdural)
- Damage to body organs

- Poisonings - repeated (prescribed drugs, alcohol)
- Failure to thrive
- Coma/Unconsciousness
- Death.

There may be different forms of physical abuse, but skin, mouth and bone injuries are the most common.

8. Signs and Symptoms of Child Sexual Abuse

Child sexual abuse often covers a wide spectrum of abusive activities. It rarely involves just a single incident and usually occurs over a number of years.

Cases of sexual abuse principally come to light through:

- a) Disclosure by the child or his or her siblings / friends
- b) The suspicions of an adult
- c) Physical symptoms

Colburn Faller (1989) provides a description of the wide spectrum of activities by adults which can constitute child sexual abuse. These include:

- Non-contact sexual abuse
- Sexual contact
- Oral-genital sexual abuse
- Interfemoral sexual abuse
- Penetrative sexual abuse
- Sexual exploitation

Carers and professionals should be alert to the following physical and behavioural signs:

- Bleeding from the vagina/anus
- Difficulty/pain in passing urine/faeces
- An infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease. Professionals should be informed if a child has a persistent vaginal discharge or has warts/rash in genital area.
- Noticeable and uncharacteristic change of behaviour
- Hints about sexual activity

- Age - inappropriate understanding of sexual behaviour
- Inappropriate seductive behaviour
- Sexually aggressive behaviour with others
- Uncharacteristic sexual play with peers/toys
- Unusual reluctance to join in normal activities which involve undressing, e.g. games/swimming

Particular behavioural signs and emotional problems suggestive of child abuse in young children (0-10 yrs):

- Mood change, e.g. child becomes withdrawn, fearful, acting out;
- Lack of concentration, especially in an education setting
- Bed wetting, soiling
- Pains, tummy aches, headaches with no evident physical cause
- Skin disorders
- Nightmares, changes in sleep patterns
- School refusal
- Separation anxiety
- Loss of appetite
- Isolation

Particular behavioural signs and emotional problems suggestive of child abuse in older children (10 yrs +):

- Mood change, e.g. depression, failure to communicate
- Running away
- Drug, alcohol, solvent abuse
- Self mutilation
- Suicide attempts
- Delinquency
- Truancy
- Eating disorders

- Isolation

Appendix 4

HSE LOCAL: List of Duty Social Work Contact Details

Name	Area	Contact Address	Contact Numbers
Social Work Dept	Clare	River House, Gort Road, Ennis, Co Clare	Phone: (065) 6863908 Fax No: (065) 6863907

Children First Information and Advice Officers

Name	Area	Contact Address	Contact Numbers
Jan Godfrey	HSE West Clare	River House, Gort Road, Ennis, Co Clare	Phone: (065) 6863919 Fax No: (065) 6863983 jan.godfrey@hse.ie
Anne Murray	HSE West Limerick	87 O'Connell St., Limerick	Phone: (061) 483520 Fax No: (061) 468902 annem.murray@hse.ie

Appendix 5

Relevant Legislation

Children Act 2001

Child Care Act 1991

Criminal Justice Act 2006

Domestic Violence Act 1996

Protection for Persons Reporting Child Abuse Act 1998

Data Protection Acts 1998 and 2003

Education Act 1998

Education (Welfare) Act 2000

Non-fatal Offences against the Person Act 1997

Freedom of Information Acts 1997 and 2003

Appendix 6 - List of areas in Clare Local Authorities with regular contact with children

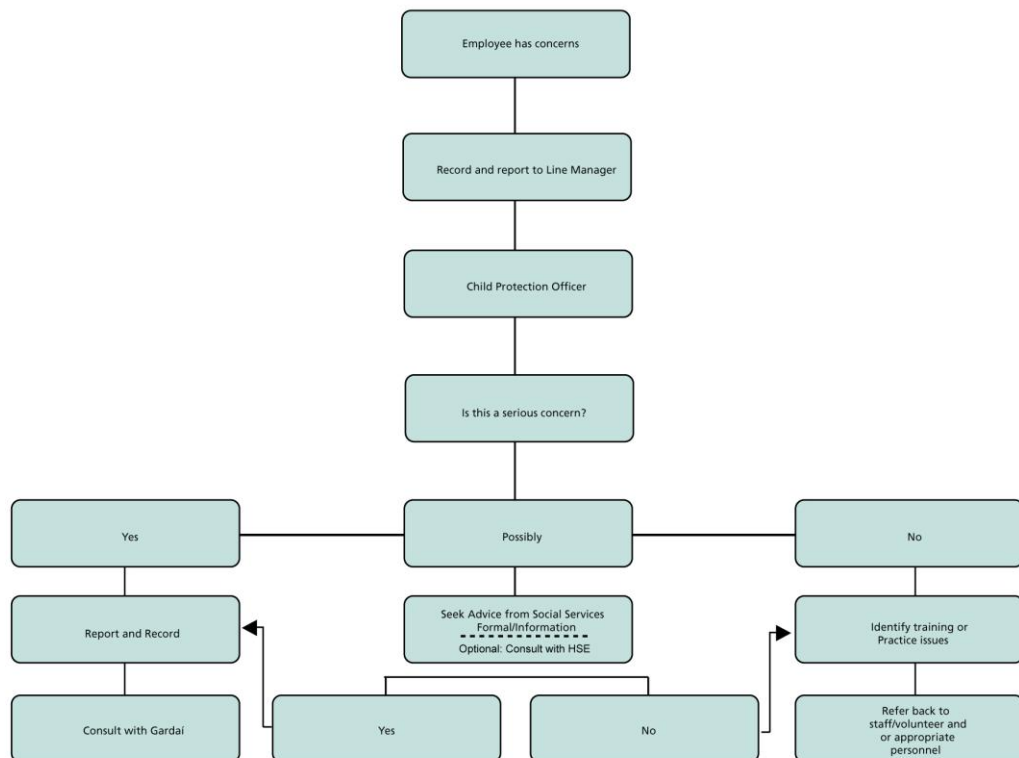
- All Library posts
- Arts Officers
- Beach Lifeguards
- Caretakers
- Cemetery employees
- Civil Defence (employees and volunteers)
- Comhairle na nÓg (employees and volunteers)
- Community and Enterprise Officers
- Community Liaison Officers
- Dog Wardens
- Environmental Schools Programme
- Estate Managers
- Fire Service (particularly those involved in visiting schools)
- Housing Staff (Housing and Maintenance)
- Junior Achievement (employees and volunteers)
- Lifeguards
- Litter Wardens
- Museum employees
- Park Employees
- RAPID Co-Ordinators
- Revenue Collectors
- Road Safety Officer
- School Wardens
- Sports Centres
- Volunteers engaged in a range of activities

* Please note that list is non-exhaustive

Appendix 7

Reporting Procedures

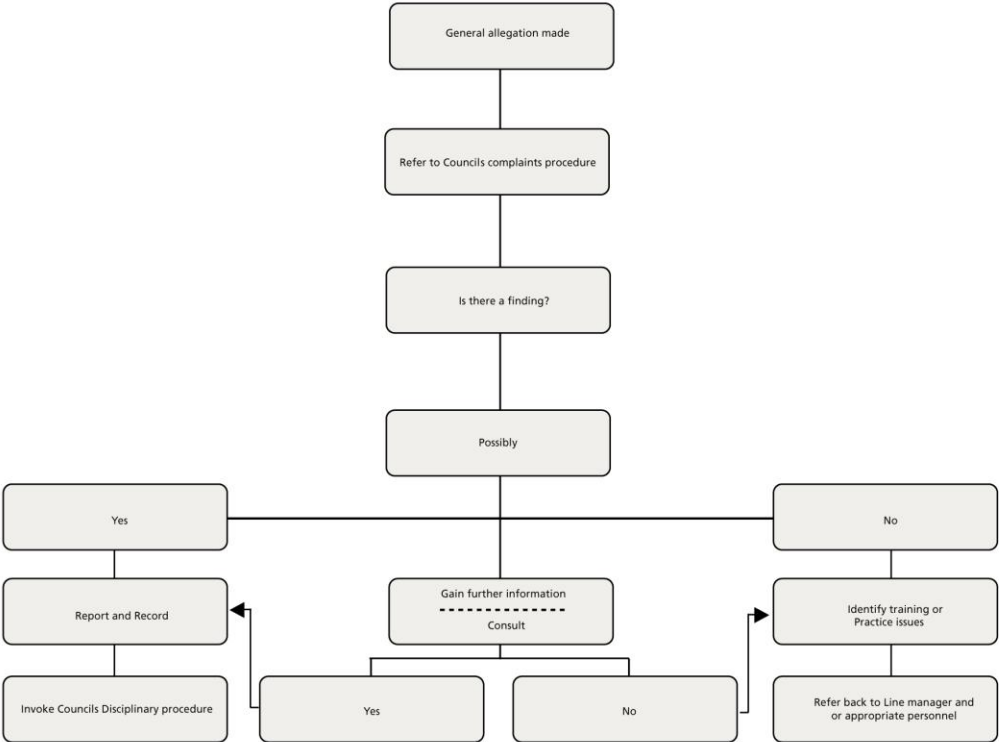
A - Employee Concern



Appendix 7 (continued)

Reporting Procedures

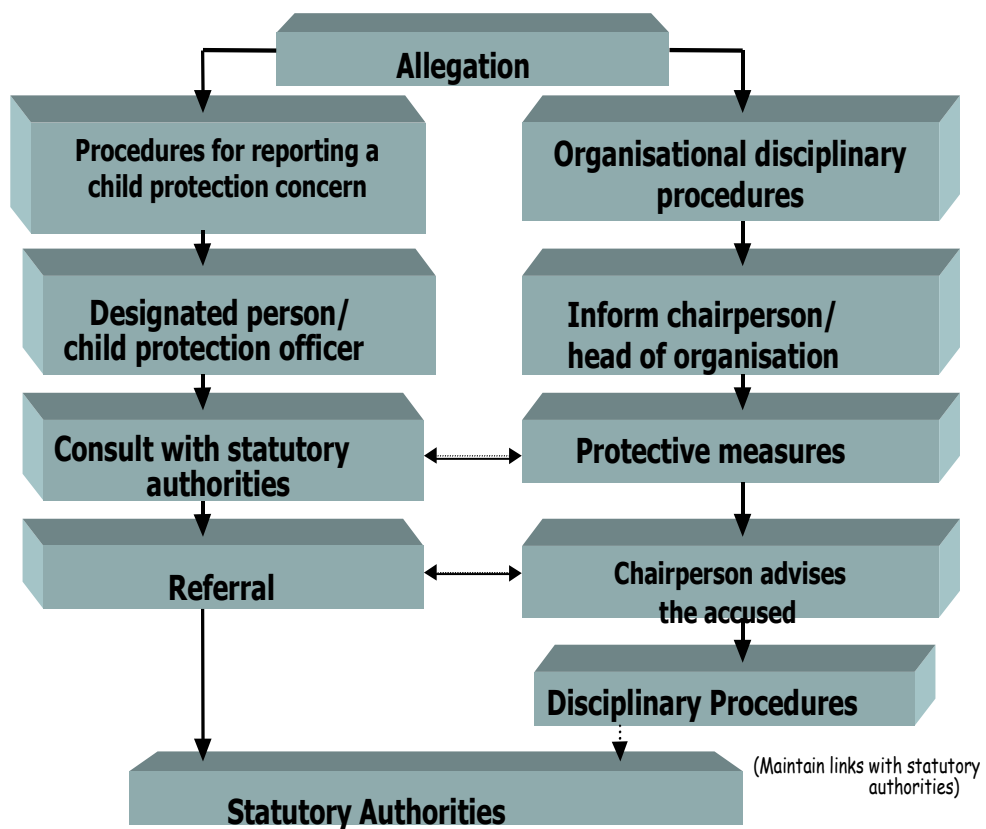
B - General Allegation



Appendix 7 (Continued)

C - Employee Volunteer Allegation

ALLEGATIONS OF ABUSE AGAINST EMPLOYEES AND VOLUNTEERS



Appendix 8

Management of Activities – Supervision of Children

Sample check for records and standards

Records:	Tick (✓) if satisfactory	Notes
Attendance Register		
Accident Report Book		
Authorisation / Parental Consent Form		
Copy of Health and Safety Policy		
Standards:	Tick (✓) if satisfactory	Notes
Heating & Ventilation		
Sanitation Facilities		
Fire Precautions		
First Aid Facilities		
Regular checking of equipment		
Providing adequate insurance cover for children, staff, volunteers and third parties (e.g. Facilitators / Writers / Workshop Organisers).		

* Please note that list is non-exhaustive

Clare Local Authorities - Child Protection Policy and Procedure

Photo Permission Form for Minors

I, _____, give Clare Local Authorities permission to record the image of the minor named below and I grant Clare Local Authorities all rights to use these images in any medium print or digital for Educational, Promotional, Advertising or Other Purposes that support the Mission of Clare Local Authorities. I agree that all rights to the image belong to Clare Local Authorities.

Parent / Guardian's Name:

Minor's Name:

Parent / Guardian's Signature:

Date:

Address:

Phone:

Email:

Image Number:

Project Details / Notes:
