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	Modification	Date modified
1	Initial approval of policy	2015
2	Most recent review and approval by Board	2018
3	Date of next review by Board	2021

Introduction

Children First: National Guidance for the Protection and Welfare of Children 2011 states that all organisations working in direct and indirect contact with children should have procedures and guidelines derived from and consistent with the current Children First National Guidance and Our Duty to Care: The Principles of Good Practice for the protection of Children and Young People.

On the 1st of January 2014, the Child and Family agency became an independent legal entity, comprising HSE Children & Family Services, Family Support Agency and the National Educational Welfare Board as well as incorporating some psychological services and a range of services responding to domestic, sexual and gender- based violence.

The Children First Act 2015 places elements of the Children First: National Guidance for the Protection and Welfare of Children 2011 on a statutory footing. One of the key messages of national policy document is that the safety and welfare of children is everyone's responsibility and that children will have safer lives where everyone is attentive to their wellbeing.

North & East Housing Association are committed to ensure that all necessary steps are taken to protect from harm, children and young people connected with the organisation.

North & East Housing Association Child Protection policy is available on our website www.northandeast.ie.

Child Protection Policy Statement

We in North & East Housing Association are committed to the practice, which protects children from harm and is in full compliance with Children First National Guidance for the Protection and Welfare of Children and Our Duty of Care.

We recognise the rights of children to be protected from harm, treated with respect, listened to and to have their views taken into consideration in matters that affect them. Management, staff,

contractors and volunteers working for or on behalf of North & East Housing Association recognise that the welfare of children is paramount and our organisation will endeavour to safeguard children by:

- Ensuring that all staff, volunteers and contractors are aware of their responsibility under Children First.
- Ensuring best practice in the recruitment of staff or volunteers, which includes Garda vetting, taking up references, good HR practices in interviewing, induction training, probation and ongoing management and supervision.
- Having procedures to recognise, respond and report concerns of children's protection and welfare.
- Providing training and support in this regard.
- Having a procedure to respond to complaints
- Developing a staff allegations procedure and disciplinary procedure
- Appointing a Designated Liaison Person and a Deputy Designated Liaison Officer to liaise with outside agencies and a resource person to any member of staff who has child protection concerns. The DLP is responsible for reporting allegations or suspicions of child abuse to the Child and Family Agency or An Garda Síochána.
- Reviewing the organisations' Child Protection Policy and practices on a regular basis, using the Children First checklist (Appendix 3).

Code of Behaviour

It is imperative that in all dealings with children the organisation aims to protect children and staff/volunteers/contractors. It is important that all personnel are familiar with the North & East Housing Association Child Protection Policy and ensure that the policy is adhered to in the event of any concerns around Child Protection. The following guidelines should be considered in the organisation's daily work.

- The Designated Liaison Person should be notified promptly of any concerns raised in relation to Child Protection.
- Staff and volunteers should respect and value children as individuals. Their efforts with community development in our estates should be encouraged and supported. Their views and ideas should be taken on board in relation to estate activities.
- Staff and volunteers should address children in positive terms and should never use inappropriate language or physical punishment of any kind.
- Staff/volunteers/contractors should never make sexually suggestive comments about or to a child or use sexually explicit or phonographic material.
- It is not recommended that staff/volunteers/contractors give lifts to children in their cars.
- Children should not be left unattended or unsupervised in any North & East Housing Association premises.
- Staff/volunteers should ensure that a safe environment is provided for any North & East Housing Association led activities. An appropriate risk assessment should be carried out prior to any organised events.
- Parents should be requested to attend events with their children, particularly where a 3rd party volunteer is present e.g. Santa Claus.
- Photograph consent forms should be sought for each event organised.

- It is recommended that staff/volunteers/contractors are sensitive to the potential risk to personal safety and false allegations which may arise if they meet a young person in a room alone. Where feasible, bring a colleague with you or inform a colleague of the circumstances.
- It is recommended to avoid spending time alone with a child or away from others
- As a rule, any physical contact between staff/volunteers/contractors and a child should be in response to the needs of the child and not the needs of the adult. While physical contact can be used to reassure, comfort or assist a child, the following questions should be considered:
 - Is it acceptable to the child? Is it open and not secretive?
 - Is it appropriate to the age of the child?
 - Staff/volunteers should be sensitive to the possibility of becoming over involved with or developing favouritism for any one child.
 - In cases of disclosures, never promise a child to keep a secret. The child should be reassured that they are not in any trouble and that you will have to ask others for help in order to help them.
 - Staff/volunteers/contractors should never let an allegation made by a child go unaddressed.

Designated Liaison Person

It is the responsibility of the Designated Liaison Person (DLP) or the Deputy DLP to make contact with the Duty Social Worker or in the event of an emergency and the unavailability of DSW, contact An Garda Síochána.

Role and Responsibilities of a Designated Liaison Person

The Designated Liaison Person should

- Operate within the guidelines set by the appropriate authorities and those approved by his/her organisation.
- Be available to receive and consider child protection concerns and to report suspicions and allegations of child abuse to the statutory authorities, i.e. Tusla or An Garda Síochána
 - Liaise between the organisation, young people, employees/volunteers and the statutory authorities where necessary
- Create and maintain links with the statutory authorities and other relevant agencies and resource groups and to informally consult and seek advice from Tusla regarding referral.
 - Facilitate the provision of support to anyone making a disclosure or wishing to make a referral to the statutory authorities
- Advise the organisation, members or employees/volunteers on individual cases within the limits of confidentiality.
- Maintain proper records on all cases referred to him/her in a secure and confidential manner
- Advise on good practice
- Organise/facilitate training and workshops on Child Protection
- Keep up-to-date on current developments regarding provision, practice, support services, legal obligations/requirements and policy

The Designated Liaison Person is: Michèle Ryan

The Deputy Designated Liaison Person is: Vinny Walsh

Recognising, Responding and Reporting Welfare Concerns:

At times, a member of staff may be concerned about the general welfare of a child they meet in the course of their duties. They should feel that they could discuss any concerns with the Designated Liaison Person. It is not always clear that a child may be harmed or abused. The DLP may discuss concerns informally with a Duty Social Worker if they are not sure whether or not to report a concern.

Children First Guidelines for the Protection and Welfare of Children 2011 states, "Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect". This responsibility is particularly relevant for those who work closely with children and their families.

All staff members in North & East Housing Association are aware of their responsibility to recognise and respond to child abuse concerns. The definitions and signs and symptoms of abuse and are contained in this policy - Appendix 1.

A concern could come to your attention in a number of ways and it is important to know how to respond.

Reasonable Grounds for Concern:

- A child tells you or indicates that he/she is being abused. This is called a disclosure.
- Follow the Suggested Guidelines for Responding to a Child who Reports Abuse to you, page
- Record the information and report to the DLP. If the DLP is unavailable then report to the Duty Social Worker without delay
- Admission or indication from an alleged abuser.
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable.
- Information from someone who saw a child being abused.
- Evidence of an injury or behaviour that is consistent with abuse and unlikely to be caused any other way.
- An injury or behaviour which is consistent with abuse where no reasonable explanation is given.
- Concern about the behaviour or practice of a colleague.
- Record information and report to the DLP. If the DLP is unavailable then report to the Duty Social Worker immediately.

Consistent indication over a period of time that a child is suffering from emotional or physical neglect.

Record dates and observations, consult with DLP. If the DLP is unavailable then report to the Duty Social Worker without delay.

Retrospective disclosures by adults.

It is essential to establish whether there is any risk to any child who may be in contact with the alleged abuser revealed in the disclosure. Record the information and report to DI-P. If the DLP is unavailable then report to the Duty Social Worker without delay

Emergency Procedure

A child should never be left in immediate danger. If for any reason staff are unable to contact DLP or Deputy DLP, everyone needs to know that they should contact the Duty Social Worker or if not available An Garda Síochána.

If the concern is urgent and the child is in immediate danger, make a report by telephone without delay and follow it up with the completed Standard Reporting Form.

Remember: The quality of the information that is provided will help influence the ability of the Social Worker to respond.

In the event of an emergency and the unavailability of a Social Worker, contact An Garda Síochána.

We recognise that it may be difficult for a member of staff to raise a child protection or welfare concern. If the Designated Liaison Person chooses not to pass on a concern raised by a member of staff, he/she will inform them in writing, indicating the reasons.

The Designated Liaison Person will advise the individual that he/she may proceed to make a report themselves and that the provision of the Person Reporting Child Abuse Act, 1998 provides protection from civil liability and penalisation by an employer where reports are made to the relevant authorities reasonably and in good faith.

Not all concerns that are raised will necessarily meet reasonable grounds for concern. Where concerns do not meet reasonable grounds for concern, all notes and records will be kept confidential and securely filed for future reference for a period of 6 years

Guidelines for Responding to a Disclosure by a Child

If a child discloses that they are being abused, or a third party discloses abuse on behalf of another whether in the home or attending a North & East Housing Association event, upon receiving the information you should:

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked.
- Do not panic.
- Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able to.
- Accept what the child has to say — false disclosures are very rare.
- Conceal any signs of disgust, anger or disbelief.
- Keep questions to an absolute minimum to ensure a clear and accurate understanding of what has been said. Do not ask about explicit details Reassure but do not promise confidentiality.
- Record in writing what the child has told you in 'his/her own words'.
- Inform the child/young person what you will do next
- Make a full and written record of what has been said and/or heard as soon as possible and don't delay in passing on the information to the Designated Liaison Person.
- The DLP will contact the Duty Social Worker and submit the Standard Reporting Form
- The family will be contacted by the Duty Social Worker
- At this stage, for confidentiality reasons, the organisation will not be given any further information by the Duty Social Worker; however, it is important to note that any further information/concerns should be passed on immediately to the DLP. If the DLP is unavailable then report further information to the Duty Social Worker without delay.

Guidelines for Responding to a Welfare Concern from a 3rd Party

If a person, including third parties, report suspected child abuse to you, your responsibility in the first instance is:

Inform the person that when they report to a designated person, they are protected in law from civil liability if the report is made in good faith and in the child's interest.

- Inform the DI-P the nature of concerns raised.
- Establish, in consultation with the individual who has raised the concern and the DLP, if reasonable grounds for concern exist.
- If you are unsure whether the concern constitutes reasonable grounds for concern, you should consult the Child & Family Services' Duty Social Worker.
- Where you decide not to pass on the concern brought to your attention, you must inform the person of this and also tell them that they may report directly to the Child & Family Services and that the provisions of the Protection for the Persons Act 1998 would pertain. If reasonable grounds for concern exist, a Standard Reporting Form should be submitted to the Child & Family Services' Duty Social Worker regardless of whether the source wishes to be identified or not. The source should be made aware that you would be reporting the information.
- Where appropriate, the DLP will inform the parent(s) of the intention to make a referral to the Child & Family Service.

Guidelines for Informing Parents

When a child protection concern is being reported to the Duty Social Worker, good practice would indicate that parents/carers should be informed about the report UNLESS DOING SO MAY PUT THE CHILD AT FURTHER RISK. The DLP should seek advice from the Duty Social Worker in the relation to this.

In developing a supportive relationship with a family, the following points may assist in practice:

- Be honest about the concerns and issues, and ensure that they are understood by the family.
- Check the parent's understanding of what has been said to them. This is especially important where, for example, a parent may have an intellectual disability or English is not their first language.
- Use clear language in a respectful and sensitive manner.
- Be clear as to what you will do after you have shared your concerns with them. If it is not possible to engage the parents in a meaningful way, the DI-P should seek advice from the Child & Family Services' Duty Social Worker.

Procedure for dealing with allegations of abuse against employees/volunteers/contractors /members of Board of Management.

- The Designated Liaison Person responsible for the reporting procedure in respect of children will not have responsibility for dealing with the procedure for dealing with an employee. This is the role of the CEO or Board Member Barry Magee.
- The designated member informs the employee that an allegation has been made against him/her and the nature of the allegation.
- The employee will be given an opportunity to respond. The responses must be noted and passed on if/when submitting a standard report to Tusla. The employee should be informed of how the information they provide may be used.
- Further action should be guided by the employment contract and the rules of natural justice. The first priority is to ensure that no child is exposed to unnecessary risk.
- Protective measures, proportionate to the level of risk, must be undertaken. Where the concern is reported to Tusla and/or An Garda Síochána, consultation is paramount when

pursuing the question of the future position of the employee. An agreed procedure should be drawn up and the employee should be advised of the agreed procedure.

Parents/carers should be kept informed of actions planned and taken, having regard to the rights of others concerned.

Completing the Standard Reporting Form — See Appendix 2

- The date of the report
- The name, address, date of birth and gender of the child
- The name, company address, contact details and occupation of the person reporting the concern
- Parental awareness
- Details of report — include whether or not the person making the report is expressing their own concerns or those of someone else (either with or without their consent)
- The nature of the allegation, including dates, times and special factors and other relevant information. Make a clear distinction between what is fact, opinion or hearsay. Note the description of any visible bruising or other injuries. Also, any indirect signs, such as behavioural changes. Document details of any witnesses to the incident
- Parental/Carer details
- Household composition
- Details of any known agencies involved
- Details of person allegedly causing concern in relation to the child
- Details of person completing the form

Safe Recruitment

North and East Housing Association are committed to recruiting the best person for the post. In the recruiting and employment process, we work to ensure fair and equal opportunities for all potential and existing employees. The policy is underpinned by the Employment Equality Acts 1998 and 2004, Freedom of Information Act and GDPR.

- A detailed job description is prepared before each post is advertised and is available to all applicants.
- All posts are publicly advertised and clearly state that North and East are an Equal Opportunities employer.
- A shortlisting panel is set up to review all applications. Assessment of applications is based only on the information provided by the applicant.
- An interview panel with a minimum of three people is selected.
- Records of the interview process are maintained for a period of 1 year.
- Any candidate who wishes to have feedback on their interview is entitled to this feedback in a timely manner.
- Any candidate who feels that they may have been discriminated against can make a written complaint to the management.
- The selection will be made on the basis of training/qualifications, experience and suitability to the role and subject to satisfactory references and Garda vetting.

- Two references are required for any prospective member of staff; one must be from the most recent employer. Referees are contacted by telephone and this is followed up with a written reference
- Garda vetting is carried out all staff.
- A contract of employment is prepared for each new employee.

Record Keeping

The Designated Liaison Person must ensure that all records of reported concerns are stored in a locked cabinet and only shared on a need to know basis. These records should include details of contacts, consultations and any action taken.

Records should be factual, accurate and legible and should be signed and dated after each entry.

Confidentiality

All staff, paid or unpaid must operate within the framework of the Associations Confidentiality Policy.

- North & East Housing Association operates a strict code of confidentiality. Confidentiality is about managing sensitive information that arises in a trusting relationship and doing so in a manner that is respectful, professional and purposeful.
- In matters of child abuse staff/volunteers should never promise to keep a secret. The staff member should be as supportive as possible, explain what will happen to the information and what the outcome is likely to be.
- All information regarding a concern of child abuse should be shared only on "a need to know" basis in the best interest of the child. In other words, it should never be the subject of conversation between any other persons in the organisation unless they are directly involved.
- Disclosure of any confidential information would generally be based on consent. However, the need to safeguard the welfare of a child or young person may mean that information is disclosed without seeking consent that is if the disclosure is to prevent harm to the child.
- Passing information to the relevant authorities is not a breach of confidentiality.

Appendix 1: Definitions and Signs and Symptoms of Abuse

Neglect

- Where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment and affection from adults, and/or medical care.
- 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 needs e.g. withdrawal of food, shelter, warmth, clothing and contact with others. ■ 'Circumstantial' neglect may be due to stress/inability to cope by parents/carers.
- Children persistently left alone without adequate care and supervision
- Malnourishment
- Lack of warmth
- Lack of adequate clothing
- Inattention to basic hygiene
- Persistent failure to attend school

Emotional Abuse is normally to be found in the relationship between a parent/carer. It occurs when the child's developmental need for affection, approval, consistency and security are not met.

- Rejection
- Continuous lack of praise and encouragement
- Lack of comfort and love
- Family conflicts and/or violence
- Inappropriate expectations of a child's behaviour
- Serious over protectiveness

Physical Abuse is that which results in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent/carer. There may be a single incident or repeated incidents. There may be unsatisfactory explanations for events such as:

- Shaking
- Bruises
- Fractures
- Swollen joints
- Burns/scalds
- Cuts
- Poisoning
- Damage to body organs
- Sexual Abuse

When a child is used by another person for his/her sexual gratification or sexual arousal or for that of others.

- Inappropriate seductive behaviour
- Age inappropriate understanding of sexual behaviour
- Hints about sexual activity
- Sexually aggressive behaviour with others
- Uncharacteristic sexual play with peers/toys
- Uncharacteristic change in behaviour/mood, child becomes withdrawn, fearful or acting out
- Bleeding from vagina/anus

Particular signs of and emotional problems suggestive of sexual child abuse in young children include:

- Mood change where the child becomes withdrawn, fearful or acting out
- Lack of concentration, especially in an educational setting e Bed wetting, soiling
- Pains, tummy aches, headaches with no evident physical cause skin disorders
- Reluctance to go to bed, nightmares, changes in sleep patterns
- Refusal to go to school
- Separation anxiety
- Loss of appetite, overeating, hiding food

Signs that may suggest physical abuse:

- Any bruising to a baby - pre-walking stage
- Multiple bruising to different parts of the body
- Bruising of different colours indicating repeated injuries
- Fingertip bruising to the chest, back, arms or legs
- Burns of any shape or size
- An injury for which there is no adequate explanation

Signs of possible sexual abuse

- Something a child has told you
- Something a child has told someone else
- A child who shows worrying sexualised behaviour in their play or with other children
- A child who seems to have inappropriate sexual knowledge for their age
- A child who may be visiting or being looked after by a known or suspected sexual offender.

Signs which may suggest emotional harm

The following signs may be present in children whose parents/carers are over critical and emotionally distant, or who are unable to meet their child's emotional needs:

- Children whose behaviour is excessive. For example, excessive bedwetting, overeating, refusing to eat, rocking, head banging
- Children who self-harm. For example, they may cut or scratch themselves or overdose
- Children who attempt suicide
- Children persistently run away from home
- Children who show high levels of anxiety, unhappiness or withdrawal
- Children who usually seek out or avoid affection.

Signs which may suggest neglect:

- Squalid, unhygienic or dangerous home conditions
- Parents who fail to attend to their children's health or development needs
- Children who appear persistently undersized or underweight
- Children who continually appear tired or lacking in energy
- Children who suffer frequent injuries due to lack of supervision

Please note that North and East Housing Association recognise that these lists are not exhaustive and are regarded as possible indicators of abuse. All signs of abuse must to be considered as individual presenting c

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.

Fields marked with an * are mandatory.

1. Tusla Area (this is where the child resides)*	
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2. Date of Report*	
---------------------------	--

3. Details of Child

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address*		Date of Birth*	
		Estimated Age*	
		School Name	
		School Address	
Eircode			

4. Details of Concerns*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see *'Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns'* for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>

6. Details of Reporter

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Is this a Mandated Report made under Sec 14, Children First Act 2015?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Mandated Person's Type				

7. Details of Other Persons Where a Joint Report is Being Made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

8. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to Tusla?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the parent/carer does not know, please indicate reasons:				

9. Relationships

Details of Mother			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

Is the Mother a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Details of Father			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Is the Father a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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10. Household Composition

First Name	Surname	Relationship	Date of Birth	Estimated Age	Additional Information e.g. school, occupation, other

11. Details of Person(s) Allegedly Causing Harm

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

Child Protection and Welfare Report Form

*MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)*

12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

Profession	First Name	Surname	Address	Contact Number	Recent Contact e.g. 3/6/9 months ago
Social Worker					
Public Health Nurse					
GP					
Hospital					
School					
Gardaí					
Pre-school/ crèche					
Other					

13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

Please ensure you have indicated if this is a mandated report in section 6.

Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

14. For Completion by Tusla Authorised Person on Receipt of Report

Report Received by

First Name	Surname	Date

Mandated Report Acknowledgement by

Child Protection and Welfare Report Form

*MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)*

First Name		Surname		Date Sent	
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Authorised Person Signature*	
Date*	

Child Previously Known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated Case No				



HSE Funded and Contracted Services
Children First Implementation and Compliance
Self-Audit Checklist

Old document name:	Version number and issue date	Reason for amending	New version name, number and issue date
Children First Implementation and Compliance checklist for HSE funded Agencies	Version no. 2, February 2018	Review of checklist to ensure comprehensive	HSE Funded and Contracted Services Children First Implementation and Compliance Self-Audit Checklist Version no. 3, January 2020
Document developed by:	HSE Children First National Office	Document approved by:	Marion Martin, Children First Lead, National Children First Office. Health Service Executive
Approval date:	30/12/19	Responsibility for implementation:	Section 38 and 39 HSE funded services to complete Self-Assessment Checklist. Self-Assessment Checklist must be retained by service provider for HSE review on request. All HSE contracted agencies should use this checklist for guidance to ensure compliance with Children First legislation and guidance
Revision date:	2022	Responsibility for review:	HSE Children First National Office



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Glossary of Terms

Harm: “means, in relation to a child:

a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare,

and/or

b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise” [Children First Act 2015]

Relevant service: Any work or activity specified in Schedule 1 of the Children First Act 2015 – See Appendix 1.

Relevant work: “any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults” [National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016].

Staff: The term ‘staff’ refers to employees, volunteers, students, those on clinical training, internships or work placements, contractors, Boards of Management and management committees. The words staff/employees/personnel may be used interchangeably throughout the document.

Service: Any organisation/service/agency/funded body.

Introduction

It is the responsibility of all government departments to ensure that services, provided by and funded by them, are aware of their requirement to comply with Children First legislation and national guidance. The HSE is funded by the Department of Health and therefore has a responsibility to ensure that all services under its remit and funded by it are aware of the requirement to comply with Children First, to support keeping children and young people safe from harm. Thus, it is the policy of the HSE that all services funded under Section 38 and 39 of the Health Act 2004 and HSE contracted services provide assurance of their compliance with Children First.

It is a requirement of your funding Arrangement that you demonstrate to us that your Service is fulfilling any obligations it may have under the Children First Act, 2015 and that it is implementing Children First, National Guidance for the Welfare and Protection of Children 2017.

It is therefore necessary that you complete the attached implementation and compliance self-audit checklist as part of your annual Service Arrangement requirements.

The checklist is also available to contracted services to provide guidance to support their compliance with Children First.

Purpose

A key message in Children First guidance and legislation is that the safety and welfare of children is everyone's responsibility, that the best interests of the child should be paramount and that agencies and professionals must work together in the interests of children. Services should promote the well-being of children and provide them with the highest possible standard of care and safeguard them from abuse. The Children First Act 2015 places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children and it is essential that all funded services are aware of and are compliant with their responsibilities in this regard.

The Children First Act 2015 places specific obligations on organisations which provide services to children and young people (See [Schedule 1](#) of Children First Act 2015 for list of relevant services), including the requirement to:

- Keep children **safe from harm** while they are using the service
- Carry out a **risk assessment** to identify whether a child or young person could be harmed while availing of the service. The risk assessment process is intended to enable the organisation to:
 - Identify potential risks
 - Develop policies and procedures to minimise risk by responding in a timely manner to potential risks
 - Review whether adequate precautions have been taken to eliminate or reduce these risks

- After the risk assessment has been completed, organisations are required to develop a **Child Safeguarding Statement** that outlines the policies and procedures which are in place to manage the risks that have been identified.
- Specify the procedure that is in place for maintaining a list of **Mandated Persons**.
- Appoint a **relevant person** to be the first point of contact in respect of the organisation's Child Safeguarding Statement

Instruction for completing checklist

This self-audit checklist is designed to support HSE funded Services to provide assurance to the HSE Funding Manager/ HSE Contact Person that their Children First obligations are being met.

Services may fall under one of the following categories of service provision:

- 1) **'Relevant service'** as defined in the Children First Act (2015). This includes child and family services and some adult services that may on occasion accept children for treatment.
'Relevant Services' must complete the full checklist.
- 2) Services that are not 'Relevant Services' – these are services that do not have direct or regular contact with children and families (excluding some services that may on occasion accept children for treatment), but that nonetheless have obligations regarding compliance with Children First legislation and guidance. They may for example include adult services.
Services that are not 'Relevant Services' are required to complete the shaded rows in the checklist only, though may develop additional safeguarding practices as required.

The checklist is a self-audit tool and should be completed by the Senior Manager in the service who is responsible for compliance with Children First. The checklist requires a response to each question. If the answer to any of the questions in the checklist is **"NO"**, this may indicate that a plan to address this should be put in place including: action required; the timeframe for completing the action and the person responsible. Support can be sought from the local HSE Funding Manager or HSE Contact Person.

Audit

The HSE may ask for evidence to support the assurance of Children First implementation and compliance within the service. This may include requesting a copy of your Service's completed Self-Audit Checklist and, where applicable, your Child Safeguarding Risk Assessment and Statement; procedure for maintaining a list of all Mandated Persons in the Service; Child Protection & Welfare Policy/Safeguarding Policies and/or detail regarding staff briefing or training in relation to Children First.

The HSE may conduct onsite Children First Compliance Audits of a number of funded services on an annual basis or as required.

Key Resources:

The [Children First Act](#) (2015) and the [Children First National Guidance for the Protection and Welfare of Children](#) (2017) set out the statutory and guidance requirements of all organisations. The following Tusla publications provide support to organisations regarding Children First:

- ✓ [Guidance on Developing a Child Safeguarding Statement](#)
- ✓ [Child Safeguarding: A Guide for Policy, Procedure and Practice](#)
- ✓ [A Guide for the Reporting of Child Protection and Welfare Concerns](#)
- ✓ [Best Practice Principles for Organisations in Developing Children First Training Programmes](#)
- ✓ [Mandated Assisting Protocol for Tusla Staff](#)
- ✓ [Child Protection and Welfare Practice Handbook 2](#)

Contact us

If you have any queries in relation to completing this checklist, please consult with your local funding manager or your local HSE Children First Training and Development Officer at [contact us](#). Keep up-to-date by checking www.hse.ie/childrenfirst.

Children First Self-Audit Checklist

Service name:				
Service funding:	Sect 38: <input type="checkbox"/>	Sect 39: <input type="checkbox"/>	Grant aid: <input type="checkbox"/>	
Completed by:			Role:	
Address:				
Tel:			Email:	
Date of completion:				
Are you a Provider of a Relevant Service?	Yes <input type="checkbox"/>		No <input type="checkbox"/>	
<p>1. If you are a provider of a Relevant Service fill out <u>the whole checklist</u> (unshaded and shaded areas)</p> <p>2. If you are not a provider of a Relevant Service fill out shaded areas only.</p>				

1	Child Safeguarding Risk Assessment	Yes	No	If no or partially then indicate:	For HSE use only: Date further compliance action received
1.1	Have you completed a written risk assessment of any potential for harm to a child using your service.			<ol style="list-style-type: none"> 1. What actions are required 2. Person responsible 3. Date to be completed 	

2	Child Safeguarding Statement	Yes	No	If no or partially then indicate: 1. What actions are required 2. Person responsible 3. Date to be completed	For HSE use only: Date further compliance action received
2.1	Do you have a Child Safeguarding Statement in Place?				
2.2	Have you outlined what your service is and what you do?				
2.3	If you are a large complex organisation have you decided if subsidiary Child Safeguarding Statements are required and if so, are these in place?				
2.4	Does your Child Safeguarding Statement name the procedures in place to manage any risk identified?				
2.5	Does your Child Safeguarding Statement name the procedure in place to manage any allegations of abuse made against staff members?				
2.6	Does your Child Safeguarding Statement name the staff recruitment procedure in place that ensures the person selected, is suitable to work with children?				

2.7	Does your Child Safeguarding Statement name the procedures in place for providing information/ training to staff regarding child protection and welfare?				
2.8	Does your Child Safeguarding Statement name the procedures in place for reporting child protection or welfare concerns? (reporting procedures must be in line with Children First Act (2015) and Children First National Guidance for the protection and welfare of children (2017).				
2.9	Does your Child Safeguarding Statement name the procedure in place for maintaining a list of all mandated persons in your service?				
2.10	Does your Child Safeguarding Statement name the procedure in place for appointing a Relevant Person, who will be the key contact in relation to the Child Safeguarding Statement?				
2.11	Are all the procedures named in your Child Safeguarding Statement accessible for staff in your service?				
2.12	Is your Child Safeguarding Statement displayed prominently in your service(s)?				

2.13	Have you given all staff a copy of your Child Safeguarding Statement?				
2.14	Is your Child Safeguarding Statement available to parents, young people, members of the public and Tusla, if requested?				
2.15	Have you planned a review of your Child Safeguarding Statement within 2 years?				

3	Mandated Persons	Yes	No	If no or partially then indicate:	For HSE use only: Date further compliance action received
				<ol style="list-style-type: none"> 1. What actions are required 2. Person responsible 3. Date to be completed 	
3.1	Have you identified all staff who are mandated persons and informed them of their statutory role and responsibilities in relation to reporting and assisting?				



4	Child Protection & Welfare Policy (All HSE funded services must have a Child Protection and Welfare Policy, irrespective of whether their service is provided to children, families or adults only. The HSE Child Protection and Welfare Policy may be adopted or adapted by HSE funded services).	Yes	No	If no or partially then indicate: 1. What actions are required 2. Person responsible 3. Date to be completed	For HSE use only: Date further compliance action received
4.1	Is your Child Protection and Welfare Policy consistent with the Children First Act 2015, Children First National Guidance 2017 and the HSE Child Protection and Welfare Policy.				
4.2	Does your Child Protection and Welfare Policy include guidance on 'reasonable grounds for concern'?				
4.3	Does your Child Protection and Welfare Policy outline the statutory role and responsibilities of mandated persons in relation to reporting and assisting?				
4.4	Does your Child Protection and Welfare policy have a reporting procedure that clearly outlines the responsibility to report child abuse, neglect and welfare concerns?				

4.5	Does your Child Protection and Welfare policy have guidance for when an adult makes a disclosure of retrospective abuse?				
4.6	Does your Child Protection and Welfare Policy have information on record keeping, which includes the requirement for all child protection records (reports made to Tusla, record of concerns not reported to Tusla, mandated reports, non-mandated reports) to be appropriately filed and securely stored?				
4.7	Does your Child Protection and Welfare policy include/ refer to confidentiality and the EU General Data Protection Regulation (GDPR) requirements of all staff?				
4.8	Does your Child Protection and Welfare policy include/ refer to safe recruitment and selection procedures (including Garda vetting/ re-vetting for any staff engaged in 'relevant work' with children)?				
4.9	Does your Child Protection and Welfare policy include/ make reference to your Complaints Procedure?				

4.10	Does your Child Protection and Welfare policy include/ make reference to your Incident Management Procedure?				
4.11	Have you made a copy of your Child Protection and Welfare Policy available to all staff?				
4.12	Is your Child Protection and Welfare Policy available to parents, young people, members of the public if requested?				
4.13	Have you planned a review of your Child Protection and Welfare Policy within 2 years?				
4.14	<p>Have you identified any additional policies/ procedures that may be required to ensure a safe environment for children. This may include for example:</p> <ul style="list-style-type: none"> • Code of Behaviour between staff and young people in place • Safe care, including appropriate and inappropriate touch; • Supervision of children; • Access of people to children (e.g. visitors, staff, volunteers, celebrity visitors) 				

- Managing challenging behaviour
- Guidance on contact with young people and observing boundaries outside of the work environment;
- Personal/Intimate care;
- Access to an advocate – for children/ young people who cannot advocate for their own rights;
- One-to-one working;
- ICT/Internet safety;
- Trips away;
- Alternative communication needs;
- Inclusion, empowerment and promoting children's right;
- Adult to child ratios;
- Photography, Video and Social and digital Media;
- Use of outside facilities;
- Drug use in pregnancy;
- Underage pregnancy;

	<ul style="list-style-type: none"> • Consent issues (e.g. impact of refusing treatment on unborn child); • Children visiting; • Known sex offender in service/organisation (as patient or visiting); • Physical safety in service/organisation; • Missing children • Fatal child abuse 				
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5	Children First Training	Yes	No	If no or partially then indicate:	For HSE use only: Date further compliance action received
				<ol style="list-style-type: none"> 1. What actions are required 2. Person responsible 3. Date to be completed 	
5.1	Have all staff and volunteers completed the mandatory HSE eLearning module “An Introduction to Children First”?				
5.2	Have you retained staff and volunteer certificates of completion for the mandatory HSE eLearning module “An Introduction to Children First”?				
5.3	Do you have a procedure in place to ensure your staff and volunteers complete mandatory HSE eLearning module “An Introduction to Children First” every three years as required ?				

Appendix 1: Relevant Services - Schedule 1 of the Children First Act 2015

1. Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in—
 - (a) an establishment which provides early years services within the meaning of Part VIIA of the [Child Care Act 1991](#) ,
 - (b) a school or centre of education, both within the meaning of the [Education Act 1998](#) ,
 - (c) any hospital, hospice, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,
 - (d) a designated centre within the meaning of [section 2](#) of the [Health Act 2007](#) , in so far as it relates to an institution at which residential services are provided in accordance with the [Child Care Act 1991](#) or to children with disabilities in relation to their disabilities,
 - (e) a special care unit provided and maintained in accordance with section 23K of the [Child Care Act 1991](#) ,
 - (f) a children detention school within the meaning of [section 3](#) of the [Children Act 2001](#) ,
 - (g) a reception or accommodation centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality where children may be accommodated, or
 - (h) a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.
2. Any work or activity which consists of the inspection of a service provided to a child under the [Child Care Act 1991](#) , the [Education Act 1998](#) , the [Children Act 2001](#) or the [Health Act 2007](#) .
3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the [Ombudsman for Children Act 2002](#) .
4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child.
5. Any work or activity which consists of the provision of—
 - (a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,
 - (b) care or supervision of children, or
 - (c) formal consultation with, or formal participation by, a child in respect of matters that affect his or her life,whether or not for commercial or any other consideration.
6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.
7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring that minister, priest or other person, as the case may be, into contact with a child.
8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or guardian.
9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.