
Treo Portlairge CLG Child Protection Policy

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For the purpose of this document:

A child or young person is defined as any person under 18 years.

For the purpose of this policy ‘members’ refers to board members, staff, tutors, counsellors, college placement students and volunteers within the organisation.

Treo – Treo Portlairge CLG

Treo – Child Protection Policy

1. Introduction:

Treo Portlairge CLG is committed to offering direction to young people who are criminally active. Treo supports participants to make positive choices, reduce their criminal behaviours and move forward with their lives. We aim to meet the basic needs of participants while also offering in-house training and education. Treo not only offers assistance to participants but also to their families both on site and in their homes. Treo aims to cultivate a safe and positive environment for children and young people who use our service.

Children’s First Act 2015 places a statutory obligation on organisations to develop and adhere to child protection procedures to promote and ensure the safety of children. Treo has written this policy to ensure the safety and wellbeing of all children with whom it is in contact in any capacity. This policy is developed in adherence to the requirements of ‘*Children First: National Guidance for the Protection and Welfare of Children*’ (2015).

Treo is committed to keeping children safe from harm while participating in our project or when in contact with any of our members. Treo recognises it’s responsibility to ensure policies and procedures are in place to safeguard and promote child protection. This policy deals with the recognition, reporting and management of child safety concerns. All members are expected to implement our Child Protection Policy at all times.

This Policy will be reviewed on November 11th 2022 or sooner if the need arises.

Designated Liaison Person:	Ken Sauvage	Date:	8 th December 2020
Named Person:	Sinead Bartosik	Date:	8 th December 2020

2. Purpose of the Child Protection Policy

Treo's Child Protection Policy aims to ensure that all members have clear procedures on how they are expected to deal with any allegation or suspicion of child abuse during the course of their work. The policy is developed in accordance with best practice as advocated in '*Children First: National Guidance for the Protection and Welfare of Children*'.

In line with the principles of Children First, Treo commits to:

- Ensure the welfare of the child is paramount at all times.
- That all members are aware of their responsibility to protect children and therefore have a duty to report concerns as set out in Children's First: National Guidance for the Protection and Welfare of Children (2015).
- Ensure our guiding principles and procedures to safeguard children and young people reflect national policy and legislation.
- Have a Named Person who will be responsible for ensuring that this policy and procedures are reviewed and consistent with best practice.
- Have a Designated Liaison Person in place who will act as a liaison with outside agencies and also as a resource for members that may have child protection concerns.
- Ensure that members are aware of the Designated Liaison Person and the procedures in place to relay any concerns they have about the welfare of a child or young person.
- To ensure members receive appropriate training in relation to child protection issues and appropriate induction into the project.
- To ensure members are aware of the definition and signs of child abuse.
- To ensure that steps taken to protect a child are not in themselves abusive or overly distressing.
- To ensure members are aware of the procedure that is to be followed if a child or young person is considered at risk.
- To ensure that the family/parents/carers of the young person is respected at all times and consulted whenever possible.
- To ensure early intervention and support should be made available in cases where children are vulnerable or at risk of not receiving adequate care. Early intervention promotes the welfare of children and families.
- To ensure a co-ordinated multidisciplinary approach is taken when dealing with any child protection concern.

- To ensure the legal dimension of child protection is dealt with correctly by the appropriate people.
- To ensure Treo is inclusive of all children without any discrimination.
- Policy to be reviewed every two years or sooner if necessary.
- Ensure the Designated Liaison Person is to be responsible for the reporting of allegations or suspicions of child abuse to the Child and Family Agency (TUSLA) and/or Garda Siochana.

Designated Liaison Person: Ken Sauvage

Date: 8th December 2020

3. To whom does the Policy apply?

The Policy applies to all staff, tutors, counsellors, college placement students, volunteers, participants and any visitors within Treo. The policy is to be promoted during all activities connected with Treo.

4. Definition of Child Abuse

Types 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.

Definition of ‘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.
- Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is *significant* is determined by the child’s health and development as compared to that which could reasonably be expected of a child of similar age.

- Neglect generally becomes apparent in different ways *over a period of time* rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.
- The *threshold of significant harm* is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

Definition of '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. Examples may include:

- the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- emotional unavailability of the child's parent/carer;
- unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- premature imposition of responsibility on the child;
- unrealistic or inappropriate expectations of the child's capacity to understand something or to
- behave and control himself or herself in a certain way;
- under- or over-protection of the child;
- failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- use of unreasonable or over-harsh disciplinary measures;
- exposure to domestic violence;
- exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low

self-esteem, educational and developmental underachievement, and oppositional behaviour. The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

Definition of ‘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 incidents.

Physical abuse can involve:

- severe physical punishment;
- beating, slapping, hitting or kicking;
- pushing, shaking or throwing;
- pinching, biting, choking or hair-pulling;
- terrorising with threats;
- observing violence;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;
- fabricated/induced illness
- allowing or creating a substantial risk of significant harm to a child.

Definition of ‘sexual abuse’

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

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- an invitation to sexual touching or intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child, whether oral, vaginal or anal;
- sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act,

including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the ‘grooming’ process by perpetrators of abuse.

- consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

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.

5. Recognising child neglect or abuse

Child neglect or abuse can often be difficult to identify and may present in many forms. A list of indicators of child abuse is contained within *‘Children First: National Guidance for the Protection and Welfare of Children’ (2015)*. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child’s situation and family circumstances.

Guidelines for recognition

The ability to recognise child abuse can depend 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 neglect or abuse:

1. considering the possibility
2. looking out for signs of neglect or abuse
3. recording of information.

Stage 1: Considering the possibility

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child

displays unusual or fearful responses to parents/carers or older children. A pattern of ongoing neglect should also be considered even when there are short periods of improvement.

Stage 2: Looking out for signs of neglect or abuse

Signs of neglect or abuse can be physical, behavioural or developmental. They can exist in the relationships between children and parents/carers or between children and other family members/other persons. A cluster or pattern of signs is more likely to be indicative of neglect or abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be taken very seriously and should be acted upon, for example, by informing the Child and Family Agency (TUSLA). The child should not be interviewed in detail about the alleged abuse without first consulting with the Child and Family Agency (TUSLA). This may be more appropriately carried out by a social worker or An Garda Síochána. Less obvious signs could be gently explored with the child, *without direct questioning*. Play situations, such as drawing or story-telling, may reveal information.

Some signs are more indicative of abuse than others. These include:

- disclosure of abuse by a child or young person;
- age-inappropriate or abnormal sexual play or knowledge;
- specific injuries or patterns of injuries;
- absconding from home or a care situation;
- attempted suicide
- underage pregnancy or sexually transmitted disease;
- signs in one or more categories at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse.

Many signs of abuse are non-specific and must be considered in the child's social and family context. It is important to be open to alternative explanations for physical or behavioural signs of abuse.

Stage 3: Recording of information

If neglect or abuse is suspected and acted upon, for example, by informing the Child and Family Agency (TUSLA), it is important to establish the grounds for concern by obtaining as much information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. Care should be taken as to how such information is stored and to whom it is made available.

6. Responsibility to report child abuse or neglect

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 professionals such as teachers, child care workers, health professionals and those working with adults with serious parenting difficulties. It is also an important responsibility for staff, tutors, counsellors, college placement students, participants and volunteers and people involved in sports clubs, community activities, youth clubs, religious/faith sector and other organisations catering for children.

The Child and Family Agency (TUSLA) should always be informed when a person has **reasonable grounds for concern** that a child may have been, is being or is at risk of being abused or neglected.

Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.

A concern about *a potential risk* to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child and Family Agency (TUSLA).

The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:

- (A) the safety and well-being of the child must take priority;
- (B) reports should be made without delay to the Child and Family Agency (TUSLA).

Any **reasonable concern** or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child.

Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of **reckless endangerment of children**. It states:

‘A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

- (a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or

(b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.’

7. The recording and reporting of child protection concerns

- All reports in relation to child protection concerns should be shown to have reasonable grounds for concern and reported in good faith.
- The child in question should not be formally interviewed, as this is the role of the duty social worker or Garda Siochana.
- If a member suspects that any child is being abused or is at risk of abuse, they have a responsibility to report their concern as soon as possible to the Designated Liaison Person (Ken Savage). If it is decided that there are reasonable grounds for concern, the DLP will report to TUSLA.
- The DLP may also report to the duty social worker within the local Health Service Executive. All reports to the duty social worker should be via a phone call or a written concern.
- When contact is made with the duty social worker the person who brought the child protection concern to the DLP should be at hand.
- In the case of an emergency, or if the duty social worker cannot be reached, a report should be made to the local Garda Siochana.
- A member should gather enough information to establish grounds for concern and should record all conversations or observations accurately and then pass on their concern to the DLP.
- Once the Health Service Executive or Garda Siochana become involved they are in charge of what action is taken in relation to the child protection concern. However, members must record and communicate any ongoing concerns to the key worker, which is normally a Child and Family Agency (TUSLA) social worker.
- In cases where the DLP, in consultation with the Chairperson of the management committee, decide not to report on the concern of a member, a clear written statement explaining the reasons why Treo is not going to take further action should be given to the concerned individual. The concerned individual should be informed that if they are not satisfied with the decision of the DLP they may communicate their concern onto the Health Service Executive or the Garda Siochana.

8. Procedures surrounding allegations of abuse against staff, tutors, counsellors, college placement students, participants and volunteers, tutors or counsellors

- All members should be aware that if they have any child protection concern about a staff, tutor, counsellor, college placement student, participant and volunteer member that it can be reported to the DLP or in their absence to the Chairperson of the management committee or to the Child and Family Agency (TUSLA) or Garda Siochana. This can be done verbally or using the appropriate written form.
- In the case of an allegation being made against a member, Treo must have regard for the rights and interests of the child as well as the employee against whom the allegation is made. The Chairperson of the management committee should be informed as soon as is possible.
- It is best practice not to have the same individual dealing with the child and the employee.
- In the case of an allegation being made against a Treo employee, the CEO, Ken Savage, will look after the child's rights and interests and the Chairperson of the management committee will liaise with the employee against whom the allegation is made.
- Treo must ensure that no child is at risk and whatever reasonable measures that need to be taken to ensure this should take place. The measures should be proportionate to the level of risk. All decisions are ultimately the responsibility of the CEO and the Chairperson.
- Support should be offered to members via the Chairperson and possible additional professional support offered.
- All allegations of child abuse against an employee should be followed up in consultation with the Child and Family Agency (TUSLA) and the Garda Siochana. A meeting should be arranged with these two agencies, the CEO and the Chairperson as soon as is possible to determine future action.
- Treo may deal with the allegation under their own disciplinary guidelines but care must be taken not to undermine or frustrate any investigation being conducted by the Child and Family Agency (TUSLA) or the Garda Siochana.
- All meetings and discussions in relation to an allegation should be recorded with the decisions reached and the reasons why clearly noted.

9. Confidentiality

- Total confidentiality must never be promised to a child making a disclosure. The requirement to report child protection issues onto the Child and Family Agency (TUSLA) should be explained. This should be made clear to all parties involved.
- As set out in ‘Children’s First’ information passed on to appropriate people of external agencies in order to protect a child does not constitute a breach of confidentiality.
- All children within Treo have the right to understand the limitations of confidentiality and be informed of all actions taken which concern them.
- Concerns with regard to any child should not be discussed openly.
- All written records must be kept in a confidential manner, locked securely in the office of the designated liaison person.

10. The rights of the family /carers

Any member who suspects child abuse or neglect should inform carers if a report is to be submitted to the Child and Family Agency (TUSLA) and/or Garda Siochana unless doing so is likely to endanger the child (see Children First (2015), Chapter 4). Discuss with Designated Liaison Person if unsure.

11. Recruitment and Induction procedures

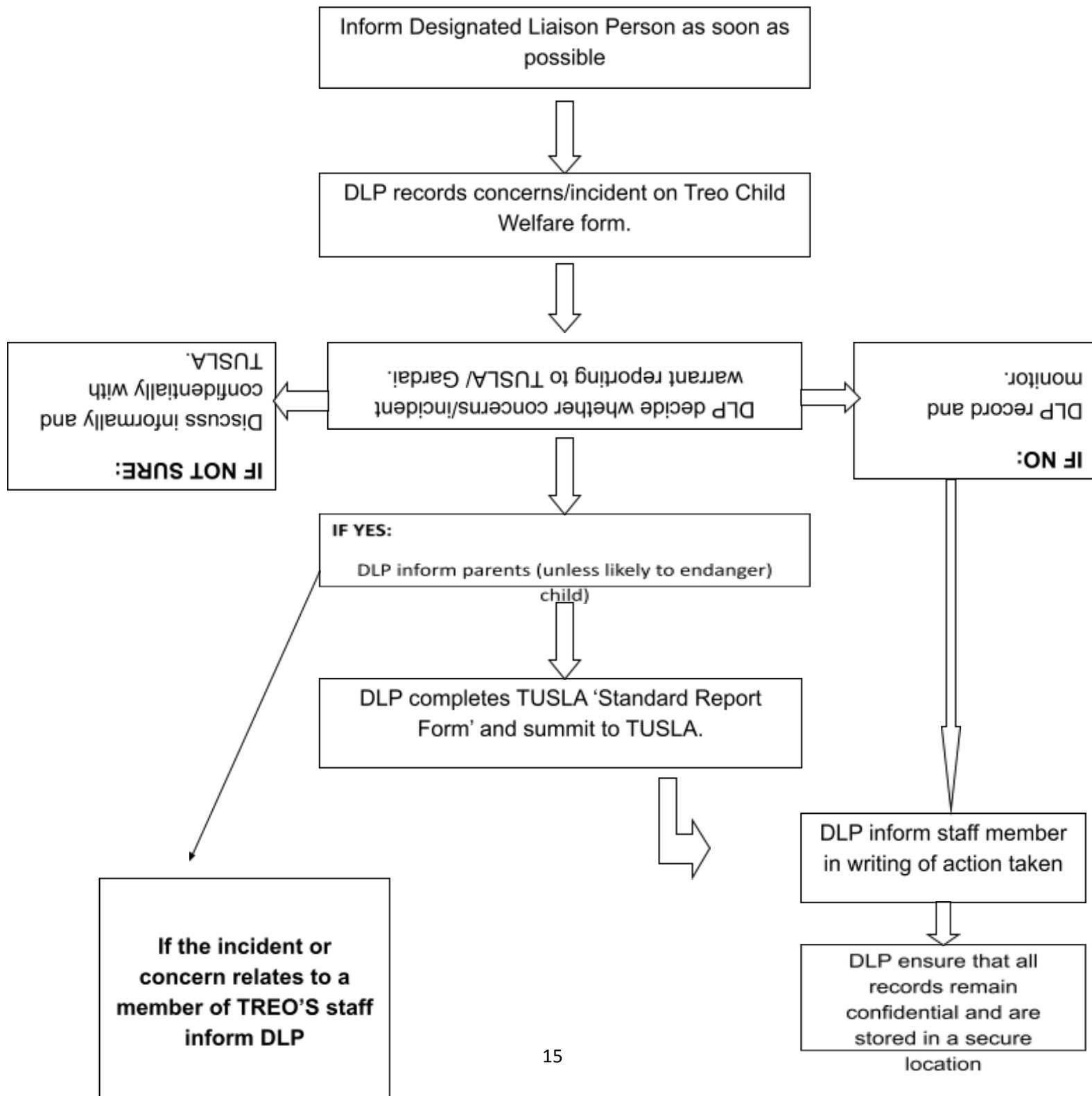
All members should undergo an appropriate formal interview procedure, which should involve at least two interviewers, one of which should be a member of the management committee.

All possible employees should be properly vetted by requesting Garda Clearance and ensuring their references are valid and appropriate.

Each stage of the recruitment, selection and vetting procedures should be well documented in an employee’s file.

14.

Treo guidelines when reporting a Child Welfare concern.



15.

Appendices

Treo PortLáirge CLG

Internal Child Welfare Reporting Form

Date of incident: _____ Location of incident: _____

Date Reported: _____

CHILD'S DETAILS:

Child's Full Name: _____

Date of Birth: _____

A.K.A.: _____

Male/Female: _____

Home Address: _____

Telephone: _____

Details of Incident: (should include concerns, incidents, dates, times, people present, any injuries etc.)

STAFF DETAILS:

Name: _____
Agency: _____
Address: _____

Telephone No: _____

DETAILS OF OTHER FAMILY/HOUSEHOLD MEMBERS:

Mother's Name: _____	Father's Name: _____
Address: _____	Address: _____
_____	_____
_____	_____
Telephone: _____	Telephone: _____

SIBLINGS:

Name: _____	D.O.B: _____	School: _____
Name: _____	D.O.B: _____	School: _____
Name: _____	D.O.B: _____	School: _____
Name: _____	D.O.B: _____	School: _____
Name: _____	D.O.B: _____	School: _____

Name, Address and contact details of other agencies or professionals involved: (social worker, PHN, youth worker etc)

STAFF SIGNATURE: _____

CHILD AND FAMILY AGENCY TUSLA

Guidance Note to help you fill in the Standard Report Form:

The Child and Family Agency (Tusla) has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The Child and Family Agency therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This report form is for use by:

Any professional, individual or group involved in services to children, including Child and Family Agency and HSE personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.

Professionals and individuals in the provision of child care services in the community who have service contracts with the Child and Family Agency or the HSE.

Designated persons in a voluntary or community agency.

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The Child and Family Agency aims to work in partnership with parents. If you are making this report in confidence, you should note that the Child and Family Agency cannot guarantee absolute confidentiality for the following reasons:

A Court could order the information be disclosed.

Under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report', you are protected under the Protection for persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone your local Child and Family Agency duty social worker and discuss your concerns with them

(Contact details -

www.tusla.ie/services/child-protection-welfare/contact-a-social-worker).

An MSWord version of the Standard Report Form may be accessed (www.tusla.ie/services/child-protection-welfare/children-first)