



ACCORD Dublin

Child Safeguarding Policy

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1 POLICY STATEMENT

- 1.1 ACCORD Dublin, as an agency of the Catholic Archdiocese of Dublin, recognises that the key principle of best practice in child safeguarding is that the welfare of the child is of paramount importance and that every child has a right to be protected, treated with respect, listened to and have their views taken into consideration.
- 1.2 This is the child safeguarding and protection policy of ACCORD Dublin. This policy has been written to comply with the requirements of Irish law with regard to church and national guidelines, in particular:
- a. Children First: National Guidance for the Protection and Welfare of Children, 2017
 - b. The Catholic Church's standards and guidance, as reflected in 'Safeguarding Children Policy & Standards for the Catholic Church in Ireland' (published 2016)
 - c. The Children First Act 2015
 - d. The National Vetting Bureau Act (Children and Vulnerable Persons) Acts 2012 – 2016
 - e. The Protections for Persons Reporting Child Abuse Act 1998
 - f. The Child Care Act 1991
 - g. The Irish Constitution
 - h. The United Nations Convention on the Rights of the Child
- 1.3 The purpose of this policy and procedure document is to give guidance to ACCORD Dublin members (that is, all permanent, contract, and freelance staff, as well as volunteers who work on behalf of ACCORD Dublin) in the implementation of Children First and safeguarding of children. In the interests of the protection and welfare of children, all ACCORD Dublin members are required to adhere to this policy and the procedures in dealing with allegations or suspicions of child abuse.
- 1.4 Under the Children First Act 2015, ACCORD Dublin **must** report to Tusla any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. This applies to both historical and current alleged abuse. As an agency of the Catholic Church, ACCORD Dublin will also report such matters to An Garda Síochána. In the case of an allegation made against a priest or church personnel, the Designated Liaison Person for the relevant diocese or religious order will be notified, regardless of whether the person against whom the allegation is made is alive, incapacitated or dead.
- 1.5 All staff and volunteers of ACCORD Dublin undertake to safeguard children from all forms of abuse through promoting their welfare and complying with the requirements of this policy. In particular, they are required to:
- a. familiarise themselves with this Policy
 - b. behave in accordance with this Policy
 - c. Attend safeguarding training as required by ACCORD Dublin
 - d. Report to the ACCORD Dublin Designated Liaison Person any concerns that they have for the protection and welfare of children, to include any concerns arising from a retrospective disclosure of an adult.

- 1.6 All staff and volunteers have a duty to report concerns over safety and welfare of children. Any suspicions or allegations of abuse will be taken seriously and responded to swiftly and appropriately. This policy sets guidelines and procedures for staff to follow if they have reasonable grounds for concern about the safety and welfare of children. The policy also sets clear guidelines and procedures on action to be taken if allegations of abuse are made against staff or volunteers.
- 1.7 The ACCORD Dublin Designated Liaison Person is available to offer advice and support in relation to any safeguarding matter. If you believe that a child is in immediate danger and you cannot contact the DLP or Tusla, you should contact An Garda Síochána and at the first opportunity thereafter, inform the ACCORD Dublin DLP.
- 1.8 Information about this policy will be included in the information provided to all staff on induction. Staff are required to read this Policy and sign the declaration at Schedule 1.

2 CHILD SAFEGUARD STATEMENT

ACCORD Dublin is required to prepare a Child Safeguarding Statement under the Children First Act 2015. This is a written statement, which specifies the service being provided and the principles and procedures to be observed to ensure, as far as practicable, that a child availing of the service is safe from harm. It also includes an assessment of risk of harm to a child while availing of our service and specifies the procedures in place to manage any identified risks.

The Child Safeguarding Statement of ACCORD Dublin is at Schedule 3. This Statement will be displayed publicly in all venues where ACCORD Dublin provide services and a copy should be made available to Tusla, An Garda Síochána and members of the public upon request.

3 SERVICES OFFERED BY ACCORD DUBLIN & ROLE OF ACCORD DUBLIN MEMBERS

ACCORD Dublin offers the following services:

- 3.1 ACCORD Dublin offers a range of Relationships and Sexuality Education Programmes to a variety of schools in various locations. These programmes aim to complement both primary and second level curricula, Social Personal and Health Education, and give students age appropriate information about their development in an appropriate context.
- a. The schools programme is the only service where ACCORD Dublin members are permitted to work with children. ACCORD Dublin has its own protocol for working with children in schools. This protocol is detailed below at section 11 of this policy.
 - b. ACCORD Dublin members will only work with children whose parents/guardians have given their consent in writing where this is deemed necessary. In primary schools, the consent of the parents/guardians must have been received by schools before a child can attend the ACCORD Dublin Relationships and Sexuality Education programme.
 - c. ACCORD Dublin school facilitators should ensure that students are acquainted with the School's Safeguarding Children Policy before delivering any ACCORD programme.

- d. ACCORD Dublin School Facilitators should inform students that:
 - (i) the sessions are not the appropriate forum for discussion of personal issues and that if they need to talk to someone about something that is worrying them they should talk to a teacher after the session;
 - (ii) some kinds of information cannot be treated as confidential and will be shared with those who need to know it, such as the School's Designated Liaison Person; and
 - (iii) any disclosures of abuse, or disclosures that causes the Facilitator to have any concerns about a student being abused, will be reported by the ACCORD Dublin School Facilitator to the School's Designated Liaison Person and the relevant authorities without delay.
- e. ACCORD Dublin school facilitators are mandated persons under the Children First Act 2015. The responsibilities of mandated persons is set out at section 7 of this policy. Facilitators should report any child protection concerns/queries to the School DLP without delay and liaise as appropriate with the ACCORD Dublin DLP concerning same. Facilitators must complete a joint report with the School DLP where the concern meets the mandatory reporting threshold (please refer to *How to report a concern* at section 8 and *Threshold of reporting child protection concerns* at section 9).
- f. Should the ACCORD Dublin school facilitator become aware of bullying (which can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others), he/she must inform the School DLP immediately so that the matter can be dealt with by the school in accordance with the school's anti-bullying policy and relevant guidelines. In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, the matter may need to be reported to Tusla in accordance with the reporting procedure in this policy (section 8).

3.2 Marriage and Relationship Counselling

ACCORD Dublin offers a professional counselling service throughout Dublin, through its centres, facilitating couples and individuals to explore, reflect upon and work to resolve difficulties that arise in their marriages and relationships.

- a. Each ACCORD Dublin counselling centre shall display in a place of prominence the ACCORD Dublin Safeguarding Children Policy Statement.
- b. In the counselling service and prior to the first needs assessment appointment the Safeguarding Children Policy Statement should be provided to clients by centre administrators or receptionists. Counsellors will discuss their obligation to adhere to the Safeguarding Children Policy Statement in the needs assessment with clients. Counselling cannot proceed in cases where clients withhold consent to adhering to the principles of Children First (see below).
- c. ACCORD Dublin counsellors should explain in detail to each client the confidentiality section in the Client Index Card. Clients should be made aware that absolute confidentiality cannot be guaranteed, particularly where there is a potential risk to children. Clients will be clearly informed that all reasonable grounds for concern that a child may have been, is being or is at risk of being abused will be reported to the ACCORD Dublin Designated Liaison Person and civil authorities without delay. Clients must then sign and be given a copy of the Client Index Card if counselling is to proceed.

- d. ACCORD Dublin Counsellors are mandated persons under the Children First Act 2015 (see section 7). Any child protection concerns, such as concern arising from a retrospective disclosure of abuse or disclosures by adults in counselling which prompt concern about the welfare and safety of any children in that person's family and/or children in regular contact with the person, must be reported to the ACCORD Dublin DLP without delay and a joint report must be made to the civil authorities where appropriate (see *How to report a concern* at section 8).

3.3 Sacramental Marriage Preparation Courses

ACCORD Dublin Catholic Marriage Care Service provides marriage preparation courses for couples choosing to get married in the Catholic Church.

- a. ACCORD Dublin marriage facilitators must bring the Child Safeguarding Statement to the attention of couples at the start of each marriage preparation programme.
- b. Clients should be informed that all reasonable grounds for concern that a child may have been, is being or is at risk of being abused will be reported by the facilitator to the ACCORD Dublin DLP and where appropriate, a report will be made to the civil authorities without delay.
- c. ACCORD Dublin marriage facilitators are not mandated persons for the purpose of the Children First Act. Notwithstanding this, all members of staff have an obligation to consider the welfare and safety of children and should report any concerns to the ACCORD Dublin DLP (see *Non-Mandated Reporting* at section 8.1). For example, in the unlikely event that an ACCORD Dublin marriage facilitator finds himself/herself working with, a person whose behaviour raises concern that he/she has harmed or may harm a child, or where a person who makes a retrospective disclosure of abuse, this must be reported to the ACCORD Dublin DLP without delay.

4 DESIGNATED LIAISON PERSON ("DLP")

The ACCORD Dublin DLP is responsible for ensuring that the ACCORD Dublin reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the designated person in Tusla as appropriate or in the event of an emergency and the unavailability of Tusla, to An Garda Síochána.

Each service (that is, marriage preparation, schools and counselling) of ACCORD Dublin shall have a DLP. The DLP will liaise on behalf of ACCORD Dublin with outside agencies and act as a resource person for any member of ACCORD Dublin who has child safeguarding concerns. The DLP is the person that any ACCORD Dublin member who has any concerns, doubts or queries in relation to safeguarding children should contact. No concern, doubt or query in this regard is too small to be considered. No ACCORD Dublin member should hesitate to contact their DLP in this regard.

Each ACCORD Dublin DLP must:

- 4.1 ensure that he/she will remain up to date in matters relating to legislation, policies and good practice in the area of child protection;
- 4.2 act as a source of advice on child protection matters and assist within the organisation in advising on the training needs of employees/volunteers in the area of child protection and child's protection procedures;

- 4.3 ensure all the reporting procedures contained in this document are carried out (mandated/non mandated) so that cases of child abuse and neglect are referred promptly to TUSLA and/or to An Garda Síochána where appropriate;
- 4.4 seek informal advice from Tusla and/or An Garda Síochána where there is any doubt as to whether a mandated report should be made and follow that advice to report concerns;
- 4.5 seek informal advice from Tusla and/or An Garda Síochána where a matter involves a person(s) in another jurisdiction and follow that advice in respect of the reporting of concerns with the relevant authorities in that jurisdiction. If necessary, advice may be sought from the police and/or social services authority in the relevant jurisdiction;
- 4.6 coordinate action within the organization, and liaise with Tusla, An Garda Síochána and other agencies, as appropriate;
- 4.7 ensure that confidential individual case records are maintained of the decisions reached, interviews undertaken, any action taken by the organisation, any engagement with families/School DLPs in relation to the allegation/concern, liaison with Tusla/An Garda Síochána or other agencies, and documenting the overall outcome as advised both verbally and in writing by Tusla (see *Record Keeping* at section 18); and
- 4.8 conduct an annual audit of all concerns/allegations reported in the service.

A person(s) will be nominated to act as Deputy DLP when the DLP is on any type of leave or uncontactable. The names of the DLP and the Deputy DLP will be made known to all staff at induction.

Contact details of the relevant ACCORD Dublin DLP and Deputy DLP are contained in the Child Safeguarding Statement, which will be displayed at each ACCORD Dublin service location.

5 MANDATED PERSONS: ACCORD DUBLIN SCHOOL FACILITATORS AND ACCORD DUBLIN COUNSELLORS

- 5.1 Under the Children First Act 2015, certain people must, by law, report any incidences of harm that meet or exceed a specified threshold. These people are known as 'mandated persons'. Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. ACCORD Dublin counsellors and ACCORD Dublin school facilitators are mandated persons for the purpose of the Act and therefore have two main legal obligations under the Children First Act 2015:
 - a. to report harm of children above a defined threshold to Tusla.
 - b. to help Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

- 5.2 Any child protection concern, including retrospective disclosures of abuse or other disclosures by adults in counselling which prompt concern about the welfare and safety of any children in that person's family and/or children in regular contact with the person, should be discussed with the ACCORD Dublin DLP (or the School DLP in the case of ACCORD Dublin School Facilitators) in accordance with the reporting procedure at section 8 of this Policy. The DLP will advise on the next course of action. The definition of abuse (Schedule 2) and the threshold for mandated reporting (section 9.2) are detailed in this document for ease of reference. Additional guidance for mandated persons on the types of abuse, signs of abuse and the thresholds at which, or above which, they have a statutory obligation to report the concern under the Children First Act 2015 can be found at Chapters 2 and 3 of the Children First: National Guidance for the Protection and Welfare of Children, 2017
- 5.3 The procedure for joint reporting (section 8.2) must be followed. As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. This statutory obligation to report as a mandated person is discharged by making a joint report with the relevant DLP as set out below at section 8.2.
- 5.4 If the DLP decides not to make a report, the ACCORD Dublin Member with the reasonable concern is still entitled to make a report to Tusla under the Children First: National Guidance for the Protection and Welfare of Children, 2017, should they wish to do so. The individual worker has protections under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently. In those circumstances, the ACCORD Dublin DLP should be provided with a copy of the mandated report which the Mandated Person provided to Tusla and be informed of any advice, information and/or documentation s/he receives from Tusla in relation to the report.
- 5.5 As a mandated person, if you are required to share information with Tusla when assisting in the assessment of risk to a child, you are protected from civil liability under Section 16 (3) of the Children First Act 2015. Section 17 of the Children First Act 2015 provides that information shared by Tusla must not be disclosed to a third party unless authorised by Tusla in writing.
- 5.6 ACCORD Dublin maintain a list of mandated persons (for details, please contact Ms Barbara Gilroy, ACCORD Dublin, Holy Cross Diocesan Centre, Clonliffe Road, Dublin DO3 P2E7).

6 HOW TO REPORT A CONCERN

- 6.1 **Non-Mandated Reporting**
Where an ACCORD Dublin marriage facilitators or any other non-mandated member of staff (together "Non-Mandated Persons") has a concern in relation to child abuse or neglect, the Non-Mandated Person should report this to the ACCORD Dublin DLP. In light of the information received, the ACCORD Dublin DLP will decide whether to report the matter to Tusla and/or seek informal advice from Tusla and/or An Garda Síochána.

6.2 Mandated Persons (ACCORD Dublin counsellors and ACCORD Dublin school facilitators)

The following procedure should be followed by ACCORD Dublin Counsellors and ACCORD Dublin School Facilitators as mandated persons:

<i>ACCORD Dublin counsellors</i>	<i>ACCORD Dublin school facilitators</i>
<p>Report any child protection concerns to the ACCORD Dublin DLP without delay.</p> <p>If you feel unable to contact the ACCORD Dublin DLP or the allegation involves this person, concerns should be reported to the Deputy DLP.</p>	<p>Report any child protection concerns to the School DLP (or Deputy DLP) without delay.</p>
<p>Where the ACCORD Dublin DLP and ACCORD Dublin Counsellor agree that there are reasonable grounds for concern, they must consider whether the concern in question is at or above the defined threshold of harm at which point a report must be submitted as a mandated report to Tusla.</p>	<p>Where the School DLP and ACCORD Dublin School Facilitator agree that there are reasonable grounds for concern, they must consider whether the concern in question is at or above the defined threshold of harm at which point a report must be submitted as a mandated report to Tusla.</p>
<p>The ACCORD DLP will conduct such preliminary inquiries as are required under Children First to determine whether the concern reaches the threshold for reporting to the civil authorities.</p> <p>The ACCORD DLP may request that the ACCORD Dublin member seek written evidence from a client who has said that the disclosure has already been reported to the relevant authorities that this has actually happened. The ACCORD Dublin member will then forward this evidence to the DLP. Where this evidence is not forthcoming, the disclosure must be reported to the authorities by the DLP in the normal manner.</p>	<p>The School DLP may conduct such preliminary inquiries as are required under Children First to determine whether the concern reaches the threshold for reporting to the civil authorities. The ACCORD Dublin School Facilitator will provide assistance as required.</p>
<p>Where the ACCORD Dublin DLP and/or ACCORD Dublin Counsellor are unsure whether the concern meets the threshold for making a mandated report, the ACCORD Dublin DLP shall seek advice from Tusla and/or An Garda Síochána.</p> <p>The ACCORD Dublin DLP shall inform the ACCORD Dublin Counsellor concerned</p>	<p>If there is any doubt as to whether the threshold for reporting has been reached, the School DLP should seek and follow the advice of Tusla and/or An Garda Síochána.</p> <p>The ACCORD Dublin School Facilitator should request that he/she is informed of the advice of Tusla once received and he/she should inform the ACCORD</p>

<p>that such advice is being sought and shall inform the ACCORD Dublin Counsellor of the advice once same has been provided.</p> <p>Where Tusla advises that a mandated report should be made, the ACCORD Dublin DLP and the ACCORD Dublin Counsellor shall act on that advice and a mandated report must be submitted to Tusla jointly by the ACCORD Dublin DLP and ACCORD Dublin Counsellor as soon as practicable.</p>	<p>Dublin DLP that such advice is being sought.</p> <p>The ACCORD Dublin DLP should be informed of the advice of Tusla once same has been provided.</p>
<p>Where a mandated report is being made to Tusla, the ACCORD Dublin Counsellors will be asked by the ACCORD Dublin DLP to complete and sign the relevant Reporting Form at Schedule 4 (or Schedule 5 in cases of retrospective disclosures of abuse) for submission to the DLP. If you are unable to answer any question on the form due to lack of information simply complete that section by putting in 'no further information available'. Otherwise, all information given should be reported.</p>	<p>Where a mandated report is being made to Tusla, the ACCORD Dublin School Facilitators must complete, co-sign and date the Disclosure Report form jointly with the Schools' DLP. The School DLP will forward the completed report to the relevant authorities.</p>
<p>The completed Safeguarding Children Reporting Form should be hand delivered or forwarded by registered post as soon as possible to the ACCORD Dublin DLP for co-signing and forwarding on to the relevant authorities.</p>	<p>ACCORD Dublin School Facilitators must notify the ACCORD Dublin DLP that a report has been made.</p>
<p>ACCORD Dublin DLP will confirm in writing to the ACCORD Dublin Member who reported the disclosure that the relevant authorities have been informed.</p>	<p>The ACCORD Dublin DLP will liaise with the School DLP to confirm that a report was sent to the authorities (confirmation/a copy of this report will be sent to the Facilitator).</p> <p>ACCORD Dublin DLP will confirm in writing to the ACCORD Dublin member who reported the disclosure that the relevant authorities have been informed.</p>

The DLP and mandated person who made the report must assist Tusla, if requested, in accordance with Section 16 of the 2015 Act in assessing a concern that has been the subject of a mandated report.

Where a mandated concern requires urgent intervention to make the child safe, section 14(7) of the 2015 Act allows the DLP/Mandated Person to alert Tusla of the concern in advance of submitting a written report. Subsequently, the DLP and mandated person must jointly submit a mandated report to Tusla on the report form at Schedule 4 within three days.

All joint reporting must now be done on specific Tusla reporting forms, namely the Child Protection and Welfare Report Form (Schedule 4) and the Retrospective Abuse Report Form (Schedule 5).

6.3 Emergency situations

In an emergency situation where you think a child is in immediate danger, please take immediate action.

If for any reason the relevant DLP or their deputy cannot be contacted, you should contact the local Tusla duty social work service without delay. Contact details for all duty social work teams are on the Tusla website, <https://www.tusla.ie/get-in-touch/duty-social-work-teams/>. The ACCORD Dublin DLP (and School DLP in the case of ACCORD Dublin School Facilitators) should be advised of the situation as soon as possible. Where a matter has been verbally reported to Tusla, the mandated person and DLP must jointly submit a mandated report to Tusla within three days.

Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention. If you think the child is in immediate danger and you cannot contact the DLP or Tusla, you should contact the Gardaí.

6.4 Relevant legislation

- a. The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated a suspicion in relation to child abuse “reasonably and in good faith” to designated officers of the HSE or to any member of An Garda Síochána. This means that even if a communicated suspicion of child abuse proves unfounded a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.
- b. Under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence but fails without reasonable excuse to disclose that information as soon as is practicable to do so to a member of An Garda Síochána.

7 THRESHOLD OF REPORTING CHILD PROTECTION CONCERNS: WHEN TO REPORT A CONCERN

7.1 Reasonable grounds for concern

Child abuse can be categorised into four different types: (i) neglect, (ii) emotional abuse, (iii) physical abuse and (iv) sexual abuse. The four types of abuse are described at Schedule 2 of this Policy.

A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/guardian/other.

Remember - It is not necessary for you to prove that abuse has occurred to report a concern to the DLP; all that is required is that you have reasonable grounds for concern. Any member of staff should inform the ACCORD Dublin DLP (or School DLP in the case of ACCORD Dublin School Facilitators) if you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

Reasonable grounds for a child protection or welfare concern include:

- a. Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way;
- b. Any concern about possible sexual abuse;
- c. Consistent signs that a child is suffering from emotional or physical neglect
- d. A child saying or indicating by other means that he or she has been abused;
- e. Admission or indication by an adult or a child of an alleged abuse they committed;
- f. Disclosure by an adult of retrospective child abuse; and/or
- g. An account from a person who saw the child being abused.

Where both the DLP and mandated person decide that the concern does not reach the threshold for mandated reporting, but there remains a reasonable concern about the welfare or protection of a child, the DLP should seek advice from Tusla as set out in this Policy (see sections 8.2 and 10.3).

7.2 Threshold for mandated reporting

In accordance with section 14 of the 2015 Act:

- a. where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or become aware of in the course of his or her employment or profession as such a mandated person, that a child has been harmed, is being harmed, or is at risk of being harmed; s/he shall as soon as practicable, report that knowledge, belief or suspicion to Tusla; or
- b. Where a child believes that s/he has been harmed, is being harmed, or is at risk of being harmed and discloses that belief to an MP in the course of the MP's employment or profession, the MP shall report that disclosure to Tusla.

Remember - All reports should be made jointly by the mandated persons and the DLP as detailed at section 8.2 above. Where a mandated person has the knowledge, belief or suspicion outlined at (a) above and/or receives a disclosure from a child in accordance with (b) above, s/he shall without delay, report this to the DLP.

The threshold of harm, at which a mandated person must report to Tusla under the Children First Act 2015, is detailed below (extract from Chapter 3 of the Children First: National Guidance for the Protection and Welfare of Children, 2017). If your concern does not reach the threshold for mandated reporting, but you feel it is a reasonable concern about the welfare or protection of a child, you should discuss the matter with the relevant DLP without delay.

a. Neglect

Neglect is defined as ‘to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care’. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child’s needs have been neglected, are being neglected, or are at risk of being neglected to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

b. Emotional abuse

Ill-treatment is defined as ‘to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated’. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015.

The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

c. Physical Abuse

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

d. Sexual Abuse

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla under the Children First Act 2015.

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015. A full list of relevant offences against the child which are considered sexual abuse is set out in Schedule 3 of this Guidance.

As all sexual abuse falls within the category of seriously affecting a child’s health, welfare or development, you must submit all concerns about sexual abuse as a mandated report to Tusla. There is one exception, which deals with certain consensual sexual activity between teenagers.

In order for the above mentioned exception to apply, you must be satisfied that all of the following criteria are met:

- (i) The young person(s) concerned are between 15 and 17 years old
- (ii) The age difference between them is not more than 24 months
- (iii) There is no material difference in their maturity or capacity to consent
- (iv) The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person
- (v) The young persons concerned state clearly that they do not want any information about the activity to be disclosed to Tusla.

You should discuss any such cases with your DLP in the first instance.

8 WHAT HAPPENS IF THE DLP DOES NOT REPORT A CONCERN?

- 8.1 In cases where the ACCORD Dublin DLP decides not to report concerns to the relevant civil authorities, the ACCORD Dublin Member who raised the concern should be given a clear written statement of the reasons why ACCORD Dublin is not taking such action. The ACCORD Dublin Member should be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, the civil authorities.
- 8.2 In cases where a School DLP decides that the concern does not reach the threshold for a mandated report and the ACCORD Dublin School Facilitator still thinks the concern does meet reasonable grounds for concern, they should consult the ACCORD Dublin DLP.
- 8.3 Where the ACCORD Dublin DLP and/or mandated person are unsure whether the concern meets the threshold for making a mandated report, the ACCORD Dublin DLP should seek advice from Tusla and/or An Garda Síochána. Where Tusla advises that a mandated report should be made, this advice should be followed and a mandated report shall be completed jointly by the ACCORD Dublin DLP and mandated person and submitted to Tusla as soon as practicable.
- 8.4 In the event that a mandated report is made to Tusla by a mandated person alone (for example, where the DLP is of the view that a report does not need to be made, but the mandated person decides to make a report to Tusla), the ACCORD Dublin DLP should be provided with a copy of the mandated report and be informed of any advice, information and/or documentation s/he receives from Tusla in relation to the report.

9 PROTOCOL FOR WORKING WITH CHILDREN AND HANDLING OF DISCLOSURES

- 9.1 Ensure another adult knows your whereabouts during activities with children. Without such collaboration, activities with children should not take place.
- 9.2 Respect a child's right to personal privacy and personal space.

- 9.3 Be sensitive to the possibility of becoming over involved and spending a disproportionate amount of time with any particular individual.
- 9.4 Ensure that within your area of responsibility no demeaning talk or behaviour such as teasing or bullying takes place even in the guise of fun.
- 9.5 Avoid all inappropriate sexualised conversation or gestures with children.
- 9.6 Avoid physical contact.
- 9.7 Be aware that one's actions may be interpreted differently from one's intentions.
- 9.8 Show sensitivity when dealing with issues that are potentially embarrassing for children.
- 9.9 Outline a clear and transparent complaints procedure to be used by a child who is unhappy with any aspect of how they are being treated.
- 9.10 Take seriously what is being said particularly in the circumstances where a child appears inhibited or confused.
- 9.11 Should you receive a disclosure of abuse from a child, you are not required to judge the truth of the claims or the credibility of the child. You should deal with disclosures of abuse sensitively and professionally. The following approach is suggested as best practice for dealing with these disclosures:
- a. React calmly;
 - b. Listen carefully and attentively;
 - c. Take the child seriously;
 - d. Reassure the child that they have taken the right action in talking to you;
 - e. Do not promise to keep anything secret;
 - f. Ask questions for clarification only;
 - g. Do not ask leading questions;
 - h. Check back with the child that what you have heard is correct and understood;
 - i. Do not express any opinions about the alleged abuser ;
 - j. Ensure that the child understands the procedures that will follow;
 - k. Make a written record of the conversation as soon as possible, in as much detail as possible; and
 - l. Treat the information confidentially, subject to the requirements of the Children First: National Guidance for the Protection and Welfare of Children, 2017 and legislation.
- 9.12 Seek advice from the School DLP / ACCORD Dublin DLP in any situation where you feel unsure. Make a joint report with the School DLP of any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. Notify the ACCORD Dublin DLP of any report made.

10 RESPONSIBILITIES OF STAFF/VOLUNTEERS NOT WORKING DIRECTLY WITH CHILDREN WHEN A CHILD PROTECTION CONCERN ARISES

The ACCORD Dublin school facilitators are the only members of staff who work directly with children. As ACCORD Dublin counsellors and ACCORD Dublin marriage facilitators do not work directly with children, ACCORD Dublin does not expect this group of staff/volunteers to deal with child protection concerns directly but to listen sympathetically and attentively to any person who might present a child protection concern and to collect enough information to report to the ACCORD Dublin DLP and allow the DLP to follow up the inquiry in accordance with this policy.

Observing or hearing about something that causes concern, creates a responsibility to raise the issue. No concern is too trivial. A child protection or child welfare concern can arise or be observed in a number of different ways. For example:

- 10.1 A report by a client of having witnessed or suspected a child is being abused. This could include a parent, or a relative, another child, another agency or a community groups or a member of the public;
- 10.2 A disclosure from a parent that they have abused or neglected a child;
- 10.3 A disclosure or specific indication from the child or parent that suggests that the child is considering suicide or self-injuring; or
- 10.4 A report by a client of retrospective disclosure. The term retrospective abuse refers to abuse that an adult discloses that took place during their childhood. The person against whom there is an allegation may pose a current risk to children. In cases of retrospective abuse, a report must be made where there is a current or potential future risk to children from the person against whom there is an allegation. This is a very complex area and DLPs may seek advice on how to proceed in accordance with this Policy.

Please ensure that the ACCORD Dublin DLP is notified as soon as possible so that the enquiry can be considered and if appropriate, contact made with the civil authorities in accordance with this Policy.

11 DISCLOSURE OF SUSPECTED CHILD ABUSE BY A THIRD PARTY TO AN ACCORD DUBLIN MEMBER

If a complaint is made to an ACCORD Dublin member from either another ACCORD Dublin member or a third party, to the effect that there is reasonable suspicion that abuse or neglect is alleged to have taken place against a child, the ACCORD Dublin member should:

- 11.1 direct the person to the ACCORD Dublin DLP to report the concern; or
- 11.2 report the concern to the ACCORD Dublin DLP him/herself.

If the disclosure is made to a mandated person (i.e. any ACCORD Dublin counsellor or school facilitator), s/he may have a statutory obligation to report to Tusla as detailed above (see section 7). This should be done jointly with the relevant DLP in accordance with this policy (as set out at section 8.2).

12 RECRUITMENT

It is the policy of ACCORD Dublin that:

- 12.1 Roles and responsibilities will be clearly defined for every job (paid or voluntary).
- 12.2 Posts will be advertised.
- 12.3 We will endeavour to select the most suitably qualified personnel.
- 12.4 All staff and volunteers are asked to sign a declaration stating that they will abide by the organisation's Child Protection Policy (Schedule 1).
- 12.5 At least two references that are recent, relevant, independent and verbally confirmed will be necessary.
- 12.6 Staff will be selected by a panel of at least two (or more) representatives through an interview process.
- 12.7 Any gaps in CVs must be explained satisfactorily.
- 12.8 Prior to commencement of position, satisfactory Garda vetting will be in place for all persons.
- 12.9 No person who would be deemed to constitute a 'risk' will be employed. Some of the exclusions would include:
 - a. any child-related convictions.
 - b. refusal to sign application form (counsellors and facilitators), undertaking statement, confidentiality statement and/or declaration form.
 - c. insufficient documentary evidence of identification.
 - d. concealing information on one's suitability to working with children.
- 12.10 There will be a six-month probationary period.

13 STAFF MANAGEMENT POLICY

- 15.1 We undertake that new staff will:
 - a. Take part in a mandatory induction training session and regular refresher or updating training will be provided as required;
 - b. Be made aware of the organisation's Child Protection & Safeguarding Policy, and the identity and role of who has been designated to deal with issues of concern; and
 - c. Undergo a probationary or trial period.

- 15.2 All staff will:
- a. receive an adequate level of supervision and review of their work practices;
 - b. be expected to have read and signed this Child Protection Policy Statement; and
 - c. be provided with child protection training.

14 RESPONDING TO ALLEGATIONS OF ABUSE MADE AGAINST WORKERS/VOLUNTEERS

- 14.1 Where allegations are made against staff/volunteers, ACCORD Dublin has a dual duty of care to the child and to the staff/volunteer. The first priority is to ensure that no child is exposed to unnecessary risk and where there appears to be a conflict of duty, care to the young person or child must always take precedence.
- 14.2 There are two separate procedures to be followed:
- a. The allegation of abuse will be overseen by the ACCORD Dublin DLP or in the event that that the DLP has had allegations made against him/her, the Deputy DLP will deal with the issues related to the child or young person. All child protection concerns that reach the threshold of 'reasonable grounds for concern' are reported without delay to the civil authorities as outlined above; and
 - b. The employment/contractual issues will be managed by a manager and/or member of the HR Department ("Assigned Person(s)"). Both the Designated Liaison Person and the Assigned Person(s) will co-operate closely with each other and with the statutory authorities, keeping the welfare of children paramount.
- 14.3 The following steps will be taken:
- a. Any allegations made by an ACCORD Dublin member (staff/volunteer) against another member, should be reported in accordance with this policy (see sections 8). Please contact the ACCORD DLP (or Deputy DLP) should you have any concerns about an ACCORD Dublin member, even if you are uncertain whether that concern reaches the threshold for mandated reporting.
 - b. Where a third party reports a concern or allegation to an ACCORD Dublin member, the following steps should be taken:
 - (i) The person to whom the complaint is made should hear the complainant in a respectful and confidential manner.
 - (ii) The complainant should be informed of ACCORD Dublin's mandatory policy in relation to reporting child protection concerns. Wherever possible, the complainant should be immediately referred to the DLP (or Deputy DLP). If this is not possible, the person hearing the complaint must alert the DLP (or Deputy DLP) at the earliest opportunity (not more than one working day).
 - (iii) The person hearing the complaint/allegation should immediately record the nature, setting and content of the complaint. Recording should be factual and completed on the day the complaint is heard. Where possible the person making the complaint should be encouraged to make a written complaint.
 - c. The DLP (or Deputy DLP) will follow the reporting procedures laid out in this Policy and if making a formal report to Tusla, advise them that the report is in relation to a staff member/volunteer, as this will allow Tusla to apply the necessary policies and procedures in relation to allegations against staff or

volunteers in organisations. There should be no delay in reporting to Tusla. Advice may be sought from Tusla with regard to any action deemed necessary to protect the child/children who may be at risk.

- d. The Designated Liaison Person (or Deputy) will inform the Assigned Person(s) at the earliest opportunity. The Designated Liaison Person (or Deputy) and Assigned Person(s) will assess the level of risk to any children with whom the employee is in contact. ACCORD Dublin may as a matter of urgency take any necessary protective measures, which may include increased supervision or suspension or reassignment. The priority should always be child protection. These measures should however be proportionate to the level of risk and should not unreasonably penalise the staff member/volunteer, financially or otherwise, unless necessary to protect children. Where protective measures may adversely impact the staff member/volunteer, it is important that early consideration be given to the case. It is very important that any protective measures taken are intended to be precautionary and not disciplinary. The protective measures are an interim measure pending the statutory authorities' consideration of the matter.
- e. The DLP (or Deputy DLP) and/or Assigned Person(s) will consult with Tusla and the Garda Síochána on the follow-up of an allegation of abuse against an employee.
- f. Unless advised to do otherwise by the Gardaí, the employee should be advised that an allegation has been made against him/her, and the nature of the allegation. The ACCORD Dublin member should be informed that any response will be noted and may be shared with Tusla and An Garda Síochána.
- g. It is strongly recommended that staff maintain a close liaison with the statutory authorities to ensure that any actions taken by ACCORD Dublin do not undermine or frustrate any external investigations.
- h. ACCORD Dublin may instigate disciplinary proceedings. Any action taken should be guided by the agreed procedures, and any applicable employment contract or volunteer arrangement and the rules of natural justice.
- i. In a situation where the statutory investigation does not lead to prosecution or conviction, ACCORD Dublin will conduct an internal review of the issue at the end of any statutory investigation in compliance with employment law and the principles of natural justice. A review board may be convened to examine the issue, conduct a risk assessment of the person returning to their position and to meet with the individual against whom the allegation was made. The individual will have the right to have advance notice of the meeting and a precis of the matters to be discussed, to be accompanied to the meeting and to make representations and he/she will have the right to appeal the decision of the review board.

15 CONFIDENTIALITY

- 15.1 ACCORD Dublin understands that the effective protection of a child depends on the willingness of the staff in statutory and voluntary organisations involved with children to share and exchange relevant information. Therefore, where child protection and welfare concerns arise, all information must be shared on a 'need to know' basis in the best interest of the child.

- 15.2 No staff member can give any undertakings regarding secrecy and this should be made clear to all involved, although they can be assured that all information will be handled taking full account of legal requirements.
- 15.3 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 staff with a responsibility for ensuring the protection and welfare of children. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.
- 15.4 At all stages in the process (disclosure, reporting and dealing with an abuse allegation), confidentiality is of extreme importance. Statements, letters and other communications shall be confidential to those involved as per the procedure outlined in this Policy.
- 15.5 In accordance with section 17 of the 2015 Act, where the ACCORD Dublin DLP and/or Mandated Person is assisting Tusla to carry out an assessment, s/he may not share this information with a third party save in accordance with the law, or unless Tusla authorises in writing the disclosure of information, subject to such conditions (if any) as Tusla considers appropriate and specifies in the authorisation. A person who fails to comply with this requirement shall be guilty of a criminal offence.

16 RECORD KEEPING

- 16.1 Recording Allegations
Where there is an allegation of child abuse or neglect, the ACCORD Dublin DLP shall keep proper dated and signed records. All records are highly confidential and it is the responsibility of the DLP to ensure that these are kept securely.

Details of allegations and reports of alleged incidents of abuse must be recorded. The records should, insofar as possible, include:

- a. the date and time of disclosure;
- b. details of the allegation;
- c. details of what action ACCORD Dublin has taken;
- d. an indication of the parties involved (including third parties) including names and addresses;
- e. any suspicions consequent on the information and the factual grounds for such suspicions;
- f. the response of the parents/guardians to the information (if any);
- g. the response of the person against whom the allegations were made (if any);
- h. the report from the ACCORD Dublin Member who received the information or who has concerns;
- i. where a decision is made not to inform the parents/guardians, the reason for the decision and the advice received from Tusla;
- j. details (dates, times, people, place) of any subsequent meetings and communications of interested parties; and

- k. decisions re referral (or not) to Tusla, or An Garda Síochána including how, why, when and by whom the decision was taken.

In the event that the ACCORD Dublin DLP decides not to report a matter to Tusla, the matter should still be recorded or noted internally by the ACCORD Dublin DLP, including:

- a. The reasons for not reporting should be recorded;
- b. Any actions taken as a result of the concern should be recorded;
- c. The ACCORD Dublin DLP must provide the employee/volunteer with a clear written explanation of the reason why the he/she decided not to report;
- d. The ACCORD Dublin DLP must inform the employee or volunteer who raised the concern that it is open to him/her to seek informal advice from Tusla and/or to report his/her concern where s/he still considers that such a report is warranted and/or report the matter to An Garda Síochána; and
- e. In such circumstances, the Mandated Person must provide a copy of the report to the ACCORD Dublin DLP.

In all cases where the ACCORD Dublin DLP has sought the advice of Tusla and/or An Garda Síochána, the ACCORD Dublin DLP shall retain a record of the consultation, which will note the date, the name of the Tusla official and/or Garda and the advice given.

16.2 Record Management

All records of allegations in relation to child protection issues should be regarded as highly confidential. The storage and transmission of all reports relating to child safeguarding concerns is according to the General Data Protection Regulation (GDPR) principles. All records relating to child protection concerns must be stored separately from all other records in ACCORD Dublin and accessible only to the Designated Liaison Persons within ACCORD Dublin.

17 INFORMING THE CHILD'S PARENT(S)/GUARDIAN(S) THAT A REPORT IS BEING MADE

The Children First: National Guidance for the Protection and Welfare of Children, 2017 outlines that it is good practice to inform the parent/guardian that a report concerning his or her child is being made and the reasons for the decision to make the report. It is not necessary to inform a parent/guardian that a report is being made –

- 17.1 if by doing so, the child will be placed at further risk; or
- 17.2 in cases where the family's knowledge of the report could impair Tusla's ability to carry out a risk assessment; or
- 17.3 if the reporter is of the reasonable opinion that by doing so it may place him/her at risk of harm from the family.

In circumstances where a joint report is being made by an ACCORD Dublin school facilitator and School DLP, it is the responsibility of the School DLP to inform a parent/guardian that a report is being made and the reasons for the decision to report except where any of the conditions at (1) to (3) above apply. The ACCORD Dublin DLP will liaise with the School DLP to ensure this has been carried out.

In circumstances where the ACCORD Dublin DLP is submitting a report (jointly or otherwise), the ACCORD Dublin DLP Officer shall seek the advice of Tusla and/or An Garda Síochána should he/she have any doubt as to whether to inform a parent/guardian that a report is being made. A record shall be made of any communication to the parent/guardian or decision not to inform a parent/guardian together with the reasons for not doing so.

18 COMPLIANCE

Where a staff member/volunteer becomes aware of an act of non-compliance with this policy, they have a responsibility to bring it to the attention of the ACCORD Dublin DLP. If any person has a complaint or concern regarding this policy, please contact Barbara Gilroy, Diocesan Director, ACCORD Dublin (tel: 01 4780866).

19 IMPLEMENTATION AND REVIEW

ACCORD Dublin recognises that implementation is an on-going process. We are committed to the implementation of this Policy, which supports our intention to keep children safe from harm while availing of our services.

This policy will be reviewed annually, or as soon as practicable after there has been a material change in any matter to which the statement refers.

20 KEY CONTACTS

20.1 Designated Liaison Person
Contact details of the relevant Designated Liaison Person and or the Deputy Designated Liaison Person will be made known to all staff and will be detailed in the Child Safeguarding Statement displayed at each ACCORD Dublin service location.

20.2 National Office - Telephone: 01 7718500; Email: info@tusla.ie

If you have concerns about the protection or welfare of a child, you should contact your local social work office. Please visit: www.tusla.ie.

Contact details of local duty social work teams can be found at:
<https://www.tusla.ie/get-in-touch/duty-social-work-teams/>

Contact details for Tusla Service Directors and Area Managers can be found at:
<https://www.tusla.ie/get-in-touch/local-area-offices/>

20.3 An Garda Síochána
Contact should be made with the relevant Garda Síochána station based on location of child / children at risk. Please refer to:
<https://www.garda.ie/en/contact-us/station-directory/>

Most Revd Diarmuid Martin
Archbishop of Dublin
Chair, ACCORD Dublin
Date:

SCHEDULE 1

DECLARATION FORM

The following declaration must be signed by all ACCORD Dublin employees and volunteers. Please complete the declaration and return to your line manager or HR representative.

I have read and fully understand the ACCORD Dublin Child Safeguarding Policy. I am fully aware of my responsibilities and child protection obligations as set out in the policy.

I agree to accept and apply the policy in its entirety.

Signed: _____

Name in capitals: _____

Title: _____

Date: _____

On behalf of ACCORD Dublin

Received by: _____

Date received: _____

SCHEDULE 2

TYPES OF CHILD ABUSE AND HOW THEY MAY BE RECOGNISED

The ‘types of abuse and how they may be recognised’ is set out at Chapter 2 of the Children First: National Guidance for the Protection and Welfare of Children, 2017. The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child’s health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child’s health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child’s life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child’s welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child’s medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- 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
- Abandonment or desertion

Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling

- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

Sexual abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
 - * Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - * Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
 - * Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

SCHEDULE 3**CHILD SAFEGUARDING STATEMENT****1 Name of service:**

ACCORD Dublin, Holy Cross Diocesan Centre, Clonliffe Road, Dublin, D03 P2E7

2 The purpose and aims of ACCORD Dublin:

The key function of ACCORD Dublin is to provide information and support to couples who are preparing for marriage; seeking to enhance their relationship; looking for help with marriage and relationship difficulties; carrying out research; or wanting to learn more about marriage and family issues. ACCORD Dublin also offer a range of age appropriate education programmes at both primary and second level, which aim to educate children and facilitate a positive attitude towards sexuality, development and foster the students' ability to form healthy relationships.

3 ACCORD Dublin meet these aims by delivering the following activities:

- 3.1 ACCORD Dublin Catholic Marriage Care Service provides marriage preparation courses for couples choosing to get married in the Catholic Church.
- 3.2 ACCORD Dublin offers a professional counselling service throughout Dublin, through its centres, facilitating couples and individuals to explore, reflect upon and work to resolve difficulties that arise in their marriages and relationships.
- 3.3 ACCORD Dublin offers a range of Relationships and Sexuality Education programmes to a variety of schools in various locations. These Programmes are delivered in schools and aim to complement both primary and second level curricula, Social Personal and Health Education, and give students age appropriate information about their development in an appropriate context.

4 Principles to safeguard children from harm

- 4.1 ACCORD Dublin recognises that the key principle of best practice in child safeguarding is that the welfare of the child is of paramount importance and that every child has a right to be protected, treated with respect, listened to and have their views taken into consideration.
- 4.2 It is our policy that the safety and welfare of children is everyone's responsibility and the best interests of the child should be paramount. All staff have been provided with a copy of ACCORD Dublin's Child Protection Policy and have signed a declaration that they are familiar with the procedures contained within it.
- 4.3 Each service (that is, marriage preparation, schools and counselling) of ACCORD Dublin shall have a Designated Liaison Person (DLP). The DLP will liaise on behalf of ACCORD Dublin with outside agencies and act as a resource person for any member of ACCORD Dublin who has child safeguarding concerns.

- 4.4 Under the Children First Act 2015, ACCORD Dublin must report to Tusla any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. This applies to both historical and current alleged abuse. As an agency of the Catholic Church, ACCORD Dublin will also report such matters to An Garda Síochána. In the case of an allegation made against a priest or Church personnel, the Designated Liaison Person for the relevant diocese or religious order will be notified, regardless of whether the person against whom the allegation is made is alive, incapacitated or dead.
- 4.5 ACCORD Dublin may seek informal advice from Tusla and / or An Garda Síochána where there is any doubt as to whether a matter should be reported to Tusla and/or as to whether a mandated report should be made and will follow that advice to report concerns. In cases involving person(s) in another jurisdiction, ACCORD Dublin may seek advice from Tusla and / or An Garda Síochána and will follow that advice. ACCORD Dublin may report concerns to the relevant civil authorities in accordance with best practice and / or obligation under the relevant legislation in that jurisdiction.
- 4.6 The schools programme is the only service where ACCORD Dublin members are permitted to work with children. ACCORD Dublin has its own Protocol for Working with Children in Schools. This Protocol and the reporting procedure for ACCORD Dublin school facilitators are set out in our Child Protection Policy.
- 4.7 ACCORD Dublin Members working with adult clients must disclose to the ACCORD Dublin DLP any concerns that they have for the protection and welfare of children, to include any concerns arising from a retrospective disclosure of abuse from an adult.

5 Risk assessment

We have carried out an assessment of any potential for harm to a child while availing of our services (see 'Appendix 1').

6 Procedures

Our Child Safeguarding Policy to include this Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, and the Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. The Guidance documents, together with Catholic Church's standards and guidance, as reflected in 'Safeguarding Children, Standards and Guidance Document for the Catholic Church in Ireland' (published 2016), are the core documents which determine the way child protection and welfare issues are handled in ACCORD Dublin.

ACCORD Dublin has a number of procedures as outlined in our Child Protection Policy to support our intention to safeguard children while they are engaged in our activities. These include:

- 6.1 Procedure for the safe recruitment and selection of workers and volunteers to work with children.
- 6.2 Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm.

- 6.3 Procedure for the reporting of child protection or welfare concerns to Tusla and the Gardaí as appropriate.
- 6.4 Procedure for the reporting of retrospective disclosures of abuse.
- 6.5 Procedure for the management of allegations of abuse or misconduct against workers/ volunteers of a child availing of our service.
- 6.6 Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons.

7 Key Contacts

Our Designated Liaison Person is _____
 Contact details _____
 Our Deputy Designated Liaison Person is _____
 Contact details _____

8 Implementation

ACCORD Dublin recognises that implementation is an ongoing process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

We will review the effectiveness of our practice as outlined in this statement every 12 months or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed: _____
 Name & title _____

Ms Barbara Gilroy, Diocesan Director, acts as the Relevant Person for ACCORD Dublin for the purpose of the Children First Act 2015 and can be contact with any queries concerning this Statement (tel: 01 4780866).

This Statement will be reviewed on 30th April 2020 or sooner if necessary due to service issues or changes in legislation or national policy. As part of the review of this Statement, ACCORD Dublin will renew the appointment of its Relevant Person or appoint a new person to the role as appropriate.

CHILD SAFEGUARDING STATEMENT APPENDIX 1		
No	Risk identified	Procedure in place to manage risk identified
1	A member of staff has a suspicion of child abuse	<p>All staff are aware of our Child Protection Policies and reporting procedures.</p> <p>All staff should contact, without delay, the Designated Liaison Person where they have any concerns at all about a child safeguarding situation, including retrospective disclosure, that is, where a client discloses abuse suffered during their childhood.</p>
2	An adult client makes a retrospective disclosure of abuse in counselling	<p>Some adults may disclose abuse that took place during their childhood. Staff must report this information to the DLP, as the alleged abuser may pose a current risk to children.</p> <p>Before a counselling session starts, the Counsellor will notify the client that if any child protection issues arise and the alleged perpetrator is identifiable, the Counsellor must report this information to the DLP and the authorities.</p>
3	A student informs an ACCORD Dublin Facilitator that he/she is being abused	<p>The Facilitator will engage with the School's Designated Liaison Person and make a joint report where appropriate.</p> <p>The Schools DLP will confirm to the ACCORD schools facilitator DLP that this report was sent to the authorities. A copy of this report will be sent to the facilitator.</p>
4	Complaint of alleged child abuse against a member of staff	<p>ACCORD Dublin will maintain a list of staff who are Mandated Persons (as defined by the Children First Act 2017).</p> <p>All mandated persons are Garda vetted before they begin work.</p> <p>All staff are aware of the procedures to make a referral to the Designated Liaison Person or directly to Tusla and the Gardaí is appropriate.</p> <p>ACCORD Dublin has internal disciplinary processes in place where the issue concerns an employee.</p>
5	Delays in making a referral	<p>All staff are provided with the Child Protection Policy.</p> <p>Mandated persons are trained to deal with disclosures and are fully aware of the reporting procedures.</p> <p>Any breach of the Child Protection Policy will be reported to the DLP and authorities as appropriate. A breach of the Child Protection Policy may result in disciplinary action up to and including dismissal.</p>

SCHEDULE 4

STANDARD REPORTING FORM



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*	
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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			

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	
Authorised Person Signature*					
Date*					
Child Previously Known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
Allocated Case No					

SCHEDULE 5

RETROSPECTIVE ABUSE REPORT FORM



Retrospective Abuse 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 person subject to allegations of abuse resides (PSAA))*	
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2. Date of report*	
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3. Date information was received by reporter*	
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4. Reporter details if third party*

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	

Reporter's relationship to adult complainant	
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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				

5. 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	

Retrospective Abuse Report Form

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

6. Details of person disclosing abuse (adult complainant)*

First name		Surname	
Address		Female	<input type="checkbox"/>
		Male	<input type="checkbox"/>
		Date of birth	
		Estimated age	
Telephone No.		Previous address, if known	
Eircode			

7. Type of abuse being reported*

Emotional abuse	<input type="checkbox"/>	Physical abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual abuse	<input type="checkbox"/>

8. Details and description of alleged abuse*

Date of alleged abuse		Period of alleged abuse	
Location of alleged abuse		Reason for report at this time	

Further detail (include, if known, age of adult complainant at time of abuse, age of PSAA at time of abuse). Please attach additional sheets if necessary.

9. Details of person subject to allegations of abuse (PSAA)

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			

Retrospective Abuse Report Form

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

10. Details of PSAA's social and employment status

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11. PSAA household composition

First name	Surname	Relationship	Date of birth	Estimated age	Additional information, e.g. school, occupation, etc.

12. Does the PSAA have contact with children?*

Yes No

If Yes, please complete information below. If No, proceed to 11.

Details of child			
First name		Surname	
Address		Mobile no.	
		Telephone no.	
		Email address	
		Date of birth	
Eircode		Age	
Parent/carers' names		Parent/carers' names	
Relationship to adult complainant		Relationship to PSAA	
Frequency of contact, if known			
Male	<input type="checkbox"/>	Female	<input type="checkbox"/> Unknown <input type="checkbox"/>

Please attach additional sheets for additional children, if necessary.

13. Based on information known at this time, is the PSAA known to the Tusla Social Work Department?

Yes No

If yes, please provide detail:

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14. Based on information known at this time, is the adult complainant known to the Tusla Social Work Department?

Yes No

If yes, please provide detail:

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Retrospective Abuse Report Form

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

15. Based on information known at this time, has a report been made to An Garda Síochána?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Garda name:		Telephone no.			
Garda district:		Email:			
Address:		PULSE ID number:			
		Date notification made:			
Eircode		Date report made			

16. Is the PSAA aware of this report?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please provide further details:				

17. Any additional information	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Please provide any further information that will assist Tusla in assessing and prioritising this report:				

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.

Please ensure you have indicated if this is a mandated report in section 2.

Thank you for completing the report form.

18. For completion by Tusla authorised person on receipt of report					
Report received by					
First name		Surname		Date	
Mandated report acknowledgement by					
First name		Surname		Date sent	

Retrospective Abuse Report Form

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

Authorised person signature*	
Date*	

Child previously known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated case no				