

An Chomhairle Oidhreachta  
The Heritage Council



## CHILD PROTECTION POLICY

The Heritage Council

2014

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## 1. Introduction

The Heritage Council has a corporate duty to promote the safety and well-being of children with whom it is in contact in any capacity. This policy document deals with the recognition, reporting and management of child safety concerns and will assist anyone working on behalf of Council in having due regard for the rights and interests of children. This policy applies to all those in receipt of Heritage Council funding as well as Heritage Council staff.

The Heritage Council interacts with young people in several different ways; through the provision of the Heritage in Schools programme, Heritage Officer Projects, other grant aided projects and education projects. The Heritage Council is tasked with putting in place suitable child protection guidelines and policies in line with *Children First – National Guidance for the Protection and Welfare of Children*. The Department of Arts, Heritage and the Gaeltacht also ensures compliance with this obligation through the Service Level Agreement Process and also through the oversight Committee on Child Protection. Given the wider societal concerns in relation to child protection it is essential that strong guidelines regarding child protection are in place to support all staff and those supported by the Heritage Council who may interact with children in any capacity and to ensure protection of any child in our care.

Children First – National Guidance for the Protection and Welfare of Children places an obligation on the Heritage Council to promote the welfare and protection of children. For the purposes of these guidelines a child is defined as anyone under 18 years of age who is not or has not been married.

The Department of Children and Youth Affairs published the current version of ***Children First: National Guidance for the Protection and Welfare of Children*** in 2011, available at [www.dcy.gov.ie](http://www.dcy.gov.ie). The following guidelines have been developed for the Heritage Council against this background.

All staff members of the Heritage Council, both permanent and temporary, have been given a copy of this Child Protection Policy. New staff members who deal directly with children will be briefed on the policy and their responsibilities at induction. Staff members dealing directly with children on a regular basis must sign a copy of the Staff Declaration Form at Appendices 8 and 9.

\*N.B. Where the terms 'Heritage Council and 'HC' are used within this document, they apply to everyone working on behalf of the Council, on projects which involve direct contact with children and/or young people, including HC staff, volunteers and registered Heritage in Schools Specialists as appropriate.

## 2. Child Protection Statement

We in the Heritage Council want to ensure that insofar as possible children are protected while they are with staff of the Council in any capacity. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of *Children First: National Guidance for the Protection and Welfare of Children*, published by the Department of Children and Youth Affairs. The Heritage Council will:

- Acknowledge the rights of children to be protected, treated with respect, listened to and have their own views taken into consideration;

- Recognise that the welfare of children must always come first, regardless of all other considerations;
- Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take risks and leave themselves open to accusations of abuse or neglect;
- Develop procedures for responding to accidents and complaints;
- Provide child protection training for workers. This should clarify the responsibilities of both the organisation and individuals, and clearly show the procedures if child abuse is suspected;
- Co-operate with any other child care and protection agencies and professionals by sharing appropriate information when necessary and working together towards the best possible outcome for the children concerned;
- Make links with other relevant organisations in order to promote child protection and welfare policies and practices.

The Heritage Council's Child Protection policy is an evolving document. Periodically, the Heritage Council will evaluate the Policy taking into account such items as feedback received, best practices and/or any changing legislation over that period and amend accordingly.

A copy of the Heritage Council's Child Protection Policy will be circulated to all staff and will also be available on the Heritage Council's web-sites including [heritageinschools.ie](http://heritageinschools.ie) and [heritageweek.ie](http://heritageweek.ie). Heads of Service are asked to remind all staff of the procedures on a regular basis and the policy will be outlined to all new staff members who may have regular contact with children. Training will be provided to relevant staff and Heritage in Schools panel members over the coming two years as required.

### **3. Code of Practice for staff & Heritage in Schools Specialist.**

Staff in the Heritage Council will observe the following good work practices to ensure that every child remains safe and has a favourable interaction with the Heritage Council whether in work placement, in participation in our education programmes or through Heritage in Schools visits. Anyone working on behalf of the Heritage Council who is in contact with children as part of their working day must adopt a child centred approach.

- Always put the child's welfare and safety first
- Treat all children and young people equally and as individuals, with respect and dignity
- Involve children and young people in decision-making, as appropriate
- Use appropriate language and maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner
- Respect a child's or young person's personal space
- Lead by example and create an atmosphere of trust
- Be cognisant of a child's or a young person's limitations, due to a medical condition for example
- Give children encouragement, support and enthusiastic and constructive feedback rather than negative criticism
- Ensure any dangerous behaviour is avoided or stopped
- Ensure that any personal details relating to children are kept confidential
- Keep a written record of any injury that occurs to a child, along with details of treatment given

- Ensure there are clear channels of communication and access to staff/teachers if parents/guardians or children/young people wish to voice their concerns if there is something they are not happy about.
- All Heritage Council staff or a Heritage in Schools Specialist:
  - should not take one young person alone on outings such as car journeys. Where this is unavoidable, it should be with the full consent and knowledge of the parents/guardians.
  - Should not work on a one to one basis with a child or young person. They should not spend excessive amounts of time alone with an individual child/young person. Where an adult needs to meet with a child/young person alone, the door should be left open and another adult informed of the meeting.
  - There should be no unnecessary physical contact between a staff member and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child. Generally the consent of the child should be sought in relation to physical contact (except in an emergency or a dangerous situation).
  - should not communicate with children they have met through their workplace using text messages, facebook or any other forms of social media. Phone calls on personal mobiles should also be avoided.

In addition, anyone working on behalf of the Heritage Council will never engage in the following inappropriate behaviour;

- Do not use or allow offensive or sexually suggestive physical and/or verbal language
- Do not single out a particular child/young person for unfair favouritism, criticism, ridicule, unwelcome focus or attention
- Do not allow/engage in inappropriate touching of any form
- Do not hit or physically chastise children/young people
- Do not leave children unattended or unsupervised
- Do not exert undue influence over a child in order to gain personal benefit or reward.
- Do not let allegations made by a child go unrecorded
- Do not make or receive private calls/texts while supervising a children's activity
- Do not accompany a child into toilet facilities

A breach of any of the above will be seen as a breach of the Code of Practice and could give rise to both disciplinary and criminal proceedings. Anyone working on behalf of the Heritage Council should report concerns they note about any inappropriate behaviour with regards to a child/ren in writing where relevant to a Head of Service or the CEO.

#### 4. Outdoor Activities

The Heritage Council has additional responsibilities with regards to outdoor activities. The Heritage in Schools scheme has many occasions where children are taken outdoors with their teachers/parents to undertake educational activities.

All schools have their own child protection policies in place. When visiting a school the Heritage in Schools Specialist is subject to the child protection policies of the school that has hired the Specialist.

However, all Specialists must sign the Declaration Form as set out at the end of Appendix 3 certifying that they have read the Heritage Council Policy, they agree to abide by it and that there is no reason why they should be considered unsuitable for working with children/young people.

All new staff recruited, either on a permanent or temporary basis, whose work involves contact with children must fill out the Self Declaration form at Appendix 9. Garda vetting will be required for all Heritage in Schools Specialists and staff whose role primarily involves working with children. The Heritage Council will assist with the provision of training for relevant personnel.

#### 5. Guidelines for photographing children

There is some evidence that photographs of children can be used inappropriately. Therefore, the following guidelines will be observed by anyone working on behalf of the Heritage Council.

- Permission will be sought from primary carer/teacher/parent and the children if it is desired to take photographs. If the Heritage Council wishes to use the photograph of any child for promotional or publicity reasons, they will first contact the child's parents and obtain written permission.
- Anyone working on behalf of the Heritage Council will not take photographs of children for any reason other than specified official reasons.
- No child appearing in any promotional photograph will be named.
- Only images of children in suitable dress can be considered for use.
- Inappropriate use of images of children must be reported to the DLP ( *Designated Liaison Person* ) and it will be considered as a breach of the Heritage Council's Code of Practice and could give rise to both disciplinary and criminal proceedings

#### 6. Role of the Designated Liaison Person

The ultimate responsibility for the implementation of the Child Protection Policy is the Secretary General of the Department. However, the Designated Liaison Persons in the Heritage Council will ensure that the Child Protection Policy of the Council is promoted and will support the implementation of the policy. It is also the responsibility of the Designated Liaison Persons to liaise with the Child and Family Agency or An Garda Síochána where appropriate.

Isabell Smyth, Head of Communications & Education ([ismyth@heritagecouncil.ie](mailto:ismyth@heritagecouncil.ie) / 0567770777) and Liam Scott, Head of Business / HR Manager ([lscott@heritagecouncil.ie](mailto:lscott@heritagecouncil.ie) 0567770777) are the Designated Liaison Persons for the Heritage Council and are the people to contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare in the carrying out of your work duties or if a child discloses information regarding abuse in the workplace to you.

## 7. Recognising Child Abuse

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm. As children can be abused in a number of ways, sometimes at the same time, it is not always easy to categorise it, but four broad definitions can be considered and may be briefly summarised as neglect, emotional abuse, physical abuse and sexual abuse.

Definitions of the four types of abuse and how to recognise abuse are included in Appendices 1 and 2, which are based on "Children First – National Guidance for the Protection and Welfare of Children". However, child neglect or abuse can often be difficult to identify and may present in many forms. 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.

The following examples would constitute reasonable grounds of concern (*taken from the Child Protection and Welfare Practice Handbook Section 2.2*):

- An injury or behaviour that is consistent both with abuse and an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse.
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect
- Admission or indication by someone of an alleged abuse.
- A specific indication from a child that he/she was abused.
- An account from a person who saw the child being abused.
- Evidence such as injury or behaviour, which is consistent with abuse and is unlikely to have been caused in any other way.

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 abuse:

- (a) considering the possibility,
- (b) looking out for signs of abuse,
- (c) recording of information.

### **Considering the possibility of child abuse**

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.

### **Looking out for signs of abuse**

Signs of abuse can be physical, behavioural or developmental. They can exist in the relationship between children and parents/carers, between children and other family members/other persons and amongst their peers. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed. Most signs of abuse are non-specific and must be considered in the child's social and family context. It is important to always be open to

alternative explanations for physical or behavioural signs of abuse. Sometimes a specialist assessment may be required to clarify if particular concerns constitute abuse.

### **Recording of Information**

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. This information should be communicated to the DLP as soon as possible and without delay. The DLP will take any necessary follow-up action. Records will be maintained centrally by the DLPs.

If a staff member has any concerns that are not, as a once off, sufficient to provide reasonable grounds for concern but which taken with other factors over time may lead to a child protection or welfare concern, they should contact one of the Heritage Council's DLPs, who will maintain the records and review in consultation with the Child and Family Agency as necessary.

*With regards to a Heritage in Schools Specialist the same applies and any concerns must be communicated as above to the DLP officer of the school where the visit is being undertaken who has primary responsibility for children's welfare in the school.*

## **8. Disclosure of child abuse**

In the Heritage Council we are most likely to become aware of a case of abuse if a child should disclose it to us. It is essential that this is dealt with sensitively and professionally by anyone carrying out work on behalf of the Heritage Council. The following are guidelines to support the worker in this:

- React calmly- give the child time to say what he/she wants
- Listen carefully and attentively; take the young person seriously
- Reassure the young person that they have taken the right action in talking to you and they are not to blame
- Aim to ensure 'observed confidentiality', where you are witnessed speaking to the child, but cannot be overheard
- Do not be judgemental
- Do not promise to keep anything secret; or make any other promises
- Ask questions for clarification only and do not ask leading questions
- Do not speculate or make assumptions
- Check back with the child/young person that what you have heard is correct and understood using their own words
- Do not express any opinions about the alleged abuser
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record
- Ensure that the child/young person understands the procedures which will follow
- Be honest with the child about what we can and cannot do. Tell them that we cannot keep secrets and inform them what will happen next
- Do not confront the individual who is alleged to be responsible
- Pass the information to the Designated Liaison Person (for Heritage in Schools Specialists to the school DLP) and for HC staff to the HC DLP as above. It is important that HC Staff do not attempt to deal with the problem alone
- All the above steps should be carried out without undue delay whilst not compromising the thoroughness of the process.

**Where abuse is suspected or disclosed the one thing you must not do is nothing.**

### **9. Responsibility to report suspected or actual child abuse**

Any person who suspects that a child has been, is being abused, or is at risk of abuse, has a responsibility and a duty of care to report their concerns to the Child and Family Agency, either directly or through the Designated Liaison Persons. 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 to the Child and Family Agency, either directly or through the Designated Liaison Persons.

The guiding principles in regard to reporting child abuse is that the safety and well-being of the child or young person must take priority. No child must be exposed to unnecessary risk.

In the Heritage Council abuse suspicions will be reported immediately to either of the **Designated Liaison Persons listed below** (please see Section 6).

**Isabell Smyth, Head of Communications & Education ([ismyth@heritagecouncil.ie](mailto:ismyth@heritagecouncil.ie) / 0567770777) and Liam Scott, Head of Business/ HR Manager ([lscott@heritagecouncil.ie](mailto:lscott@heritagecouncil.ie) 0567770777) are the Designated Liaison Persons for the Heritage Council.**

**For Heritage in Schools Specialists each school has its own DLP (Designated Liaison Persons).**

### **10. Reporting procedure in respect of child abuse**

The Heritage Council has put in place a standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse. The safety and well-being of the child must take priority. The standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse is that set out in the *Children First: National Guidance for the Protection and Welfare of Children* document.

1. The Heritage in Schools Specialist who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of the School's Designated Liaison Person immediately.
2. The HC employee who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of one of the Heritage Council's two Designated Liaison Persons immediately.
3. It is important that all those working on behalf of the Heritage Council are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Child and Family Agency and An Garda Síochána. Under no circumstances should any HIS Specialist/HC staff member attempt to deal with the problem of abuse alone.
4. That HIS Specialist/HC employee who initially expresses concern will be required to complete a report, in consultation with the appropriate Designated Liaison Persons, outlining the situation, including the date, time and people involved. The report should be factual. Any opinions should be stated as such and supported by factual information. A Standard Report Form should be used when reporting child welfare and protection concerns to the Child and Family Agency. This standard form is in Appendix 4.
5. The Designated Liaison Person will review the information that has been provided to ensure that all relevant information has been gathered. They will contact the Child and Family

Agency for informal advice without delay relating to the allegation, concern or disclosure, when necessary.

6. The Designated Liaison Person will then take one of two options:
  - a. Report the allegation, concern or disclosure formally to the Child and Family Agency or
  - b. Not make a formal report to the Child and Family Agency but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The HIS Specialist / HC employee who made the initial report will be informed in writing if a formal report is not being made to the Child and Family Agency and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary. Provisions of the Protection for Persons Reporting Child Abuse Act, 1998 will apply.

It is important that reports are made to the Child and Family Agency without delay.

7. Where a formal report is made, it is likely that the Child and Family Agency will want to speak to the person who first made the report to clarify facts and the circumstances of the report.
8. In an emergency, out of hours, a report should be made directly to An Garda Síochána.  
In making a report on suspected or actual child abuse, the individual must ensure that the first priority is always for the safety and welfare of the young person and that no young person is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

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. Failure to act may result in incurring criminal charges under Section 176 of the Criminal Justice Act 2006 which introduced the criminal charge of reckless endangerment of children.

### **Cases not reported to the HSE or An Garda Síochána**

In those cases where the Department decides not to report concerns to the Child and Family Agency or An Garda Síochána, the individual employee or volunteer who raised the concern will be given a clear written statement of the reasons why the Department is not taking such action. The employee or volunteer will be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, the Child and Family Agency or An Garda Síochána. The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate 'reasonably and in good faith'.

### **Retrospective disclosures by adults**

An increasing number of adults are disclosing abuse that took place during their childhoods. Where the identity of the alleged perpetrator or alleged victim is known the service should always consult with the Child and Family Agency to discuss whether a report should be made. Where appropriate, reports should be made to the Child and Family Agency without delay either directly or through the Designated Liaison Persons.

## **11. Confidentiality**

Considerations of confidentiality will not be allowed to over-ride the right of the child to protection. The welfare of the child will be paramount. It is not a breach of confidentiality or data protection to give information which supports the protection of a child.

Therefore, in matters of child abuse, a HIS Specialist /HC employee should never promise to keep secret any information which is divulged. It should be explained to the young person that this information cannot be kept secret but only those who need to know will be told.

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

Concerns about a child that are reported anonymously should be followed up fully in accordance with HSE standard procedures. If the report has been made through a third party, the person mediating should be requested to facilitate contact between the original person who reported the concern and the Child and Family Agency. If, however, contact is not facilitated, the concerns reported via the third party must be reported to the Child and Family Agency.

Records in relation to child protection and welfare concerns will be kept securely and maintained by the Designated Liaison Persons. The Department will co-operate with the Child and Family Agency on the sharing of their records where a child welfare or protection issue arises. The Department is committed to attend and share information, as required, at formal child protection and welfare meetings as organised by the Child and Family Agency i.e. Child Protection Conferences and Strategy Meetings.

### **The Protections for Persons Reporting Child Abuse Act, 1998**

This Act provides immunity from civil liability and from penalisation by an employer to persons who report child abuse 'reasonably and in good faith' to the Designated Officers in the Child and Family Agency or An Garda Síochána. (See Appendix 6.)

## **12. Heritage in School Specialist & Staff Allegation procedures**

In the event of allegations being made against anyone working on behalf of the Heritage Council or a HC staff member suspects another member of staff of inappropriate behaviour towards or abuse of a child, the protection of the child/young person is the first and paramount consideration. The first priority is to ensure that no child is exposed to unnecessary risk. The Heritage Council should as a matter of urgency take any necessary protective measures (Appendix 7). The measures should be proportionate to the level of risk and should not unreasonably penalise anyone carrying out work on behalf of the Heritage Council, financially or otherwise, unless necessary to protect children. Where protective measures penalise it is important that early consideration be given to the case.

Where there is a complaint of abuse against a member of staff, procedures will take on two strands.

The reporting of the child abuse will be the same as Section 11 above (HIS Specialist/HC staff member → Designated Liaison Person → Child and Family Agency). However, there will also be an investigation into the alleged abuse. In fact, there may be three investigations:

1. an internal investigation by the Schools or Heritage Council as relevant
2. an investigation by the Child and Family Agency investigation
3. and possibly a criminal investigation by the Gardaí.

The Heritage Council HR Manager will handle the Heritage Council investigation into the alleged abuse by a HC staff member. This investigation will be dealt with promptly and carefully. The HR Manager will consult with the Child and Family Agency and An Garda Síochána in order to avoid unintentionally impeding an investigation.

It must be remembered that HIS Specialists/ HC staff may be subjected to erroneous or malicious allegations. Therefore, any abuse allegation must be dealt with sensitively, and support and, if necessary, counselling should be provided. While the primary goal must be to protect the child, care will be taken to ensure that the employee is treated fairly.

As soon as an allegation against a HIS Specialist/HC staff member has been made, these steps will be followed:

1. The person making the allegation will make a report in writing to the Heritage Council HR Manager (& DLP)
2. The reporting procedures outlined in Section 11 of these guidelines will be followed.
3. The Heritage Council HR Manager (& DLP) in taking action will be guided by the agreed procedures, the applicable employment contract and the rules of natural justice.
4. The Heritage Council HR Manager (& DLP) will privately inform the employee of the following;
  - (i) the fact that an allegation has been made against him or her;
  - (ii) the nature of the allegation.
5. The employee will be afforded the opportunity to respond and this response will be shared with the Child and Family Agency where a report has been/is being made.
6. The HC HR Manager will, as a matter of urgency, take any necessary protective measures to ensure that no child is exposed to unnecessary risk. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee financially or otherwise.
7. The HC HR Manager will follow up the allegation of abuse against the employee in consultation with the Child and Family Agency and/or An Garda Síochána and will ensure that any action taken does not undermine any investigations being conducted by these bodies. The parents of the child in question will be informed at the earliest opportunity taking care also to protect the employee's rights. All stages of the process will be recorded by Personnel.

The Child and Family Agency social work referral points are shown in Appendix 5. This contact information is for the benefit, not only of the Designated Liaison Person, but also in situations where the Designated Liaison Person is unavailable.

**Malicious Claims:** If it is found that a malicious claim has been made by a member of the public, the case will be referred to the necessary authorities. If it is found that a malicious claim has been made by a HIS Specialist or a HC staff member, the disciplinary process will be invoked and any necessary action will be taken as appropriate.

All records relating to allegations against staff will be kept secure by HR/Personnel Division.

### 15. Recommended procedures for persons alleged to have breached guidelines

If you are accused of abuse, and subject to the procedures above, it is recommended that you observe the following points:

- Make notes of all your contacts / actions with the child in question as soon as possible.
- Seek access to professional and legal advice.
- Ensure that you no longer have any contact with the child in question.

### 16. Accident Procedures

If an accident happens to a child (or adult) while in the care of the Heritage Council it is important not only to treat the situation competently, but also to report and record it correctly. The following steps should be observed:

- If at all possible, two adults should remain with the injured child. However, other children may need to be removed from the scene, and it may not always be possible to have two adults present.
- First Aid as appropriate should be administered if a competent person is available and should as best practice be carried out in the presence of another adult.
- If necessary, an ambulance should be requested or another emergency service such as cliff and mountain rescue (dial 999 or 112). Insofar as possible, the person dialling for help will need to convey as much concise information as possible to the emergency services such as nature of the injury and medical history if known. They should stay beside the phone to await a return call confirming the request. HIS Specialist/HC Staff must be aware of the nearest phone at all times. If moving far from a phone, either a mobile phone or a radio should be carried.
- Once the casualty is stabilised and/or removed by ambulance, the parents / carers must be contacted. In practice for HIS Specialists, this will be via the school.
- Immediately after the incident, a detailed report must be filed with the school and Heritage Council DLP.

### **17. Complaints Procedure for Staff, Parents and Children**

If a member of staff, teacher, a parent or child has any complaints with how the Heritage Council's Child Protection Policy is being implemented or if it is perceived that the Code of Practice has been breached by a HIS Specialist/ HC member of staff, a complaint can be made, preferably in writing, to one of the Heritage Council's Designated Liaison Persons. In the case of a complaint by a child, this can be done orally to any HIS Specialist / HC member of staff who will then contact the Designated Liaison Person in writing regarding the particulars of the complaint.

The complaint will be handled by the Designated Liaison Person who will consult with HR and/or the HSE as necessary. The complaint will be dealt with promptly and sensitively and complainants will be kept informed at all stages of the process.

**Contact details for the Heritage Council's Designated Liaison Persons are listed below:**

Amanda Ryan for Heritage in Schools Specialists  
Heritage in Schools Manager  
Heritage Council  
Church Lane  
Kilkenny  
Tel: 0567770777  
Email: [Aryan@heritagecouncil.ie](mailto:Aryan@heritagecouncil.ie)

Isabell Smyth  
Head of Education & Communications  
The Heritage Council  
Church Lane  
Kilkenny  
Tel: 0567770777  
Email: [ismyth@heritagecouncil.ie](mailto:ismyth@heritagecouncil.ie)

Liam Scott  
Head of Business  
HR Manager  
The Heritage Council  
Church Lane  
Kilkenny  
Tel: 0567770777  
Email: [lscott@heritagecouncil.ie](mailto:lscott@heritagecouncil.ie)

For complaints regarding any other aspect of the Heritage Council's service please contact the Heritage Council directly. ???

## Appendix 1

### Definition and Recognition of Child Abuse

*(Children First; National guidance for the Protection and Welfare of Children 2011)*

#### 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. More detail on each type of abuse is given in Appendix 2.

In the *Children First: National Guidance for the protection and Welfare of Children*, 'a child' means a person under the age of 18 years, excluding a person who is or has been married.

#### 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:

- (i) the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- (ii) conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- (iii) emotional unavailability of the child's parent/carer;
- (iv) unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- (v) premature imposition of responsibility on the child;
- (vi) unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- (vii) under- or over-protection of the child;
- (viii) failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- (ix) use of unreasonable or over-harsh disciplinary measures;
- (x) exposure to domestic violence;
- (xi) 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:

- (i) severe physical punishment;
- (ii) beating, slapping, hitting or kicking;
- (iii) pushing, shaking or throwing;
- (iv) pinching, biting, choking or hair-pulling;
- (v) terrorising with threats;
- (vi) observing violence;
- (vii) use of excessive force in handling;
- (viii) deliberate poisoning;
- (ix) suffocation;
- (x) fabricated/induced illness (*see Appendix 1 for details*);
- (xi) 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:

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- (iv) sexual intercourse with the child, whether oral, vaginal or anal;
- (v) 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, modeling 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
- (vi) 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

**(See Appendix 2 below and Appendix 1 of the *Children First: National Guidance for the Protection and Welfare of Children* for further signs and symptoms of child abuse.)**



## Appendix 2

(Taken from 'CHILD ABUSE signs and symptoms' Kidscape 2004)

### Indicators of Abuse

#### Physical abuse

***Consider the possibility of physical abuse when the child:***

Has unexplained burns, bites, bruises, broken bones, or black eyes  
Fading bruises or other marks noticeable after an absence from school  
Seems frightened of the parents/carer and protests or cries when it is time to go home from school.  
Shrinks at the approach of adults or reports injury by a parent or another adult caregiver.

***Consider the possibility of physical abuse when the parent or other adult caregiver:***

Offers conflicting, unconvincing, or no explanation for the child's injury;  
Describes the child in some other very negative way;  
Uses harsh physical discipline with the child

#### Emotional Abuse

***Consider the possibility of emotional abuse when the child:***

Has low self esteem  
Over-reacts to mistakes  
Shows extremes in behaviour, such as overly compliant or overly passive  
Has delayed physical, mental or emotional development.  
Has attempted suicide  
Reports a lack of attachment to the parent

***Consider the possibility of emotional abuse when the parent or other adult caregiver:***

Constantly blames, belittles, or berates the child  
Is unconcerned about the child and refuses to consider offers of help for the child's school problem  
Overtly rejects the child

#### Sexual Abuse

***Consider the possibility of sexual abuse when the child:***

Is overly affectionate or demonstrates sexual knowledge beyond their years  
Regresses to younger behaviour such as thumb sucking or bed wetting, having nightmares  
Has difficulty walking or sitting  
Suddenly refuses to change for gym or to participate in physical activities  
Becomes pregnant or contracts a venereal disease, particularly if under age fourteen  
Runs away, attempts suicide or self-harm, overdoses, becomes depressed  
Reports sexual abuse by a parent or another adult caregiver or older child

***Consider the possibility of sexual abuse when the parent or other adult caregiver:***

Is unduly protective of the child, severely limits the child's contact with other children, especially of the opposite sex  
Is secretive and isolated  
Describes marital difficulties involving family power struggles or sexual relations

## **Neglect**

### ***Consider the possibility of neglect when the child:***

Is frequently absent from school

Begs or steals food or money from classmate

Lacks needed medical or dental care, immunizations, or glasses

Is consistently dirty and has severe body odour

Doesn't wear warm enough clothes in winter

Abuses alcohol or other drugs

Says there's no one at home to care for them

### ***Consider the possibility of neglect when the parent or other adult caregiver:***

Appears to be uninterested in the child

Seems apathetic or depressed

Behaves irrationally or in a bizarre manner

Is abusing alcohol or other drugs

Recognising Child Abuse: What Parents Should Know

## APPENDIX 3

### Additional measures for Child Protection

for the

Heritage Council and for the Heritage Council's Heritage in Schools Scheme

2014

*The practices and procedures as laid out in this document are supplementary to the measures set out above in the Heritage Council's Child Protection Policy.*

#### General Guidelines:

- The child's welfare and safety will always be put first.
- HIS Specialists and HC Staff will ensure, to the best of their ability; that every child remains safe and experiences our education service positively.
- Management will provide, and the HIS Specialists and HC staff will participate in, recognised and appropriate Child Protection Training.
- HIS Specialists and HC Staff will apply the practice and procedures as outlined in their training.
- All young people will be treated with dignity and respect.
- All HIS Specialists and HC staff will give children enthusiastic and constructive feedback.
- All HIS Specialists and HC staff will have a complete First Aid kit nearby them at all times when in the company of any programme participants.
- HIS Specialists/ Staff will keep a written record of any incident that occurs to a child, along with an outline of any action taken by them. This will be copied to the Heritage Council's Designated Liaison Person.
- Heritage in Schools Specialists and HC staff members will familiarise themselves with the Heritage Council's Child Protection Policy and sign declaration forms as required.

#### Definition of 'Responsible Adults'

For the purpose of this policy document 'responsible adults' are teachers, parents, guardians, or club leaders who accompany groups of children or individual children participating in any Heritage in Schools or Heritage Council activities. These responsible adults have the primary responsibility for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed by them. The responsible adults (e.g. teachers, parents, guardians, leaders) who accompany groups of children or individual children participating in any Heritage in Schools/ Heritage Council activities have the duty to make the HIS Specialists/ HC staff aware of any medical or other condition of any participant that they "need to know" of in the interests of the child and the group.

#### Site Specific Child Safety Provisions

Due to the wide range of events and activities that the Heritage Council hosts nationwide, it is essential that each organisation and/or individual in receipt of funding from the Heritage defines its own site specific child safety provisions. It is the responsibility of each school and event

management to ensure that the site specific child safety provisions are updated as required and that the Heritage Council's Designated Liaison Person. (as set out in the Child Protection Policy) is informed of any revisions made to these provisions.

#### **Heritage in Schools Scheme registration:**

Heritage in Schools Programme Booking forms are the official registration forms that are provided for groups and individual children participating in any education programme activities. The responsible HC staff member must ensure that they are fully completed before being accepted for processing and the form must be stored (or an exact copy) in the specified record keeping facility. The HC Staff member who is taking a booking must ensure that responsible adults for individual children or groups/classes participating in any form of education programme / activity complete, sign and date the booking form or relevant registration form before permitting them to participate in the program / activity.

The procedure above is particularly relevant for Heritage in Schools visits and other events being organised **directly** by HC staff such as, summer projects, Heritage Week, Biodiversity Day projects etc when the child is not participating as part of a pre-existing group.

#### **Grant Recipients or organisations in receipt of funding from the Heritage Council:**

**Those organising events for children and young people that are directly funded by the Heritage council must ensure that they have put in place their own Child Protection Policy and proper reporting and registration processes.**

#### **Recording Incidents including Accidents:**

All accidents and other incidents ( e.g. near misses) that occur should be fully recorded, signed, dated and stored appropriately by the HC staff member and/or teacher on duty as soon as is reasonably possible after the incident. The Accident / Incident Report Form must be counter signed by the school and dated by a Safety Officer as soon thereafter as is reasonably possible.

#### **Records:**

The Heritage Council / School must have a secure locked filing cabinet that will contain the following information, dated and signed by the appropriate person(s):

- Booking / Registration Forms
- Incident / Accident Report Forms, if required
- Consent of parents or school to use photographs or other material that relates to children participating in any Heritage Council activities, if required.

All staff/Heritage in Schools Specialists must record data for groups they book or work with. The Head in Schools Administrator must ensure that records are kept up to date with regards to the Heritage in Schools Scheme.

#### **Locations:**

The following practices and procedures are outlined for HIS Specialists/HC Staff to minimise the possibility of children who participate in a Heritage Council programme coming to harm of any sort when they are:

- On Heritage Council premises
- In their own school grounds

- Visiting a site that is not one of the above (e.g. visiting a woodland or bog or beach whether it owned by the NPWS, Coillte or the property of another agency or individual).

**Irrespective of which of the above locations is being used, the HIS Specialist/ HC Staff member in charge must inform the accompanying 'Responsible Adult/s' of the following important facts:**

- **The accompanying adults are the "responsible adult(s)" for each participants welfare and behaviour and the management of the group as a whole.**
- **They must stay with their participants at all times.**
- **If a child or children need to leave the main group at anytime, it is they who must accompany their child / students (e.g. to avail of toilet facilities, retrieve forgotten items from another location, or attend A&E departments, etc.)**
- **They must adhere to the instructions of HIS Specialists/HC Staff in relation to site or activity specific safety instructions.**

#### **A. Heritage Council premises**

##### **Heritage Council staff will ensure that:**

- The official registration form is completed and stored in the appropriate file, for the individual, group/s attending the office before they use the Heritage Council facilities.
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.
- They note the total number of participants that actually attend on the day of the visit.
- The total number of participants [not including responsible adults] visiting the Heritage Council at any one time does not exceed the maximum designated for the Office by the Safety Officer.
- Ensure that there are at least two 'responsible adults' (not to include the HC Staff member) accompanying the participants even when the group is less than 20.
- A responsible adult to child ratio of not less than 1:10 must be maintained. Where the group number exceeds 20 i.e. where more than 2 'responsible adults' are required, the HC staff member may, at DLP's discretion, be included in the calculation of sufficient responsible adults.
- They have a complete First Aid kit close by at all times.

#### **B. In school grounds**

##### **HIS Specialists/ HC staff will ensure that:**

- The official registration form is completed and stored in the appropriate file
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.

#### **C. Visiting a site that is not one of the above**

##### **HIS Specialists/ HC staff will ensure that:**

- The official registration form is completed and stored in the appropriate file, for the individual, group/s visiting the site, before the visit commences.
- Ensure that there are at least two 'responsible adults' (not to include the Heritage in Schools Specialists /HC Staff member) accompanying the participants even when the group is less than 20.

- A responsible adult to child ratio of not less than 1:10 must be maintained. Where the group number exceeds 20 i.e. where more than 2 'responsible adults' are required, the Heritage in Schools Specialist may, at the schools' discretion, be included in the calculation of sufficient supervisory adults.
- They note the total number of participants that actually attend on the day of the visit.
- There is a limit of 30 child/young adult participants per Heritage in Schools Specialist. This must not be exceeded irrespective of the number of responsible adults e.g. if there were 40 children and 5 accompanying responsible adults this is simply too much for one Heritage in Schools Specialist to provide a quality service.
- One responsible adult remains at the rear of the group and that all participants must stay in front of this person at all times.
- They respond appropriately to the information regarding the medical or other conditions of the participants given to them by the accompanying responsible adult.
- They have a complete First Aid kit close by at all times.
- They have some form of communication by which the emergency services can be contacted as soon as possible should the need arise.

## Procedures

The procedures as set out below are additional to those set out above in the Department's Child Protection Policy

### **Accident / Incident:**

*Note: It must be remembered that the "Responsible Adult" is primarily responsible for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed.*

- If at all possible two adults (one of whom must be a "Responsible Adult" other than the HIS Specialist / HC staff member) will remain with the injured child. If one adult is with the child, at least one other adult should remain at the scene.
- The appropriate emergency service should be contacted if necessary as soon as possible (Dial 999 or 112). The person making the contact will need to give location of incident and outline of incident and any injury detected. The contact person must await confirmation that the information given has been received.
- First aid is to be administered as appropriate by a competent person who holds a valid First Aid Certificate.
- HIS Specialist/ HC staff member should inform the line manager (normally school teacher or HC DLP) of the incident as soon as possible and keep them updated.
- If there is a casualty, parents / guardians must be notified as soon as possible via the school personnel.
- Immediately after the incident an incident report sheet must be completed, dated and signed by the Heritage in Schools Specialist / HC staff member(s) present, and presented to and signed and dated by a line manager, i.e. the school teacher / HC DLP.

### **Lost / Missing Person(s):**

Please see Section 5 'Procedures for dealing with Lost / Missing Children' above

### **Dealing with challenging or disruptive behaviour**

The safety and welfare of the children and young people is a priority and the HIS Specialist/ HC staff will deal sensitively and professionally with any difficult issues that may arise. Where instances of challenging or disruptive behaviour occur with children/young people, a record will be kept of this where the instance requires the intervention of a HIS Specialist/ HC staff member or where the safety and well being of others are at risk. HIS Specialists/ Staff members who are present at the time, should complete an incident/accident report form.

The report of the incident should include:

- The programme or activity which was happening at the time;
- Date of Incident;
- A record of what happened;
- Details of who was involved;
- Details of where and when it happened;
- A record of any significant comments;

- A record of any injury to person or property;
- Details of how the situation was resolved or left.

**Child Protection Policy and Code of Behaviour for Child Protection Declaration**

Name (block capitals): \_\_\_\_\_

Date of birth: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone number: \_\_\_\_\_

Work location: \_\_\_\_\_

Work Title: \_\_\_\_\_

I have received a copy of the

**Heritage Council's Child Protection Policy**

I have read and understand the particulars outlined in both the policy and the additional practices and procedures and I agree to follow the guidelines on procedures and practices contained within them.

Signed: \_\_\_\_\_  
Name of HIS Specialist / HC Staff Member

Date: \_\_\_\_\_

This declaration must be signed and returned to:

**Amanda Ryan, Heritage in Schools Manager, Heritage Council, Church Lane, Kilkenny.**

**Appendix A – for HC Staff Only / N/R for Heritage in Schools Specialists**

Please describe each event or activity hosted at your site under the following headings:

Event <sup>1</sup>	Venue <sup>2</sup>	Category of participant <sup>3</sup>	Maximum number of participants	Booking required Y or N	Registration Y or N	Risk Level <sup>4</sup>	Supervisory Ratio expressed as HC Staff: Responsible Adult <sup>5</sup> : Child

<sup>1</sup>Event/activities may include but are not limited to school outreach visits, activities based at your site’s education centre, indoor tours for children, e.g. castle tours, site based outdoor activities, e.g. woodland walks or trails, family events, large scale events.

<sup>2</sup> Venue may include for example, a school, education centre, indoor national park amenity e.g. castle, outdoor national park amenity, e.g. mountain, woodland, beach / shore front.

<sup>3</sup>Category of participant may include primary school children, secondary school children, e.g. transition year students.

<sup>4</sup> In assessing an activity’s level of risk, the *probability* of injury occurring during the activity and the *severity* of such an injury are scored as outlined on page 3.

<sup>5</sup> A responsible adult may include a teacher, parent or guardian.

**PROBABILITY OF INJURY**

- 1 = HIGHLY IMPROBABLE – almost certainly will not occur
- 2 = UNLIKELY – probably will not occur
- 3 = POSSIBLY – reasonable chance of occurring
- 4 = PROBABLE – likely to occur

**SEVERITY**

- 1 = TRIVIAL – unlikely to involve injury
- 2 = MILD – may involve some injury
- 3 = MODERATE – likely to involve injury
- 4 – SEVERE – life threatening

Having scored the activity's injury probability and severity, plot the probability score on the vertical axis and the severity score on the horizontal axis of the matrix below. Read down and across from each score to the cell that intersects both axes. The number in this cell indicates the activity's risk level. The risk levels are colour coded as shown below.

**Matrix of probability (vertical axis) and severity (horizontal axis)**

	1	2	3	4
1	1	2	3	4
2	2	4	6	8
3	3	6	9	12
4	4	8	12	16

**GREEN** activities (scoring 1, 2, 3 or 4) are low risk

**AMBER** activities (scoring 6, 8 or 9) are medium risk

**RED** activities (scoring 12 or 16) are high risk

Appendix B

School / Club Booking Form

<b>Agreed Date of Your Visit:</b>	<b>Agreed Times:</b>
-----------------------------------	----------------------

<b>Class:</b>	<b>Numbers:</b>
---------------	-----------------

<b>What activities do you wish to participate in?</b>
---

--

<b>Names of teachers/responsible adults attending:</b>
--

<b>Any children with special or additional needs:</b>
---

<b>Additional Information:</b>
--------------------------------

<b>School Insurance Details:</b>
----------------------------------

<b>Contact Person Details and Phone Number:</b>
<b>Full School Name / Club Name &amp; Phone Number:</b>
<b>School / Club E-mail address:</b>

This form must be signed by the person in control of discipline and safety on the day.

Signed:.....

Please e-mail all booking forms to \_\_\_\_\_

Alternatively, post completed forms to \_\_\_\_\_

**The teachers/ responsible adults are responsible for their group at all times while visiting the park/site.**

**(Please contact ? in the case of an emergency)**

## APPENDIX 4

Standard Report Form for reporting child protection and/or welfare concerns to the HSE (also available as an MSWord version at [www.hse.ie/go/childrenfirst](http://www.hse.ie/go/childrenfirst)).

FORM NUMBER: CC01:01:00

### STANDARD REPORT FORM

*(For reporting CP&W Concerns to HSE)*



**A. To Principal Social Worker/Designate:** \_\_\_\_\_

**1. Date of Report** \_\_\_\_\_

**2. Details of Child**

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:	DOB				
	School	Age			
Alias	Correspondence address (if different)				

**3. Details of Persons Reporting Concern(s)**

Name:		Telephone No.	
Address:	Occupation:		
	Relationship to client:		
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

**4. Parents Aware of Report**

	Yes	No
Are the child's parents/carers aware that this concern is being reported to the HSE?	<input type="checkbox"/>	<input type="checkbox"/>

**5. Details of Report**

*(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)*

**STANDARD REPORT FORM***(For reporting CP&W Concerns to HSE)***6. Relationships**

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone Nos.		Telephone Nos.	

**7. Household composition**

Name	Relationship	DOB	Additional information, e.g. school/occupation/other

**8. Name and Address of other personnel or agencies involved with this child:**

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other ( <i>specify</i> ):		

**9. Details of person(s) allegedly causing concern in relation to the child**

Relationship to child:	Age	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:	Occupation:				
Address:					

**10. Details of person completing form**

Name:	Occupation:
Signed	Date:

## Guidance Notes

The HSE has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The HSE 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 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 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 HSE aims to work in partnership with parents. If you are making this report in confidence, you should note that the HSE cannot guarantee absolute confidentiality for the following reasons:

- A Court could order that information be disclosed.
- Under the Freedom of Information Act 1997, 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 Protections for Persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone the HSE duty social worker and discuss your concerns with them

*(see Appendix 5 for a full list of HSE offices nationwide).*

**APPENDIX 5**  
**HSE Nationwide: List of Duty Social Work Contact Details**

<b>HSE Dublin Mid Leinster: Duty Social Work Services</b>		
Dublin South (Dún Laoghaire)	Our Lady's Clinic Patrick St Dún Laoghaire (NB Jan-Apr '08 - Northumberland Ave, Dún Laoghaire)	Tel: 01 6637300 Fax: 01 2844955
Dublin South East	Duty Social Work Team Leader HSE, Vergemount Hall Clonskeagh Dublin 6	Tel: 01 2680320 / 01 2680333 Fax: 01 2680406
Wicklow	North Team (Bray Area) Bray Health Centre, Block B Civic Offices, Main St., Bray  South Team (Wicklow / Arklow Area) Seafront Office Unit 3 North Quay, Wicklow	Tel: 01 2744100 / 01 2744180 Fax: 01 2744136  Tel: 0404 60800 Fax: 0404 60888
Dublin South City	Duty Team Leader HSE Dublin Mid Leinster Carnegie Centre 21-25 Lord Edward St Dublin 2	Tel: 01 6486555 Fax: 01 6486702
Dublin South West	Duty Team Leader Millbrook Lawns Health Centre St Dominic's Tallaght, Dublin 24	Tel: 01 4275000 Fax: 01 4275090
Dublin West	Bridge House Social Work Department Community Services Dublin West Cherry Orchard Hospital Ballyfermot Dublin 10	Tel: 01 6206387 Fax: 01 6206388
Kildare West Wicklow	Social Work Dept	Tel: 045 882400

	Swan Centre Fairgreen Naas Co Kildare	Fax: 045 882424
Laois	Social Work Department Child and Family Centre Portlaoise	Tel: 057 86 92567 Fax: 057 86 62535
Offaly	Social Work Department Derry Suite Castle Buildings Tara St Tullamore, Co Offaly	Tel: 057 93 70700 Fax: 057 93 70748
Longford	Social Work Department Tivoli House Dublin Road Longford	Tel: 043 3350584 Fax: 043 3350798
Westmeath	Duty Social Work Athlone Health Centre Coosan Road Athlone Co Westmeath	Tel: 090 64 83106 Fax: 090 64 91329
	Duty Social Work Child and Family Centre Springfield Mullingar Co Westmeath	Tel: 044 93 84450 Fax: 044 93 84396

## HSE Nationwide: List of Duty Social Work Contact Details

HSE Dublin North East - Duty Social Work Services		
Cavan	HSE Community Child & Family Services Drumalee Cross Cavan	Tel: 049 4377305 & 049 4377306 Fax: 049 4377377
Monaghan	Duty Social Work Department Local Health Care Unit Rooskey Monaghan	Tel: 047 30426 / 047 30427 Fax: 047 77908
Dublin North Central	Duty Social Work Office 22 Mountjoy Square Dublin 1  Ballymun Civic Centre (2 <sup>nd</sup> floor) Main St Ballymun Dublin 9	Tel : 01 855 6871 Fax: 01 855 0589  Tel: 01 8467235 Fax: 01 8467522
North Dublin	Coolock Health Centre Cromcastle Rd Coolock Dublin 5	Tel: 01 8160314 / 8160373 Fax: 01 8487747
North-West Dublin	Wellmount Health Centre Finglas Dublin 11	Tel: 01 8567704 Fax: 01 8567702
Louth	Social Work Department Local Health Care Unit Wilton House Stapleton Place Dundalk Co Louth	Tel: 042 9392200 Fax: 042 9392264
Meath	Duty Social Work 25 Brewshill Navan Co Meath	Tel: 046 9030616 Fax: 046 9030648

## HSE Nationwide: List of Duty Social Work Contact Details

HSE South - Duty Social Work Services		
Carlow	Duty Social Work Office Ground Floor St Dymphna's Hospital Athy Road Carlow	Tel: 059 9136587 / 059 9136588 Fax: 059 9136502
Kilkenny	Social Work/Child Care Dept HSE South Community Services James's Green Kilkenny (moving to new premises some time in 2008)	Tel: 056 7784532 / 056 7784017 Fax: 056 7784000
Cork - North Lee	Duty Social Work Dept. Blackpool (adjacent to Shopping Centre) Blackpool Cork	Tel: 021 4927000 Fax: 021 4927001 / 021 4927002
Cork - South Lee	Duty Social Worker South Lee Social Work Dept. St Finbarr's Hospital Cork	Tel: 021 4923001 Fax: 021 4312960
West Cork	Social Work Department HSE South West Cork Community Services Coolnagarrane Skibbereen Co Cork	Tel: 028 40447 Fax: 028 40449
North Cork	HSE Social Work/Child Protection Offices 134 Bank Place Mallow Co Cork	Tel: 022 54100 Fax: 022 54150

Kerry	<p>Kerry Community Services, Rathass Tralee Co Kerry</p> <p>Killarney Duty Social Work Department St Margaret's Road Killarney Co Kerry</p>	<p>Tel: 066 7195641 / 066 7195642 / 066 7195643 Fax: 066 7195610</p> <p>Tel: 064 36030 / 064 50700 Fax: 064 70714</p>
Tipperary South Tipperary	Duty Social Work Team South Tipperary Community Care Services Western Road Clonmel, Co Tipperary	Tel : 052 77303 Fax: 052 77301
Waterford  Dungarvan	<p>Social Work Service HSE, Waterford Community Services Cork Rd Waterford</p> <p>Duty Social Work Department Dungarvan Community Services St Joseph's Hospital Dungarvan Co Waterford</p>	<p>Tel: 051 842827 / 051 842841 Fax: 051 842811</p> <p>Tel: 058 20921 / 058 20906 Fax: 058 44485</p>
Wexford North  Wexford South	<p>Gorey Health Centre Hospital Grounds Gorey Co Wexford</p> <p>Enniscorthy Health Centre Millpark Road Enniscorthy Co Wexford</p> <p>New Ross Health Centre Hospital Grounds New Ross Co Wexford</p>	<p>Tel: 053 21374 / 053 9430100 Fax: 053 9421492</p> <p>Tel: 053 9233465 / 053 9243700 Fax: 053 9233469</p> <p>Tel: 051 421445 Fax: 051 421238</p>

	Duty Social Work Dept Ely Hospital Ferrybank Wexford	Tel: 053 9123522 Ext 201 Fax: 053 9147706
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## HSE Nationwide: List of Duty Social Work Contact Details

HSE West - Duty Social Work Services		
Donegal	<p>East Team, Links Business Centre Lisfannon Buncrana Co Donegal</p> <p>West Team Euro House Killybegs Road Donegal Town</p> <p>East Central Team Millennium Court Pearse Road Letterkenny, Co Donegal</p> <p>West Central Team Millennium Court Pearse Road Letterkenny Co Donegal</p>	<p>Tel: 074 9320420 Fax: 074 9320419</p> <p>Tel: 074 9723540 Fax: 074 9723489</p> <p>Tel: 074 9123672 Fax: 074 9123697</p> <p>Tel: 074 9123770 Fax: 074 9123697</p>
Clare	<p>Social Work Dept River House Gort Road Ennis Co Clare</p>	<p>Tel: 065 6863908 / 065 6863907 Fax: 065 6863984</p>
Galway City and County	<p>Galway City Duty Social Worker Local Health Office HSE West 25 Newcastle Road Galway</p> <p>Galway County Tuam Social Work Department Health Centre Vicar Street Tuam Co Galway</p> <p>Loughrea Social Work Department Health Centre Loughrea</p>	<p>Tel: 091 546366 / 546370 / 546325 / 546369 Fax: 091 527601</p> <p>Tel: 093 24492 Fax: 093 24608</p> <p>Tel: 091 847820 Fax: 091 842927</p>

<p>Galway City and County <i>continued</i></p>	<p>Co Galway</p> <p>Ballinasloe Social Work Department - Health Centre Brackernagh Ballinasloe Co Galway</p> <p>Oughterard Social Work Department Health Centre Oughterard Co Galway</p>	<p>Tel: 09096 46200 Fax: 09096 46211</p> <p>Tel: 091 552200 Fax: 091 552023</p>
<p>Limerick East &amp; West</p>	<p>Limerick East, Roxtown Health Centre Old Clare St Limerick</p> <p>Moyross Health Centre Moyross Limerick</p> <p>Ballynanty Health Centre Kileely Rd Ballynanty, Limerick</p> <p>SW Dept. South Hill Health Centre South Hill Limerick City</p> <p>Limerick West SW Dept Newcastle West Health Centre Gortboy Newcastle West, Co Limerick</p>	<p>Tel: 061 483091 Fax: 061 419063</p> <p>Tel: 061 483790 / 061 326010 Fax: 061 329314</p> <p>Tel: 061 457100 (if Moyross not available) Fax: 061 457101</p> <p>Tel: 061 209985 Fax: 061 209998</p> <p>Tel: 069 66653 Fax: 069 62980</p>
<p>Mayo</p>	<p>Ballina Social Work Team Health Centre Mercy Road Ballina, Co Mayo</p> <p>Castlebar Social Work Team Hill House Mountain View Castlebar Co Mayo</p> <p>Swinford Social Work Team,</p>	<p>Tel: 096 21511 / 096 24841 Fax: 096 70442</p> <p>Tel: 094 9022333 Fax: 094 9026110</p> <p>Tel: 094 9251900</p>

	Health Centre Swinford Co Mayo	Fax: 094 9252570
North Tipperary	North Tipperary Social Work Department Annbrook Limerick Rd Nenagh Co Tipperary  St Mary's Health Centre Parnell Street Thurles Co Tipperary	Tel: 067 41934 Fax: 067 42069  Tel: 0504 27609 Fax: 0504 24638
Roscommon	Roscommon Town, Duty Social Work Community Services, Lanesboro Road Roscommon  Boyle Area, Health Centre Boyle Co Roscommon  Castlerea Area, SW Dept HSE Offices Heavey House Knockroe Castlerea Co Roscommon	Tel: 090 66 37528 / 090 66 37556 Fax: 090 66 27043  Tel: 071 96 62087 Fax: 071 96 63496  Tel: 090 66 37842 Fax: 094 96 21288
Sligo/Leitrim/West Cavan:	Sligo town and surrounding areas: Markievicz House Barrack Street, Sligo  South County Sligo: One Stop Shop Teach Laighne Humbert Street Tubbercurry  County Leitrim/West Cavan: Community Care Office Leitrim Road	Tel: 071 91 55133 Fax: 071 91 55142  Tel: 071 91 20062 Fax: 071 91 85472  Tel: 071 96 50324 Fax: 071 96 20334

	Carrick on Shannon Co Leitrim	
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## APPENDIX 6

### Protection for persons reporting child abuse

#### Protection for Persons Reporting Child Abuse Act 1998

The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to the HSE or An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded a plaintiff who took action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to the HSE and to the Garda Síochána should be made as per the Heritage Council’s policy and guidelines.

*Section 3 (1) of the Act states:*

*“3. (1) A person who apart from this section, would be so liable shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that-*

- (a) a child has been or is being assaulted, ill-treated, neglected or sexually abused, or*
- (b) a child’s health development or welfare has been or is being avoidably impaired or neglected,*

*unless it is proven that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.*

Under Section 4 of the same Act no employee will be penalised for making a report of child abuse in good faith to the HSE or to the Garda Síochána.

#### The Defence of Qualified Privilege

A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence of qualified privilege.

The Common Law provides a defence, in particular circumstances, to individuals who make <sup>31</sup> verbal or written statements of a kind, which could expose their author to a claim of defamation if such statements were made in different circumstances. The defence exists in recognition of the fact that there are circumstances in which individuals have to be able to speak freely without fear of adverse legal consequences.

In general, the privilege covers situations where the maker of the statement has a duty to speak or is obliged to protect some interest. The duty in question does not have to be a strictly legal one: a moral or social duty to make a statement or report is sufficient. The recipient of the statement must have a corresponding duty to receive the statement. The defence only applies where the individual who makes the statement is not motivated by malice in making this statement.

In circumstances where an individual has a duty to speak and does so without malice, he can be assured that the defence of the qualified privilege will protect him from any defamation claim to which his statement could possibly give rise. The defence will apply, for example, when an employee reports to his line manager (or some specially designated person), his bona fide suspicion

that a fellow employee may have committed an act of abuse in the course of the latter's employment.

## APPENDIX 7

### Allegation against staff member; Protective Measures

Pending the outcome of the investigation, the Heritage Council should take whatever protective measures necessary to ensure that children are not exposed to unacceptable risk. These protective measures are not disciplinary measures, and may include:

- Providing an appropriate level of supervision;
- Re-assigning duties where the accused will not have contact with children/ young people;
- Putting the staff member off duty with pay.

Putting the staff member off duty pending the outcome of the investigation should be reserved for exceptional circumstances. It should be explained to the staff member concerned that the decision to put him/her off duty is a precautionary measure and not a disciplinary sanction.

The views of the staff member concerned will be taken into consideration when determining the appropriate protective measures to take. However, the final decision will rest with the CEO of the Heritage Council.

**APPENDIX 8**

**Staff Declaration form**

Child Protection Policy Declaration

**Name (block capitals):** \_\_\_\_\_

**Date of birth:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Telephone number:** \_\_\_\_\_

**Work location:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**I have received a copy of the  
Heritage Council's Child Protection Policy**

**I have read and understand the particulars outlined in the policy and I agree to follow the  
guidelines on procedures and practices contained within it.**

**Signed:** \_\_\_\_\_ **Name of Employee**

**Date:** \_\_\_\_\_

This declaration must be signed and returned to:

HR Manager, The Heritage Council, Church Lane, Kilkenny

APPENDIX 9

Self-Declaration form

HERITAGE COUNCIL

SELF-DECLARATION FORM

This post involves substantial access to children and young people. The Heritage Council is committed to the welfare and protection of children and young people, and therefore must ask you to declare the following information to us. The information you provide on this declaration is treated as strictly confidential.

FORENAME: \_\_\_\_\_ SURNAME: \_\_\_\_\_  
(Block capitals)

ANY OTHER NAME(S) BY WHICH YOU WERE PREVIOUSLY KNOWN (if applicable):

\_\_\_\_\_  
(Block capitals)

HAVE YOU EVER BEEN CONVICTED OF A CRIMINAL OFFENCE?

YES  NO

HAVE YOU EVER BEEN THE SUBJECT OF A CAUTION?

YES  NO

HAVE YOU EVER BEEN THE SUBJECT OF A BOUND OVER ORDER?

YES  NO

**IF YOU HAVE ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE STATE THE NATURE AND DATE(S) OF THE OFFENCE(S):**

**DATE OF OFFENCE**

**NATURE OF OFFENCE**

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

**IMPORTANT**

You must sign and date this declaration below.

In the event that you are offered a position you will be subject to a Garda Vetting inquiry. If the Garda vetting inquiry discloses any information to us which contradicts the information you have provided on this declaration, it will result in your immediate dismissal.

**SIGNED:** \_\_\_\_\_

**DATE:** \_\_\_\_\_