

Child Safeguarding Resource Document

Child Safeguarding Statement, Policy and
Procedures; Guidance for Early Learning and Care
and School Aged Childcare Services in Ireland



The National Child Safeguarding Programme; Early Learning and Care

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This publication updates and replaces our previous resource
“Developing a Child Safeguarding Statement: A Guide for Early Years Services in Ireland”

“Child Safeguarding Statement, Policy, and Procedures: Guidance for Early Learning and Care and School Aged Childcare Services in Ireland” is a resource for ELC and SAC services who are developing, reviewing or updating their Child Safeguarding Statement and associated procedures.

This resource is designed to be used by each individual ELC and SAC service and should reflect the individuality of all services.

This document was developed by the National Child Safeguarding Programme; Early Learning and Care, in conjunction with Tusla Children First Information and Advice Officers.

The National Child Safeguarding Programme Committee has representatives from the following organisations:

- Barnardos
- Childcare Committees Ireland
- Childminding Ireland
- Comhar Naíonraí na Gaeltacht
- Dublin City Childcare Committee
- Early Childhood Ireland
- Tusla – Children First Information and Advice Officers
- Tusla – Early Years Inspectorate

Further information on the National Child Safeguarding Programme can be found at www.childsafeguardingelc.ie

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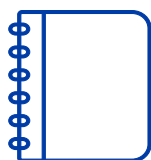
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ACRONYMS AND GLOSSARY

Outlined below are the acronyms and terminology that are used throughout this document. **Throughout this document there are numerous references to Tusla. Unless expressly declared, any reference to Tusla refers to Tusla Social Work.**

ASG – An Garda Síochána

COB – Code of Behaviour

CSS – Child Safeguarding Statement

CSSCU – Child Safeguarding Statement Compliance Unit

ELC – Early Learning and Care

SAC – School Aged Childcare

Child – any person under 18 years, who is not or has not been married, as defined in the Child Care Act 1991

Child Protection and Welfare Report Form (CPWRF) – form for reporting suspected or alleged abuse or welfare concerns to Tusla. Available on the Tusla website.

Child Safeguarding – ensuring safe practice and appropriate responses by workers and volunteers to concerns about the safety or welfare of children, including online concerns, should these arise. Child safeguarding is about protecting the child from harm, promoting their welfare and in doing so creating an environment which enables children and young people to grow, develop and achieve their full potential.

Child Safeguarding Procedures – previously referred to as child protection and welfare policy and procedures, the procedures an organisation has in place to safeguard children from harm and reduce the risks to children of being harmed.

Child Safeguarding Statement – defined in the Children First Act 2015, this is a statement which includes a written assessment of risk of harm to children while availing of the service, and the measures that will be taken to manage any identified risks.

Code of Behaviour – A document that specifies acceptable and unacceptable practices for workers in ELC and SAC services

Dedicated Contact Point (DCP) – each Tusla area has a dedicated contact point that you can contact to discuss and/or report child protection or welfare concern.

Designated Liaison Person (DLP) – a person appointed by a service to be a resource to any worker who has a child protection concern. DLPs are responsible for ensuring that reporting procedures are followed correctly and promptly and act as a liaison person with other agencies (see Children First: National Guidance).

Harm – as defined in the Children First Act 2015, means ‘in relation to a child— (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or (b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise’.

Mandated person – are listed in Schedule 2 of the Children First Act, 2015. They are workers 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.

Named person – a person appointed by an organisation to lead the development of the Child Safeguarding Statement and Child Safeguarding Procedures. The Named Person will also be responsible for ensuring that policies and procedures are consistent with best practice as detailed in this document.

Owner/BOM – owner of a private ELC or SAC service OR Chairperson of Board of Management – whichever is relevant.

Parent – parent or guardian for a child or children.

Provider of a Relevant Service – as per the Children First Act 2015, is someone who employs, contracts with or permits one, or more than one other person, to undertake any work or activity that constitutes a relevant service.

QRF – Tusla Quality and Regulatory Framework. There are 6 separate versions of this document for all different types of services. Services should ensure that they are referencing the QRF relevant to their service.

Relevant person – as defined in the Children First Act 2015, ‘means a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider’s Child Safeguarding Statement’.

Relevant service – as defined in the Children First Act 2015, ‘means any work or activity specified in Schedule 1 of the Children First Act, 2015’.

Retrospective Abuse Report Form (RARF) – for reporting to Tusla cases of adults disclosing their childhood abuse. Available on the Tusla website.

Risk assessment – as used in the Children First Act 2015, means ‘an assessment of any potential for harm to a child while availing of the service’.

Service – an Early Learning and Care or School Aged Childcare service.

Tusla, The Child and Family Agency – The lead statutory organisation for safeguarding children in Ireland.

Tusla Web Portal – the Tusla web portal allows professionals to securely submit child protection and welfare reports.

Worker – inter alia, any staff member, volunteer or student engaged in an organisation to provide services to children or families.



INTRODUCTION AND PURPOSE OF THIS GUIDE

The Children First National Guidance states that all organisations that provide services to children should develop specific policies and procedures to create a safe environments for children.

In addition, the Children First Act, 2015, requires Providers of Relevant Services to develop a Child Safeguarding Statement that outlines the service that is provided and the procedures that will be observed to keep children safe from harm. The Child Safeguarding Statement should also include a risk assessment for all children availing of the service and include specified procedures to mitigate any identified risks.

ELC and SAC services are deemed to be Providers of Relevant Services under the Act.

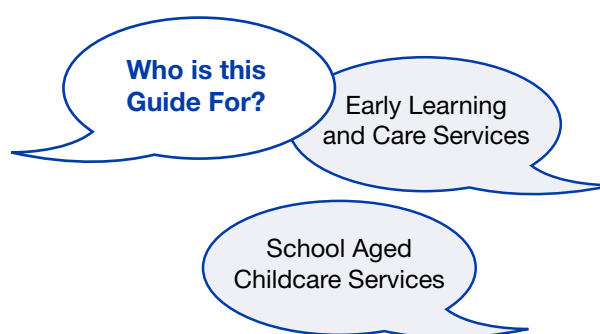
The purpose of this guide is to support Early Learning and Care and School Aged Childcare services to develop each part of a Child Safeguarding Statement and accompanying Child Safeguarding Policies and Procedures. Using this guidance will help Early Learning and Care and School Aged Childcare services to meet their responsibilities under the Children First Act and Guidance and to implement best practice in the safeguarding of children.

This guide is broken down into 3 parts – Part A, Part B and Part C.

Part A – outlines the legal obligations that are placed on Early Learning and Care and School Aged Childcare Services under the Children First Act, 2015. This section explores the purpose of the Child Safeguarding Statement and what are the necessary components. This part of the guide contains the Child Safeguarding Statement Information Sheet and Template which provide a basis for ELC and SAC service to develop their Child Safeguarding Statement and includes a template on how to conduct the risk assessment. Further to this there is a step-by-step guide which is a handy resource when services are developing their Child Safeguarding Statement.

Part B – provides guidance for ELC and SAC services when developing and implementing their Child Safeguarding Procedures. This section outlines the key roles in safeguarding and offers guidance on developing the specified procedures under the Children First Act, 2015 and also supports services to develop and implement additional procedures required to keep children safe from harm.

Part C – supports ELC and SAC services to implement their Child Safeguarding Procedures and identifies what steps to take when monitoring and reviewing their Child Safeguarding Procedures, a requirement under the Children First Act, 2015.



The information in this document has been derived from the following documents and it is recommended that this resource is used in conjunction with these publications:

- [The Children First Act, 2015](#)
- [Children First: National Guidance for the Protection and Welfare of Children, 2017](#)
- [Tusla's Guidance on Developing a Child Safeguarding Statement](#)
- [Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd Edition](#)
- [Tusla's A Guide for the Reporting of Child Protection and Welfare Concerns](#)



ELC and SAC services should all ensure that they have a Child Safeguarding Training Strategy which outlines a services commitment and plan to ensure that all workers receive appropriate child safeguarding training so that they are aware of and understand their roles and responsibilities in relation to keeping children safe from harm.

PART A



CHILD SAFEGUARDING STATEMENT – OUTLINE OF LEGAL OBLIGATIONS AND ASSOCIATED RESOURCES

OVERVIEW OF THE CHILD SAFEGUARDING STATEMENT

As the provider of relevant services, all ELC and SAC services are obliged under the Children First Act to:

- Keep children safe from harm while they are using the service
- Carry out a risk assessment to identify whether a child could be harmed while availing of the service
- Develop a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage all risks that have been identified
- Appoint a relevant person to be the first point of contact in respect of the service's Child Safeguarding Statement

The following sections/resources are designed to support ELC and SAC services in meeting their obligations under the Children First Act. These include:

1. Child Safeguarding Statement Information Sheet
2. Child Safeguarding Statement Template
3. Risk Assessment Template
4. Steps for Completing the Child Safeguarding Statement

Child Safeguarding Statement Information Sheet and Template

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National Child
Safeguarding Programme;
Early Learning and Care

CHILD SAFEGUARDING STATEMENT TEMPLATE AND RISK ASSESSMENT TEMPLATE FOR EARLY LEARNING AND CARE AND SCHOOL AGED CHILDCARE SERVICES

A word document template is available [HERE.](#)

This sample template is provided as a guide only. It is a standardised format for a Child Safeguarding Statement and Risk Assessment Statement. Please insert relevant information and delete any examples that do not apply to your service.



CHILD SAFEGUARDING STATEMENT TEMPLATE FOR EARLY LEARNING AND CARE SERVICES

[START of CSS template]

This sample template is provided as a guide only. It is a standardised format for a Child Safeguarding Statement. Please insert relevant information and delete any examples that do not apply to your service.

All guidance notes (in blue) should be deleted before finalising the CSS.

CHILD SAFEGUARDING STATEMENT (CSS)

1. Name of service being provided:

E.g. XXX Early Learning and Care Service or School Aged Childcare Service

2. Nature of service and principles to safeguard children from harm

Guidance note: Describe the nature of your service and the guiding principles that you will observe to keep children safe from harm whilst availing of the service.

(a.) Nature of the Service

For example:

At XXX Early Learning and Care or School Aged Childcare Service we deliver a high quality, child centred service for children and young people.

- We provide a full day care service to children aged 0-12 including full day care, ECCE programme and school aged childcare.
- We take children on trips and outings. The nature of our outings are determined by the appropriate regulations under the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018.
- We have a designated, secure outdoor area where we provide learning activities for children.
- We have outdoor activities for children and young people.
- We provide additional support under the AIM model to smaller groups to allow all children to meaningfully participate in this ELC service.

Guidance note: Include the following in your guiding principles but outline additional principles if these are relevant for your service.

(b.) Guiding principles to safeguard children from harm:

We believe that:

1. Our priority to ensure the welfare and safety of every child and young person who attends our service, is paramount.
2. Our guiding principles and procedures to safeguard children and young people reflect national policy and legislation and we will review our guiding principles and Child Safeguarding Procedures every two years.
3. All children and young people have an equal right to attend a service that respects them as individuals and encourages them to reach their potential, regardless of their background.

4. We are committed to upholding the rights of every child and young person who attends our service, including the right to be kept safe and protected from harm, to be listened to and to be heard.
5. Our guiding principles apply to everyone in our service.
6. Workers must conduct themselves in a way that reflects the principles of our service.

3. Risk Assessment Template

We have carried out an assessment of any potential for harm (*as defined in the Children First Act 2015*) to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

Guidance note: Insert below areas where risks have been identified and where procedures are in place to manage the identified risk. Procedures may need to be developed to manage the identified risk

The following areas below are examples, Each Early Learning and Care and School Aged Childcare Service must ensure that the risks identified are relevant to their settings and the activities they provide. The examples provided below are for consideration only and should be expanded on or added to as appropriate.

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
1	<p>For example: Risk of harm of abuse by workers..</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Rough handling of children by staff in a way that causes harm to a child • Staff/volunteers shouting at or chastising children to the extent that it causes harm to a child • On-going provision of inadequate food and/or nutrition to the extent that it causes harm to a child 	<ul style="list-style-type: none"> • Recruitment and Selection Procedure • Complaints Procedure • Procedure on Managing Behaviour • Staff Training Procedure • Staff Induction Procedure • Reporting Procedure • Child Safeguarding Training Strategy • Garda Vetting Procedure • Code of Behaviour for Workers • Allegation of Abuse Against Workers Procedure
2	<p>For example: Risk of abuse by staff and volunteers not knowing or failing to follow correct procedures.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Children placed at risk due to inadequate supervision • Children being harmed as a result of staff not reporting appropriate concerns • Children being harmed by inappropriate actions or interactions by staff 	<ul style="list-style-type: none"> • Child Safeguarding Training Strategy • Staff Supervision Procedure • Reporting Procedure • Allegations of Abuse against Staff/Students/Volunteers Procedure • Complaints Procedure • Code of Behaviour for staff and volunteers Procedures • Procedure on Managing Behaviour

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
3	<p>For example: Risk of abuse during lone working/1:1 working (personal care and intimate care).</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • An incident of sexual abuse by a worker for example, during nappy changing or intimate care routines • An incident of physical abuse by a worker during one-to-one work • Emotional abuse by a worker taking place during one to one work 	<ul style="list-style-type: none"> • Staff Child Safeguarding Training Procedure • Staff Supervision Procedure • Recruitment and Selection Procedure • Garda Vetting Procedure • Personal and Intimate Care Procedure • Inclusion Procedure • Code of Behaviour for workers • Allegation of Abuse Against workers Procedure
4	<p>For example: Risk of harm by use of unauthorised photography or from online abuse through social media or internet access.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Poor management of images or recordings of children, including those shared publicly or on social media 	<ul style="list-style-type: none"> • Procedure on Safe Internet Use, Including the Use of Photographic and Recording Devices • Social Media Procedure • Retention of Records Procedure
5	<p>For example: Risk of harm from unannounced visitors to services (e.g. maintenance/ repairs/deliveries).</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Risk of children absconding from services due to procedures for entering and exiting buildings not being adhered to, such as doors being closed etc. • Risk of physical, sexual or emotional abuse to children from visitors • Children placed at risk of harm due to inadequate supervision 	<ul style="list-style-type: none"> • Staff Absences Procedure • Risk Management Procedure • Supervision of Children Procedure • Visitor Signing in Procedure • Safety Statement Procedure

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
6	<p>For example: Risk of harm from peer-to-peer abuse.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Repeated, extreme acts of bullying (i.e., verbal, psychological or physical aggression between children) • Children using social media platforms to post derogatory comments or pictures of other children 	<ul style="list-style-type: none"> • Anti-bullying Procedure • Supervision of Children Procedure • Complaints Procedure • Staff Child Safeguarding Training Strategy
7	<p>For example: Risk of harm on outings.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Children placed at risk of harm due to inadequate supervision on outings • A child going missing, or is unaccounted for, for any period of time 	<ul style="list-style-type: none"> • Outings Procedure • Risk Management Procedure • Staff Child Safeguarding Training Strategy • Critical Incident Procedure

4. Procedures

Guidance note: The following text outlines the procedures which are specified in the Children First Act, 2015 and must appear in the Child Safeguarding Statement.

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, Children First: National Guidance for the Protection and Welfare of Children 2017, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd Edition.

The procedures listed in our Risk Assessment and the Specified Procedures below support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service;
- Procedure for the safe recruitment and selection of workers and volunteers to work with children;
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm;
- Procedure for the reporting of child protection or welfare concerns to Tusla;
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons;
- Procedure for appointing a Relevant Person.

This Child Safeguarding Statement will be displayed prominently.

All procedures will be made available to staff, parents, young people, members of the public and Tusla, if requested.

5. Implementation and Review

Guidance note: At a minimum, reviews must be carried out every 24 months. The Provider of the Relevant Service is the person who has overall responsibility for the organisation. This may be the Chief Executive Officer, chairperson of a Board of Management, owner/operator, etc.

We recognise that implementation is an on-going 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.

This Child Safeguarding Statement will be reviewed on _____ or sooner if there has been a material change in any matter to which the statement refers.

Signed: _____ (Provider of the Relevant Service)

[Insert the name and contact details of the Provider of the Relevant Service]

Guidance note: You must include the name and contact details of the Relevant Person, who is the first point of contact regarding your Child Safeguarding Statement.

For queries, please contact [insert name and role], Relevant Person under the Children First Act 2015.

[END OF CSS template]



STEPS TO DEVELOPING A CHILD SAFEGUARDING STATEMENT

ELC and SAC services are providers of relevant services under the Children First Act 2015.

The Chairperson of the Board of Management or the owner of the service, as the Provider of the Relevant Service, has the legal obligation under the Children First Act to ensure the Child Safeguarding Statement is in place. This is the person who will sign the CSS as the 'Provider of the Relevant Service'.

The BOM/owner may consider appointing a named person to lead the development of the service's Child Safeguarding Statement.

The named person should liaise with all key staff and stakeholders in this task.

Getting Started

- | | |
|---|--|
| <p>1. Describe the ELC and SAC service's organisational structure and services provided. This will help you create a snapshot of your organisation and assist you in framing your CSS.</p> | <ul style="list-style-type: none"> • List the location of all services provided. Your service may consist of one location/premises or there may be a number of locations. Or there may be separate services on the one premises i.e. ELC and SAC. • List the numbers of workers that are employed in your service. • List all of the services/activities that you provide to children. • List the age group of the children that you provide a service for? • List the type and level of contact with children and their families? • Identify any factors within your organisational structure that might pose a risk of harm to children. • Consider the individual care needs of specific children. |
| <p>2. What relevant policies and procedures do you already have in place?</p> | <ul style="list-style-type: none"> • Review and update existing policies and procedures against the list in the CSS template and information sheet in Appendix 1 in order to avoid duplicating work that has already been completed. |
| <p>3. What resources will you need to complete your CSS?</p> | <ul style="list-style-type: none"> • It is important to set aside enough time for writing your CSS. It is important also to identify any support or resources you may need and consider the involvement of other workers and admin support. |

Writing Your Child Safeguarding Statement



- | | |
|--|---|
| <p>1. Name of service being provided</p> | <ul style="list-style-type: none"> • Insert the name of your service and state if it is, for example, an early learning and care or school aged childcare service |
| <p>2. Identify the nature of your service and your principles to safeguard children from harm</p> | <ul style="list-style-type: none"> • Describe a brief outline of the services you provide. • State your principles to safeguard children from harm, which will help you to describe how your service will meet its commitment and responsibility to keep children safe and promote their welfare and best interests. • Please see sample contained in CSS Template and Information sheet (link in page 10 of this document.) • You may also wish to look at Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice, Theme 1, which contains samples of Declarations of Guiding Principles that may assist you in drafting your principles to safeguard children from harm. You may wish to adapt these to suit your service. Please see Appendix 2 of this document for further information. |
| <p>3. Identify risks of harm to children and conduct your risk assessment</p> | <ul style="list-style-type: none"> • See the Child Safeguarding Statement Template, Risk Assessment Template and Information Sheet (link on page 10.) |
| <p>4. List the specified procedures in your Child Safeguarding Statement</p> | <p>These procedures are specified under the Children First Act 2015. They must be listed in your CSS and they must be available on request. You may already have some of these procedures in place. If so, it is important that they are updated in line with the provisions of the Children First Act 2015 and Children First, National Guidance for the Protection and Welfare of Children 2017.</p> <p>These are:</p> <ul style="list-style-type: none"> • Procedure for the management of allegations of abuse or misconduct against workers in relation to a child availing of your service. • Procedure for the safe recruitment and selection of workers to work with children. • Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm. This is your Child Safeguarding Training Strategy. • Procedure for the reporting of child protection or welfare concerns to Tusla, including the roles and responsibilities of the DLP, mandated persons and other workers. • Procedure for maintaining a list of the persons (if any) in the relevant service, who are mandated persons. • Procedure for appointing a relevant person to be the first point of contact for your Child Safeguarding Statement. |

- | | |
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| <p>5. Consider what additional procedures are required to manage risks identified in your risk assessment</p> | <p>The following list of procedures will support best practice in your service as well as manage risks identified in your risk assessment:</p> <ul style="list-style-type: none"> • Safe Management of Activities • Code of Behaviour for Workers • Managing Child Safeguarding Records • Confidentiality Policy • Support and Supervision of Workers • Disciplinary Procedures • Working in Partnership with and Sharing Information with Parents and Children • Anti-Bullying Policy • Complaints Procedure |
| <p>6. Appoint a Relevant Person</p> | <p>A procedure for appointing a Relevant Person is a specified procedure under the Children First Act 2015. In accordance with this procedure, the owner/BOM must appoint a relevant person to be the first point of contact for the Child Safeguarding Statement.</p> <ul style="list-style-type: none"> • The Relevant Person must be named in the Child Safeguarding Statement and contact details provided. • The Relevant Person may also have other key roles in safeguarding, such as being the named person for developing the service's CSS. |
| <p>7. Prepare and maintain a list of mandated persons</p> | <p>A procedure for maintaining a list of mandated persons in the service is a specified procedure under the Children First Act 2015. In accordance with this procedure, the owner/BOM, as the provider of the relevant service, must ensure that this list is developed and maintained.</p> |
| <p>8. Ratify the Child Safeguarding Statement</p> | <ul style="list-style-type: none"> • The owner/BOM of the service must ratify the Child Safeguarding Statement and all Child Safeguarding Policies and Procedures. • As the Provider of the Relevant Service, the owner/BOM must sign the Child Safeguarding Statement. |
| <p>9. Display and Distribute your Child Safeguarding Statement</p> | <ul style="list-style-type: none"> • Your Child Safeguarding Statement must be displayed in a prominent place in the service. • Your Child Safeguarding Statement must be furnished to all workers. • Your Child Safeguarding Statement must be available to parents, children, members of the public and Tusla, if requested. • Child Safeguarding Policies and Procedures must be available on request. |



PART B



GUIDANCE ON DEVELOPING CHILD SAFEGUARDING PROCEDURES

SECTION 1

Key Roles in Safeguarding

There are key roles in safeguarding that ELC and SAC services must be aware of. Understanding the responsibilities of each of these roles and ensuring that child safeguarding is central to your practice is key to keeping children safe from harm.

Information in the following section will assist ELC and SAC services with the development and implementation of child safeguarding policies and procedures.

It is possible that the same person may hold multiple safeguarding roles within the service. For example, the role of relevant person and DLP may be held by the same person.

Named Person

The BOM/owner may consider appointing a named person to lead the development of the service's Child Safeguarding Statement.

This is the person who is responsible for leading the development of the service's Child Safeguarding Statement and/or Child Safeguarding Procedures. The Named Person will ensure that policies and procedures are consistent with best practice as detailed in Tusla's Child Safeguarding; A Guide for Policy, Procedure and Practice 2nd Ed. and will also liaise with all key stakeholders in this regard.

Designated Liaison Person (DLP)

Children First: National Guidance for the Protection and Welfare of Children advises that both public and private organisations providing services for children/young people and families should consider appointing a Designated Liaison Person (DLP) and Deputy DLP (DDL). The DLP will be a resource to any worker who has a child protection or welfare concern. The DLP is responsible for ensuring that the service's reporting procedures are followed correctly and promptly and will act as a liaison person with other agencies.

In line with recommended reporting procedures within ELC and SAC services, it is strongly advised that services appoint a DLP and DDLP to deal with child protection and welfare concerns that arise in the service. This role is central to the reporting procedures outlined in this document.

Appointing a Designated Liaison Person and Deputy Designated Liaison Person

The Board of Management or owner of a service will appoint the Designated Liaison Person (DLP). The DLP is the first point of contact for all staff, volunteers and students who have child protection and welfare concerns. The DLP in ELC and SAC services is usually the manager or owner of the service.

The BOM/owner will also appoint a Deputy Designated Liaison Person (DDL) who will assume the DLP's role and responsibilities when the DLP is not available, for example is on leave. In ELC and SAC services, the DDLP is usually the assistant manager, supervisor or equivalent.

The BOM/owner of the service should ensure that

- The DLP is accessible to all workers during hours of operation
- Contact details for the DLP and DDLP are displayed prominently in the service
- The DLP and DDLP are provided with any training considered necessary to fulfil their role
- The DLP and DDLP is aware of the responsibilities associated with the role including promptly reporting child protection or welfare concerns to Tusla/An Garda Síochána, as appropriate
- Robust and clear reporting procedures are in place for the reporting of child protection and welfare concerns to Tusla.

Role and Responsibilities of the DLP

- Have a confident knowledge of the service's responsibilities in relation to the safeguarding of children
- Have good knowledge of the service's Child Safeguarding Statement and child safeguarding policies and procedures
- Undertake any training considered necessary for the role and keep up to date on any new developments
- Be a resource person for workers who have child protection or welfare concerns
- Receive child protection and welfare concerns from workers and consider if reasonable grounds for reporting to Tusla exist
- Ensure that the service's reporting procedures are followed so that child protection and welfare concerns are referred promptly to Tusla
- Consult informally with a Tusla Duty Social Worker through the Dedicated Contact Point, if necessary
- Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their service
- Where appropriate, make a joint report to Tusla with a mandated person
- Inform the child's parents that a report is to be submitted to Tusla or An Garda Síochána unless:
 - Informing the parents/guardians is likely to endanger the child
 - Informing the parents/guardians may place you, as the reporter, at risk of harm from the family
 - The family's knowledge of the report could impair Tusla's ability to carry out an assessment
- Ensure all concerns, discussions and action taken are clearly documented
- Ensure that all appropriate information is included in any report to Tusla
- Ensure that a secure system is in place to manage and store confidential records
- Liaise with Tusla, An Garda Síochána and other agencies as appropriate
- Keep appropriate people within the service informed of relevant issues, whilst maintaining confidentiality
- Advise the service of child safeguarding training needs.

Mandated Person

Mandated persons are persons listed in Schedule 2 of the Children First Act, 2015, 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.

Under the Children First Act, 2015, the following persons are mandated persons within an Early Learning and Care context:

- A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act, 1991
- A childcare staff member employed in a preschool service within the meaning of Part VIIA of the Child Care Act, 1991.

The Children First Act requires that providers of relevant services must develop and maintain a list of mandated persons within the service. Workers who are mandated persons should be made aware of their responsibilities under the legislation and new staff should be made aware of this at the commencement of their employment. Please see section 2 below which outlines the procedure for maintaining a list of mandated persons.

Mandated persons are only those listed in Schedule 2 of the Children First Act 2015. Services do not appoint a mandated person.

Provider of Relevant Service

Providers of relevant services have specific statutory obligations under the Children First Act 2015 to safeguard children.

A relevant service is defined in the Children First Act 2015 as any work or activity that is specified in Schedule 1 of the Act.

The Provider of a Relevant Service, as defined in the Children First Act 2015, 'means, in relation to a relevant service, a person- (a) who provides a relevant service, and (b) who, in respect of the provision of such relevant service— 7 (i) employs (whether under contract of employment or otherwise) one or more than one other person to undertake any work or activity that constitutes a relevant service, (ii) enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or (iii) permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes a relevant service'.

The Chairperson of the Board of Management or the owner of the service (i.e., the employer), as the Provider of the Relevant Service, has the legal obligation under the Children First Act to ensure the Child Safeguarding Statement is in place. This is the person who will sign the Child Safeguarding Statement as the 'Provider of the Relevant Service'.

Early Learning and Care and School Aged Childcare services are providers of relevant services under the Children First Act, 2015.

Relevant Person

The provider of a relevant service under the Children First Act, 2015, is required to appoint a relevant person. The relevant person is the first point of contact in relation to the Child Safeguarding Statement and their name and contact details should be included in the Child Safeguarding Statement.

SECTION 2

Procedure for Maintaining a list of Mandated Persons

The Children First Act 2015 requires all providers of relevant services to have a procedure in place to maintain a list of any mandated persons in their service. Workers who are mandated persons should be made aware of their responsibilities under the legislation at commencement of their employment.

Procedure for maintaining a list of mandated persons:

- The owner/BOM, as the employer, is the provider of the relevant service, who is responsible for ensuring that the list of mandated persons is created and maintained
- The owner/BOM should consult Schedule 2 of the Children First Act 2015 to determine which staff are mandated persons under the Children First Act, 2015. It may, in some instances, be necessary to seek legal advice in this regard
- A list of all of the mandated persons in the service must be compiled and made available upon request
- The owner/BOM is responsible for consulting with staff to review the mandated persons list to remove persons who are not classified as mandated persons or persons who have left the service
- Those who are identified as mandated persons must be notified of such and informed of their roles and responsibilities by the owner/BOM
- Mandated persons should be directed to specific provision in the service's reporting procedure which provides for reporting under Section 14 of the Children First Act 2015
- Mandated persons must also be directed to specific provision in the service's reporting procedure which provides for mandated assisting
- Appropriate training must be provided for mandated persons
- Mandated persons have a responsibility to inform employers when they are fulfilling their legal responsibilities in relation to mandated reports and mandated assisting
- The procedure for maintaining a list of mandated persons must be reviewed every two years, or earlier if there is a material change to legislation and/or policy.



SECTION 3 Procedure for Appointment of Relevant Person

The Children First Act 2015 requires all providers of relevant services to have a procedure in place to appoint a relevant person. The relevant person is the first point of contact for the service's Child Safeguarding Statement and their name and contact details must be contained in the CSS.

Procedure to Appoint a Relevant Person:

- The owner/BOM, as the provider of the relevant service, will decide and appoint the relevant person
- The relevant person will be informed by the owner/BOM that they are the first point of contact in relation to the Child Safeguarding Statement
 - All workers will be made aware of who has been appointed as the Relevant Person by receiving a copy of the Child Safeguarding Statement which includes the name of the Relevant Person. All parents, children, members of the public and Tusla will also receive a copy of the Statement upon request which will inform them of who has been appointed as a Relevant Person
- The procedure for the appointment of a relevant person will be reviewed every two years, or earlier if there is a material change to legislation and/or policy
 - The Relevant Person's name and contact details must be included in the Child Safeguarding Statement
 - Management and workers will ensure that any queries in relation to the Child Safeguarding Statement are directed to the Relevant Person as named on the CSS.

SECTION 4 Procedure for Reporting Child Protection or Welfare Concerns

Children First: National Guidance for the Protection and Welfare of Children requires organisations to have procedures in place for reporting all concerns about the welfare or protection of children that may arise. Furthermore, a procedure for reporting to Tusla is a specified procedure for all providers of relevant services under the Children First Act 2015. This procedure should be understood and followed by all workers within the ELC/SAC service.

Guiding Principles for Reporting

- All workers have a responsibility to safeguard children and to report child protection and welfare concerns in line with their service's reporting procedures
- The safety and wellbeing of the child takes priority over all other considerations
- All workers should be familiar with the types of abuse and how they may be recognised, as outlined in *Children First: National Guidance for the Protection and Welfare of Children, 2017*. Please see Appendix 3 of this document
- Any reasonable concern or suspicion of abuse or neglect must elicit a response. Failing to recognise, respond or intervene may result in ongoing or further harm to the child
- Regardless of how they come to your attention, all child protection or welfare concerns must be brought to the attention of the Designated Liaison Person without delay
- The Designated Liaison Person, in consultation with the person who raised the concern, will decide if **reasonable grounds for concern** exist and if a report should be made to Tusla
- Tusla social workers can be contacted through the [Dedicated Contact Points](#) for informal consultation or to make a report
- Reports to Tusla should be submitted through the [Tusla Web Portal](#).



Recognising Child Protection and Welfare Concerns

Children First National Guidance defines four categories of child abuse: neglect, emotional abuse, physical abuse and sexual abuse:

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.

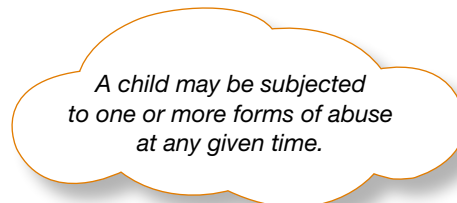
Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, 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.

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.

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.

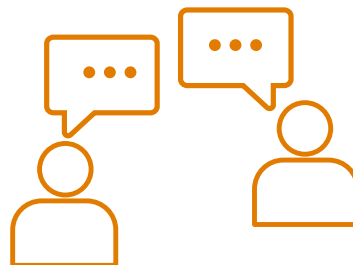
All workers should be familiar with the types of abuse as outlined above and how they may be recognised,

as outlined in Children First: National Guidance for the Protection and Welfare of Children, 2017 and in Appendix 3 of this document.



There are many reasons a worker may be concerned about the welfare or protection of a child. Children can be abused by members of their own family, or by others outside the family environment such as strangers, peers, workers or trusted adults.

A worker may witness an incident which suggests that a child is being harmed. Or a worker may feel worried and concerned about certain signs they are observing, such as poor hygiene; a child always appearing hungry, listless and tired; a lack of suitable clothing; or unexplained physical injuries. Other indicators may be related to the child's behaviour such as being aggressive, impulsive, or withdrawn. A cluster or pattern of signs is more likely to be indicative of neglect or abuse.



Disclosure of abuse by a child

A child or young person may disclose to a trusted worker that they have been or are being harmed or abused. Children may have different ways of communicating that they are being abused. If a child hints at or tells a worker that he or she is being harmed by someone, it must be treated in a sensitive way.

It is important that workers are aware of how to respond to a child who discloses abuse.

Please see Appendix 4 of this document for guidance on responding to a child who discloses abuse.

Recording Child Protection and Welfare Concerns

Written records must be kept of all child protection and welfare concerns (including concerns that may not reach the threshold for reporting to Tusla) and these will be managed and held securely by the DLP. Where there is a child protection and welfare concern, a report must be made to Tusla. Information will include:

- Details of the concern
- Details of the person who raised the concern
- Details regarding informal consultation
- Any action taken
- Details regarding informing parents.

Records will be stored securely in line with the service's Recording Policy and the Pre-School Regulations 2016. See Part B, Section 6 of this document for further information.

There may be situations where Early Learning and Care (ELC) and School Aged Childcare (SAC) services have concerns about a child which alone, do not meet reasonable grounds for concern. However, it is crucial that these concerns are recorded to identify any potential patterns that may cause concern in relation to safeguarding children.

ELC and SAC services should have a procedure in place which outlines what concerns are recorded, how these concerns are recorded, how they are stored and who has access to them.

Key Considerations

- As a first point, all child safeguarding concerns must be discussed with the Designated Liaison Person (DLP) in the service
- The DLP must ensure that all concerns are recorded in line with the service's child safeguarding policy
- Records must be factual and include details of concerns and any actions that have been taken in relation to the concern(s)
- Confidentiality must be maintained at all times and records of concerns must be stored securely in a separate storage area to other files
- Concerns must be shared only on a need-to-know basis, in the best interests of the child. This should be managed by the DLP in the service

- A standardised form should be used to record concerns and there must be a procedure in place where the DLP regularly reviews child safeguarding concerns. This standardised form should form part of your service's Child Safeguarding Recording Procedure.

Further information on how to record concerns and a sample Recording Concerns Form is available in Appendix 4 of this document.

Reasonable Grounds for Concern

Tusla should always be informed where there are reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. Children First National Guidance (page 6), lists the following as reasonable grounds for concern:

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



Informal Consultation with Tusla Social Work

This is the process for informally discussing a child protection or welfare concern with Tusla social workers to seek advice on whether a report should be made. It is normally the role of the DLP to consult with Tusla if they are unsure if reasonable grounds for concern exist, however this facility is available to all individuals.

Tusla's social work service can be contacted through Tusla's [Dedicated Contact Points](#).

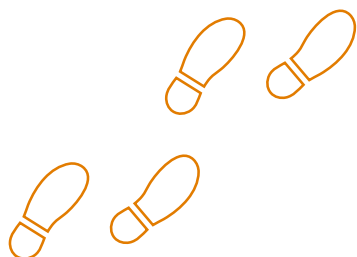


Steps to be Taken by all Workers, Including Mandated Persons

(additional obligations for mandated persons are outline below)

When a worker has a child protection or welfare concern or receives a disclosure of abuse from a child, they must:

- Ensure that the child's needs are met and that comfort is offered, if required
- If the child has made a disclosure, ensure that the appropriate steps, as outlined in Appendix 4 of this document, are taken in response to the disclosure
- Formally record the concern/disclosure in writing, using a form such as the sample Recording Concerns Form. See Appendix 5 of this document for further information
- Make immediate contact with their DLP
- If the DLP is not available, the worker will contact the Deputy DLP
- Discuss the concern with the DLP to establish if reasonable grounds for concern exist. Please see below for additional steps for mandated person
- If reasonable grounds for concern exists ,a report must be made to Tusla by the DLP.



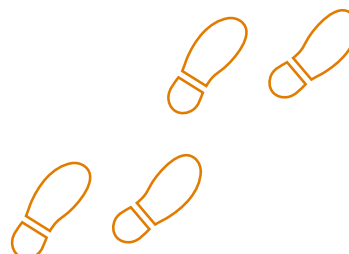
Steps to be taken by the DLP

- The DLP will discuss the concern with the worker and consider if the threshold of reasonable grounds for concern has been reached
- The DLP will review any notes taken by the worker and will ensure that the concern is accurately recorded and these notes are appropriately stored
- If the DLP is unsure if the concern meets the threshold or reasonable grounds for concern, s/ he will contact Tusla's social work service, through the Dedicated Contact Points, for advice using the informal consultation process
- If reasonable grounds for concern have been established, the DLP will make a formal report to Tusla without delay

- The DLP will make the report by accessing Tusla's secure Web Portal, at: <https://www.tusla.ie/children-first/web-portal/>
- If, for some reason, the DLP is unable to access Tusla's Web Portal, the report will be made by downloading Tusla's Child Protection and Welfare Report Form which will be forwarded to Tusla's Dedicated Contact Point by registered post
- Where urgent intervention is required to make the child safe, a report will be made to Tusla by phone to the Dedicated Contact Point. A written report will subsequently be made through the Web Portal or by registered post, as described above. If you are unable to contact a social worker you must contact An Garda Síochána
- Where the DLP is also a mandated person under the Children First Act 2015, they must be aware of their responsibilities under the Act and report to Tusla accordingly
- The DLP will inform the parents that a report has been made to Tusla, unless doing so might further endanger the child, impair Tusla's ability to carry out an assessment or put the reporter at risk of harm
- The DLP will inform the worker who raised the concern that a report has been made to Tusla and what actions have been taken in response to the concern. If the DLP decides not to report the concern to Tusla, they must inform the worker of the reasons, in writing. If the worker still has concerns, they must make the report to Tusla themselves.
- The DLP will record all concerns that have come to their attention and any actions taken in response to such concerns. The DLP will ensure that these records are appropriately stored and maintained in line with Data Protection legislation.



Under no circumstances should a child be left in a situation that exposes him or her to harm or risk pending an intervention from Tusla. In the event of an emergency and the unavailability of a Tusla social worker, the DLP must contact An Garda Síochána.



Additional Obligations of Mandated Persons

Section 14 of the Children First Act, 2015, places a legal obligation on mandated persons to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being **harmed**, or is at risk of being **harmed**, to Tusla.

Harm in the Children First Act is defined as;

‘harm’ means, in relation to a child—:

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

(b) sexual abuse of the child,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise”.

The threshold of **harm** is reached when a mandated person knows, believes or has reasonable grounds to suspect that a child has been, is being, or is at risk of being:

- Ill-treated (Emotional Abuse)
- Neglected
- Assaulted (Physical Abuse)

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; **or where a child discloses such a belief.**

All concerns about sexual abuse falls within the category of seriously affecting a child’s health, welfare or development

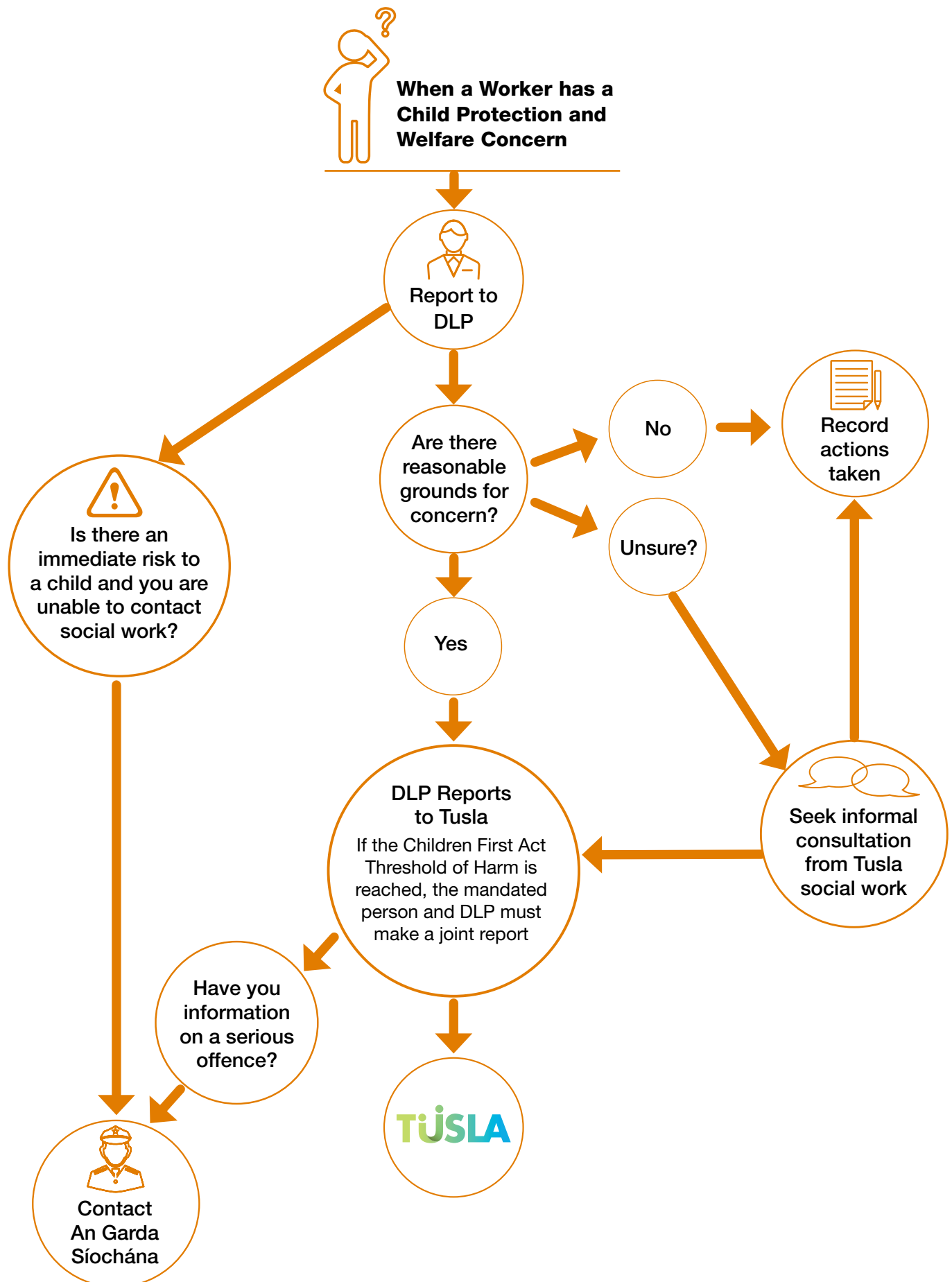


Steps to be taken by Mandated Persons

- Where the concern raised by the mandated person meets the threshold of reasonable grounds for concern (under the Children First Guidance) and **does not reach or exceed the threshold of harm (under the Children First Act)**, a report to Tusla will be made by the DLP, in line with the reporting procedure outlined on Page 19 of this document
- If the mandated person believes that the child protection concern **reaches or exceeds the threshold of harm as defined in the Children First Act, 2015**, a report must be made under Section 14 of the Act to Tusla without delay
 - If the mandated person is in doubt as to whether the concern reaches the legal definition of harm for a mandated report, Tusla social workers can provide advice in this regard. While Tusla can provide advice, the decision to classify a report as a mandated report under the Children First Act 2015 rests with the individual mandated person
 - The statutory duty of the mandated person to report under the Children First Act 2015, must be discharged by the mandated person and cannot be discharged by the DLP on their behalf
 - The mandated person can however make a report jointly with another person, mandated or not. Where the threshold of harm for a mandated report has been reached or exceeded, **the mandated person and the DLP should make a joint report to Tusla without delay**
 - The report should be made on [Tusla’s Web Portal](#) however, reports can also be sent by registered post. The report must state clearly that it is a mandated report under Section 14 of the Children First Act 2015
 - The mandated person may solely submit a report to Tusla directly; however, the DLP should be informed that a report has been made and be furnished with a copy of the report
 - If the DLP does not wish to report to Tusla, the mandated person should proceed with making a report and inform the DLP that a report under the Children First Act 2015 has been made. The Protections for Persons Reporting Child Abuse Act 1998 will apply in this instance
 - If a child protection concern has come to the attention of several mandated persons, the report may be submitted jointly by them
 - If the child protection concern requires a more urgent intervention to keep the child safe, the Children First Act, 2015 allows mandated persons to alert Tusla to the concern by telephone or in person, in advance of submitting a written report. The mandated report must then be submitted to Tusla using Tusla’s Web Portal or by registered post, using the Child Protection and Welfare Report Form, within three days
 - Mandated persons can access Tusla’s emergency out-of-hours social work service on 0818 776 315. This is available every day from 6pm to 6am, and between 9am and 5pm on Saturdays, Sundays and bank holidays.



Reporting Procedure Diagram



Child Protection and Welfare Concerns that are not Reported to Tusla

If the DLP decides not to report a concern to Tusla, the following steps will be taken:

- The reasons for not reporting should be recorded on a standardised form in your service. A sample Recording Concerns Form Template and Information Sheet can be found in Appendix 5 of this document
- Any actions taken as a result of the concern should be recorded on the Recording of Concerns Form (Appendix 5 of this document)
- The worker who raised the concern should be given a clear, written explanation of the reasons why the concern is not being reported to Tusla
- The worker should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or An Garda Síochána
- The worker should also be reassured that if they do choose to make a report directly to Tusla, they are protected by the Protections for Persons Reporting Child Abuse Act, 1998

Discussing Concerns with Parents

Communication with parents is very important in ensuring best outcomes for children. Any concerns about the health and wellbeing of a child should be discussed with parents from the outset.

Best practice states that parents should be informed if a report is to be made to Tusla, unless doing so would:

- Further endanger the child
- Impair Tusla's ability to carry out an assessment
- Put the reporter at risk of harm

The DLP may seek guidance from the Tusla social worker in relation to this.

Your service's Child Safeguarding Reporting Procedure should outline who is responsible for discussing concerns with parents and/or informing them that a report is being made to Tusla. This is normally the role of the DLP but it may be necessary in some situations for the DLP to consider, with the worker, who is best placed to talk to parents where there is a concern about their child.

For guidance on talking to parents about child protection or welfare concerns, please see Appendix 6 of this document.

Informing Management

The owner/ BOM will be informed when a report is made to Tusla and/or An Garda Síochána. In accordance with your confidentiality policy, identifying information about the child and family is only shared on a need-to-know basis. Therefore, the owner/BOM may only need to know how the service is managing a child safeguarding concern and not the identity of the child and family involved.

Reporting suspected crimes to An Garda Síochána

If you have information about a serious offence, including a sexual offence, against a child or a vulnerable adult, you must also pass this information on to An Garda Síochána, under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012. This is in addition to any reporting requirements under the Children First Act 2015 or Guidance. This means that a report may need to be made to both statutory agencies, Tusla and An Garda Síochána.

Anonymous Reporting

Your reporting procedure must state that workers cannot make an anonymous report.

Similarly, mandated persons cannot report anonymously as they are obliged to report by law.

Steps to be taken if dealing with concerns/ reporting is inhibited in any way

There may be some situations where a worker may feel that they cannot report their concerns to their DLP. This may be because:

- Their concern relates to or involves the DLP
- Their concern relates to the owner/BOM.

It should be noted that this may be the same person.

- If the concern relates to the DLP and the DLP **IS NOT** the manager/BOM, workers should make their report to the owner/BOM
- If the concern relates to the DLP and the DLP **IS** the manager/BOM, workers should make their report directly to Tusla or AGS.

All workers should be made aware of the provisions of the Protected Disclosures Act, 2014, which offers protection to people who raise concerns about possible wrongdoing in the workplace.

Responding to a Retrospective Disclosure of Abuse

A retrospective disclosure is a disclosure made by an adult abuse that took place during their childhood.

If a worker becomes aware of a retrospective disclosure by an adult, they must report this to their DLP, in line with the service's reporting procedure. Mandated Persons must also be aware of their legal responsibility to report retrospective disclosures of abuse to Tusla.

This report will be made on Tusla's Web Portal or by registered post, using the Retrospective Abuse Reporting Form.

When such a disclosure is made, it is the role of Tusla to establish whether there may be current risk to any child or young person who may be in contact with the person subject to the abuse allegation revealed in the disclosure.

SECTION 5

Procedures for Responding to Allegations of Abuse made against Workers

A procedure for responding to allegations of abuse made against a worker is a specified procedure under the Children First Act 2015. Therefore, providers of relevant services must have this procedure in place.

An allegation may be made against a worker who has:

- Behaved in a way that has or may have harmed a child/young person;
- Possibly committed a criminal offence in relation to a child/young person;
- Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
- Behaved in a way that is contrary to the service's Code of Behaviour for workers and volunteers;
- Behaved in a way that is contrary to professional practice guidelines.

The following must be considered when developing this procedure

If an allegation is made against a worker in your organisation, the owner/BOM must ensure that everyone involved is dealt with appropriately and in accordance with the organisation's guiding principles and Child Safeguarding Procedures. Management must always ensure that the best interests of the child are paramount, balanced with fairness to the employee and based on the laws of natural justice and employment legislation.

The organisation has a dual responsibility in respect of both the child and the worker. There are two separate procedures to be followed:

1. The reporting procedure to Tusla in respect of the child
2. The internal personnel procedure for dealing with the worker.

It is recommended that two different people are appointed to manage each procedure. In small staff teams, it may be necessary to call on external people who are independent to the parties. The Designated Liaison Person is responsible for reporting the matter to Tusla, while the owner/BOM is responsible for addressing the employment issues.

In relation to allegations of abuse against workers, the agreed reporting procedure, as described in Section 4 of this document, must always be followed by all workers.

- The first priority is for the safety of the child. The risk of harm to a child should be at the forefront of any decisions made or actions taken
- The service's internal personnel procedures for dealing with a worker who is the subject of an allegation of abuse needs to be clearly outlined
- All workers in the service should be aware of who to contact should they become aware of or make an allegation of abuse or neglect against any worker in the service
- Where the owner becomes aware of an allegation of abuse by a worker, the owner/BOM should privately inform the worker of the following:

Legal advice should be sought at the earliest opportunity if a service is dealing with an allegation of abuse against a worker/volunteer.

- (i) The fact that an allegation has been made against him/her
 - (ii) The nature of the allegation
 - (iii) The worker should be given an opportunity to respond
 - In a situation where an allegation has been made against a worker, protective measures that are proportionate to the level of risk must be taken to ensure that no child is exposed to unnecessary risk. Examples of this may include increased supervision, administrative duties or administrative leave
 - Parents should be informed of any action planned and taken while having regard to the rights to confidentiality of others, such as the person against whom the allegation has been made
 - Liaison with Tusla and An Garda Síochána should be maintained, as appropriate
 - All stages of the procedure should be recorded and these records should be maintained in line with Data Protection regulations and legislation
 - Disciplinary procedures should be in place and followed, as appropriate.
- When an allegation is made against a worker, a quick resolution should be sought for the benefit of all concerned.

SECTION 6 Managing Child Safeguarding Records

The following should be considered when developing procedures for managing confidential and sensitive information relating to child safeguarding.

- Under the Child Care Act 1991 (Early Years Services) Regulations 2016, accurate and up to date records in relation to children, staff and service provision must be kept. The Early Years (Pre-school) Inspectorate will have access to files for inspection purposes
- Concerns should be recorded on a standardised form. A sample Recording Concerns Form Template and Information Sheet can be found in Appendix 5 of this document
- Parents may have access to the files and records of their own children on request but will not have access to information about any other child
- Where there are child protection or welfare concerns, observations/records will be kept on an ongoing basis and information shared with Tusla as appropriate. It is important that procedures address where these will be recorded, stored and who has access to them
- Retention and Archiving of Records procedures should be in place
- All records should be managed in line with the service's Data Protection Policy and GDPR.



SECTION 7 Confidentiality Policy

It is essential that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information. Your confidentiality policy should include:

- All information regarding a concern about child protection or welfare should be shared on a need-to-know basis, in the best interest of the child
- No undertakings regarding secrecy can be given and this should be made clear to children and families using the service
- The proportionate provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection
- Parents and children have a right to know if personal information is being shared, unless doing so could put the child or the reporter at risk or impede Tusla's assessment.

Sharing Information

Section 17 of the Children First Act, 2015 states that information shared by Tusla with another person in the course of carrying out an assessment, arising from a report under Section 14 of the Act (i.e., a mandated report), shall not be shared with a third party unless Tusla considers it appropriate and authorises it in writing that the information may be shared'.

As per your Confidentiality Policy, when considering sharing information relating to child safeguarding, ELC/SAC workers should always ensure that information is shared only on a need-to-know basis and in the best interests of the child. Workers should at all times follow their service's Confidentiality Procedure. If there is a situation where a worker deems it necessary to share information in the course of an assessment, they must consult with Tusla prior to disclosing.

SECTION 8 Recruitment and Selection Procedure

A procedure for the selection and recruitment of staff who are suitable to work with children is a specified procedure under the Children First Act 2015 for providers of relevant services. The Child Care Act 1991 (Early Years Services) Regulations 2016 also requires ELC and SAC services to have a recruitment procedure for hiring employees and unpaid workers, including the steps to be taken to check and verify references, qualifications and vetting documentation.

Services should take all reasonable steps to ensure that only suitable people are recruited to work with children by adopting and consistently applying a safe and clearly defined method of recruiting workers. This will help to keep children safe within your service.

The following should be included in your Recruitment and Selection Procedures:

- All positions, including unpaid positions, must have a clear job description which describes the range of duties required. This must be accompanied by a person specification that describes the type of attributes you require the applicant to have including qualifications, skills and experience
- Vacancies should be advertised widely, both internally and externally through the most appropriate method for your service
- Application forms should be used to ensure that all applicants provide the information your service deems appropriate for the role and supports the collection of consistent information from candidates. A declaration form attached to the application form allows applicants to self-declare any relevant information in relation to their suitability to work with children
- Evidence must be sought to verify qualifications and experience
- An interview panel should be appointed consisting of at least 2 people. This will help the service get a sense of the applicant's attitudes, values, knowledge and skills. It is also an opportunity to explore with the applicant any gaps in their employment history and/or voluntary work identified on the application form

SECTION 8 Recruitment and Selection Procedure

- Interview questions must be agreed in advance, based on the job description and person specification
- A scoring sheet should be developed, based on the criteria set out in the job description and the person specification, and candidates should be shortlisted against this criteria
- Prior to an offer of employment being made, two references from previous employers (including the most recent) must be obtained. References from family members are not suitable (Consult the Child Care Act 1991 (Early Years Services) Regulations 2016 for further guidance on references)
- References must be verified by the employer either by phone or in person where referees are asked specific questions regarding the suitability of the applicant and their history of working with children
- Prior to commencement in post, satisfactory Garda vetting must be obtained, in line with your service's Garda Vetting Policy
- Identification must be verified and two official forms of identification requested from new employees
- All staff and unpaid workers must have written Terms and Conditions of Employment (Contract of Employment)
- Probation is an important part of the recruitment process. Procedures relating to probationary periods must be included in your recruitment policy. Every new appointee should be given a probation or trial period for an agreed length of time, which may vary depending on the nature of the post. A review should be held at the end of the probationary/trial period.

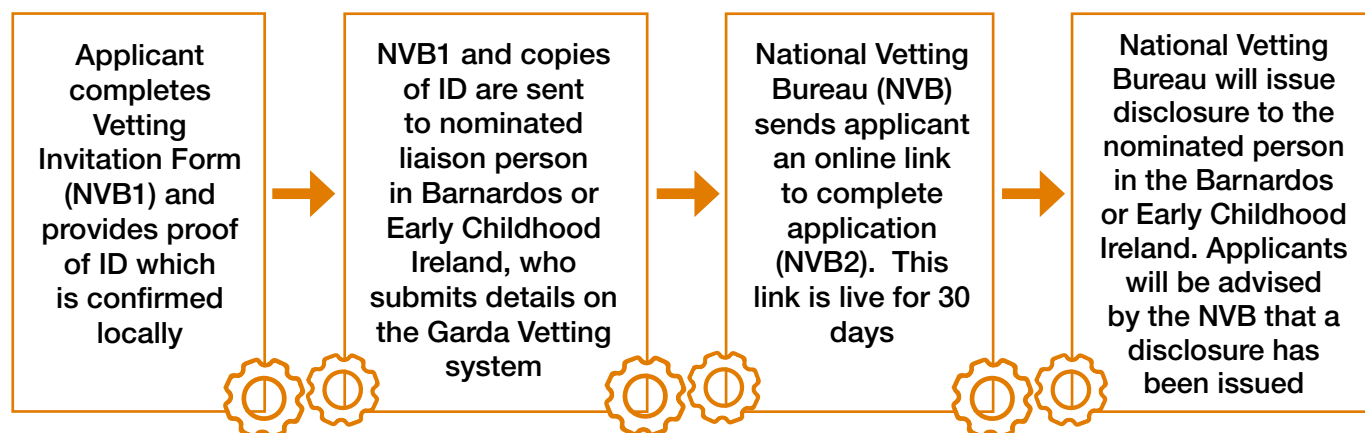
Garda Vetting Procedure

Under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 – 2016, it is a criminal offence to employ a person in certain work or activities without undertaking Garda Vetting. This is also a requirement under the [Child Care Act 1991 \(Early Years Services\) Regulations 2016](#) and the [Childcare Act 1991 \(Registration of School Aged Services\) 2018](#).



Workers must not commence work until satisfactory garda vetting has been processed

Vetting Procedure



Further information on Garda Vetting can be accessed through the [National Vetting Bureau website](#).



SECTION 9 Induction Procedure

Every service should have an Induction Procedure which includes information for new workers on the safeguarding policies and procedures of the service within the first week of employment.

This should include:

- Information on their obligations under the Children First Act, 2015, including being provided with a copy of the service's Child Safeguarding Statement and name and contact details of the relevant person
- Information for workers who are mandated persons under the Children First Act 2015. They must be informed that they are a mandated person for the purposes of their employment and of their legal responsibilities in this regard. The services must ensure that all mandated persons are included in the service's list of mandated persons
- A copy of the safeguarding procedures and Code of Behaviour. Workers should be asked to confirm in writing that they have read and understood these documents.
- The name and contact details of the service's DLP
- This should include an opportunity to discuss and raise any questions relating to the contents of the Child Safeguarding Statement and safeguarding procedures with a senior member of staff/DLP/relevant person.

SECTION 10 Support and Supervision for Workers

Providing supervision and support to workers helps to maintain best practice and the safeguarding of children. Supervision provides a regular, structured opportunity to discuss work, provide support, review practice and progress and plan for future personal development. Your policy should outline the model of supervision that you use in your service, including:

- Who is responsible for conducting supervision?
- The frequency of supervision meetings
- How meetings are documented



You should also include details of appraisal or review processes.

The Child Care Act 1991 (Early Years Services) Regulations 2016 require pre-school services to have a supervision policy which outlines how employees, unpaid workers and contractors are supervised and supported in the service in relation to their work practices.

SECTION 11**Procedure for the Provision of Child Safeguarding Training**

A procedure for the provision of information and training in relation to the identification of the occurrence of harm is a specified procedure under the Children First Act 2015 for providers of relevant services.

A child safeguarding training strategy should demonstrate how child safeguarding training is accessed, delivered, monitored and evaluated within your service. It should be based on the service's Training Needs Analysis.



Your Child Safeguarding Training Strategy should state the following:

- All workers, prior to commencing their position, should complete Tusla's Children First eLearning Programme, 'An Introduction to Children First' and provide a certificate of completion, which will be held on file
- All workers must be supported to review and understand the service's Child Safeguarding Statement and safeguarding Policies and Procedures, through induction training, team training and information sessions
- All workers should be directed to the resources and information provided on the [National Child Safeguarding Programme website](#) and the [Tusla website](#)
- The DLP and Deputy DLP are required to be released to attend Always Children First training and any other training identified as relevant to their roles. Training can be accessed through City and County Childcare Committees and other specified partner organisations, as part of the National Child Safeguarding Programme Training Plan. Always Children First training should be completed every three years
- All management and workers should attend Always Children First Foundation training, where available
- Workers will be facilitated to access information and attend training that is specific to their child safeguarding roles and responsibilities as workers, Named Person, DLPs, mandated persons and Providers of Relevant Services
- Services should always maintain accurate records of training attended by all workers.
- There are further resources and supports available on www.childsafeguardingelc.ie including information on training
- Additional information and publications are available on www.tusla.ie, including [Tusla's Universal eLearning Programme 'An Introduction to Children First'](#).



SECTION 12 Code of Behaviour for Workers

ELC and SAC services must have a Code of Behaviour for workers that provides clear guidance on what are **acceptable and unacceptable behaviours**. Having a Code of Behaviour in place helps workers to focus on supporting **children's rights and child centred practice** in their everyday work. It also assists a service to focus on the child and their needs. It takes account of best practice principles as well as the specific activities and programmes delivered by the service.

The Code of Behaviour establishes acceptable boundaries of behaviour for workers and clarifies how to **communicate** and work with children in a way that **respects their right to be listened to, treated with respect and treated fairly**. The Code of Behaviour must also clarify the boundaries for **acceptable physical contact** between workers and children, based on the needs of the children and the nature of the service provided. These elements of the Code of Behaviour help to limit the risk of child abuse, misinterpretation or unintentional harm occurring.

The Code of Behaviour should make a significant contribution to the mitigation of risks identified in the service's Child Safeguarding Statement.

Workers should receive a copy of the Code of Behaviour at induction and must familiarise themselves with the content and be given an opportunity to discuss the code with their manager. It is best practice to have workers sign-up to your service's Code of Behaviour.

*Workers must be made aware of their responsibilities to **report all breaches** of the code of behaviour and the process for doing so.*

A comprehensive and effective Code of Behaviour should meet the service's commitment to:

- Value and respect all children as individuals
- Listen to children and involve them in decision making as appropriate
- Work in partnership with parents
- Promote positive behaviour
- Respect all cultures, class and beliefs without discrimination

- Work collaboratively as a team and adopt a child centred approach that recognises the best interests of the child
- Work in a professional manner, with skills that are underpinned by sensitivity and respect for children and families
- Operate with effective leadership
- Implement and adhere to all relevant policies and procedures to keep children safe from harm
- Ensure that effective governance structures are in place, complying with all relevant legislation and regulations.

Key Practice Point: Code of Behaviour

- Where appropriate, get the children involved in discussing and drawing up the Code of Behaviour for workers
- Display the Code of Behaviour in your service
- Ensure the Code of Behaviour is visible for workers, parents, children and visitors
- Make a copy available to parents, children and visitors
- Be clear on what happens if there is a breach of the Code of Behaviour.

Things to consider when developing your service's code of behaviour

The Code of Behaviour should take into consideration the age and intellectual understanding of the children as well as the context and activities of the service you provide.

Some of the areas/headings you should consider, depending on the nature of your contact with children, include:

- **Working with and supervising children**
 - Ensuring that adult-child ratios as outlined in the Regulations are adhered to at all times
 - Activities should be age appropriate and child led where appropriate. Children should be consulted on the types of activities that the service offers
 - Guidance in relation to workers' use of social media sites, mobile phones, cameras and other IT devices whilst on the premises and supervising children

- **How to treat children, including where their behaviour challenges**

- Ensuring that your service has an appropriate policy on managing behaviour that outlines how services encourage and support positive behaviours and positive interactions
- Adopting a child centred approach when working with children and placing children's health, development and well-being at the centre of practice.
- Understanding the rights of children by seeking and listening to their input on matters that affect them

- **Communicating with children**

- Valuing and respecting all children as individuals
- Listening to children and valuing their opinions and input
- Involving children in decisions that will affect them

- **Physical contact**

- If children seek physical contact, this should be provided, in line with the service's Code of Behaviour
- Touch should be in response to the needs of a child, not the adult
- Children should be assisted with toileting and dressing based on individual need

- **1:1 / Lone working**

- One to one work should only take place when necessary and the reasons for one to one work should be clearly outlined
- Consent for one-to-one working with a child should be obtained from the parent and the child
- Duration and content of one-to-one sessions should be planned, agreed and communicated to all involved

- **Intimate / personal care:**

- Consider the child's individual needs by insuring there is appropriate consultation with parents and children
- Obtaining consent for any agreed intimate or personal care practices from both the parent and the child
- Consideration should be given to matters such as appropriate levels of physical contact, how to communicate with the child and keeping parents appropriately informed.

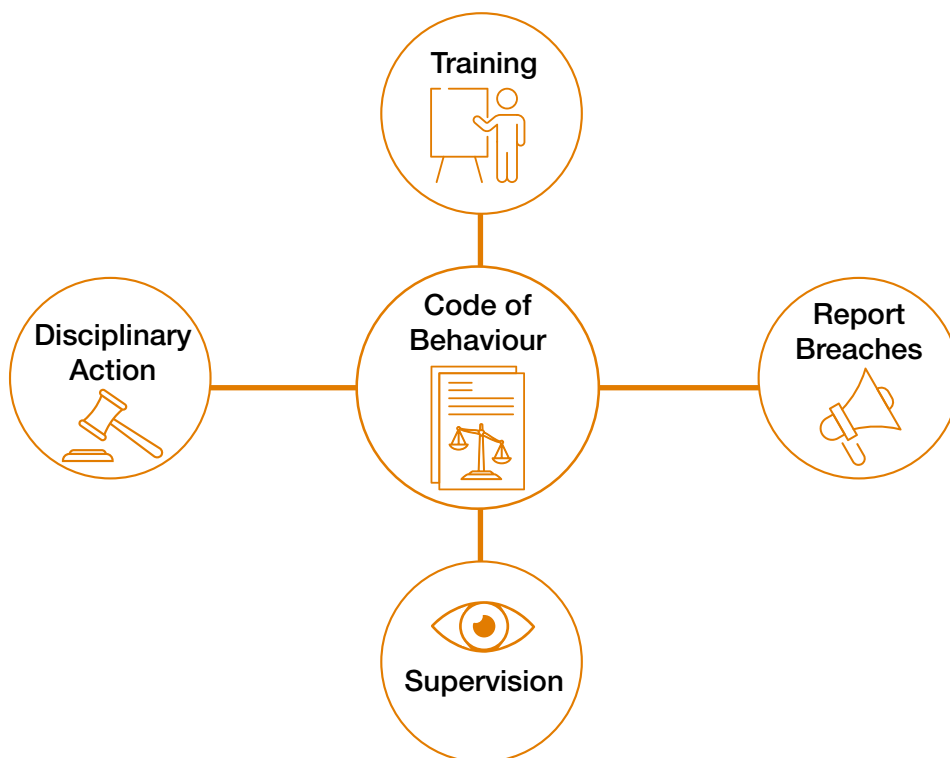
Please note that this is not an exhaustive list and should be tailored to suit each individual service.



Using the Code of Behaviour

- The Code should be used as a tool in **training** to discuss and consider the service's expectations of workers conduct. There should be content on the Code and its uses included in induction training for all new workers and volunteers
- The Code can be a useful tool for staff **supervision**. It provides an agreed language and framework to discuss practice issues that may arise in day-to-day work. Managers have a responsibility to supervise and support workers to ensure the Code is being adhered to. Providers of relevant services should link the Code of Behaviour to the mitigation of risk in the service's risk assessment within the Child Safeguarding Statement
- There should be an explicit statement in the service's Code of Behaviour about workers' responsibilities to **report breaches** of the Code to management. This should be emphasised in ongoing training, induction and staff meetings
- The Code will only be useful if implemented. Managers need to listen, and respond appropriately, to reports of breaches of the Code. Having developed and implemented a Code of Behaviour for workers, the service will have clearly identified boundaries regarding acceptable and unacceptable practice. This makes it much easier for the service to address issues of poor practice, should they arise. **Disciplinary action** should be taken where appropriate
- The Code should be reviewed and updated regularly.

Using the Code of Behaviour



SECTION 13 Disciplinary Procedures

Disciplinary procedures are an essential feature in the response to situations where there may be complaints or issues concerning workers' behaviours or practice.

Disciplinary Procedures should outline the steps that will be taken by services when:

1. There is a complaint made about a worker
2. There is an alleged breach of the Code of Behaviour
3. There is an allegation of abuse made against a worker or volunteer (see also Section 5 outlining procedures for responding to allegations of abuse made against workers).



When developing your Disciplinary Procedure, consideration must be given to existing policies and procedures and in particular they should be consistent with your complaints procedures and Code of Behaviour. Services should also be aware of the implications of employment legislation and best practice. It may be necessary for services to seek legal advice to ensure that procedures are robust and reasonable. An appeals procedure should be developed as part of the disciplinary procedure.

SECTION 14 Safe Management of Activities

Children must be appropriately supervised at all times, including when children are:

- Indoors
- Outdoors
- Eating
- Sleeping
- On outings
- Toileting
- Using the internet

For further information, see [The Tulsa Quality and Regulatory Framework.](#)



14.1 Day Trips and Outings

ELC and SAC provide children with a wide range of experiences, which, from time to time may include outings. The safety and well-being of children should be paramount during such outings. This can be achieved through a robust system of planning, risk assessing, managing and supervising of the outing.

Your policy on outings should:

- Be available to and shared with parents
- Provide detailed information to parents on the nature of the outing and seek written, informed consent from parents for children to attend
- Outline how children will be supervised, including proposed ratios for each outing
- Ensure a risk assessment is carried out prior to each outing
- Identify a person in charge of each outing who takes responsibility for:
 - Communication – i.e., mobile phone and emergency contact details for each child
 - First Aid – ensuring there is a person available with first aid training and the availability of a fully stocked first aid kit
 - Managing accidents or incidents
 - Implementation of a Critical Incident Plan if appropriate
- Outline how children will be safely transported to and from outings
- Include insurance details.

There should be communication and agreement with venues that services are planning to visit in relation to expectations, responsibilities and child safeguarding measures such as sharing procedures and specifically sharing reporting procedures. For once-off visits, the service should continue to follow their own procedures. The DLP should be contactable to staff on outings at all times when they are on day trips/outings.

14.2 Accidents and Incidents Procedure

This procedure should outline the steps taken by ELC and SAC services to prevent and respond to accidents or incidents. This procedure should be shared with parents. The safety and welfare of the child should always be the first consideration if a child is involved in an accident or incident.

This procedure should include:

- A Safety Statement
- Ensuring adequate supervision – ensuring that adult/child ratios are maintained at all times
- Conducting risk assessments of the indoor and outdoor environments and appropriate responses are put in place to minimise or eradicate hazards where possible
- Ensuring the appropriate use of equipment, facilities and materials and that they meet appropriate safety and quality standards
- Ensuring activities are suitable for abilities, ages and experience levels of the children
- Steps to be taken following an incident or accident in your service, including the steps to be taken to contact the child(ren)'s parent and emergency services if necessary
- Ensuring appropriate levels of staff trained in First Aid
- How to record, report and store the details of the accident or incident, including how these records are shared with the parents of the child(ren)
- Informing the Early Years Inspectorate of serious incidents in line with the Childcare Act 1991 (Early Years Services) Regulations 2016, as soon is practicable

Under the Safety, Health and Welfare at Work Act, 2005, early years services are required to provide a written Safety Statement. The Safety Statement

consists of a Health and Safety Risk Assessment. Further to this the Safety Statement must also outline the procedures in place for dealing with Critical Incidences. Further information on developing a Safety Statement can be found in the Tusla Quality and Regulatory Framework relevant to your service [The Tusla Quality and Regulatory Framework](#) and also [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#).



14.3 Policy on Safe Internet Use, Including the Use of Photographic and Recording Devices

Under the Children First Act, 2015, ELC and SAC services have an obligation to keep children safe from harm while they are using their service. This includes safeguarding children if they have access to online content while availing of your service. If children in your service have online access, this should be included in the risk assessment contained in your Child Safeguarding Statement.

Internet and social media access may put children at risk of harm and there should be policies and procedures in place to mitigate these risks. Your policy on safe internet use should outline the following:

- A Code of Behaviour for online safety for workers – expectation on workers' conduct in relation to social media sites, camera and mobile phone usage, including personal and work mobiles and IT devices on the premises
- How children will be supported to develop safe online behaviour
- How children will access the internet in services. It must be considered if children are permitted to use personal devices
- Supervision of children's internet access
- Information that can be accessed while in the service, and purpose of accessing this information, e.g., research, education, communication
- The use of safety controls and content blockers to keep children safe while they are online.

Further to this, if ELC and SAC services have social media accounts that are related to the service, the policy on safe internet use should include:

- Information on the platforms that the service uses e.g., Twitter, Facebook, Instagram, Snapchat and should outline the reason for selecting particular platforms that the service chooses to use
- Expectations concerning worker's use of social media sites and connection with children and parents
- Use of recording devices by workers, i.e., recording is only allowed on devices that belong to and are stored on the premises and with the full knowledge and consent of the manager and parents of the child. Consideration should be given to if and where photos or videos are backed up to e.g., clouds etc. and who can access these
- Informed consent for filming and/or taking photos will be obtained from parents and children
- Informed consent on how videos and/or photos will be used on social media sites or displayed on notice boards, newsletters etc., will be obtained from parents and where appropriate, children
- Informed consent from parents and where appropriate, children, when a service plans to host or live stream an event on Zoom/MST. This must also be taken account of in the service's risk assessment and a procedure developed to minimise the risks involved
- Procedures for reporting breaches of the procedures, including reporting to the DLP where child protection and/or welfare concerns arise.
- A policy on the use of internet and photographic recording devices should include information on how and why children in the service use the internet. The policy should also outline how the service records, stores, retains and uses photographs and should address how informed consent is obtained. For further information, see [The Tusla Quality and Regulatory Framework](#) and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)



SECTION 15**Complaints Procedure**

ELC and SAC services should have a complaints procedure which outlines how to make and receive complaints about any aspect of the service. As per the Tusla Quality and Regulatory Framework, this policy should:

- Be available and communicated to all parents and children in a way that they understand
- Set out the procedures as to how a person can make a complaint and who the complaint should be made to. This should include information regarding who to complain to if the complaint is about a service run by just one person, or if the registered provider is the subject of the complaint
- Complaints should, where possible, be resolved informally
- State that complaints are treated in a confidential manner
- State how complaints are dealt with in a consistent way including statements about how complaints are:
 - managed – informal resolution or formal processes of resolution
 - reported
 - handled – without fear, favour or prejudice
 - investigated – promptly, taken seriously and handled appropriately and sensitively.
- It should also:
 - state how staff are involved
 - describe the progress of making a complaint
 - state how the person making the complaint is to be kept informed of progress
 - give an anticipated timeline for dealing with the complaint.
- The complaints policy should describe the process for closing the complaint by the service, including:
 - recording the outcome of the complaint
 - details of any recommendations
 - details of any changes to practice, policy or statement
 - information about the appeals process.

Child protection and welfare concerns are not dealt with through the complaints procedure. The child protection and welfare reporting procedure must be followed

SECTION 16**Working in Partnership and Sharing Information with Parents and Children****Working in Partnership with and Sharing Information with Parents**

Working in partnership with parents is key to safeguarding children. Mutual respect and open communication will ensure that the welfare and well-being of the child is central to practice in ELC and SAC services. Consultation with parents about all aspects of their child's care and education will ensure that all the child's needs are met during the time in your service.

In order to support parents, services could:

- Display photos and information about all workers in the service
- Speak with parents regularly and encourage an open-door policy where possible
- Share Child Safeguarding documents with parents, including your Child Safeguarding Statement and Child Safeguarding Procedures
- Seek feedback from parents on what is working well in the service and where improvements could be made
- Consider translating child safeguarding information in other languages.

Working in Partnership with and Sharing Information with Children

Children have a right to be listened to and have their voices heard on matters that affect them. Communicating these rights with children will build and strengthen relationships and support children to reach their full potential.

In order to support children, services should, in an age-appropriate way:

- Tell children of their right to be protected, listened to and to have their views taken into consideration
- Tell children about your Code of Behaviour for workers in a way that they will understand
- Seek feedback from children on the service and activities provided
- Give children a voice so that they can convey any concerns they might have, including that your complaints procedure is accessible to them
- Regularly check in with children that the information you are sharing is being received and understood
- Check that children understand that they are free to approach any worker if they are worried about something.

SECTION 17**Additional Procedures**

Risks of harm to a child are outlined in the Risk Assessment Template for a Child Safeguarding Statement. In this section, you will find signposts and resources aimed at supporting services to develop and implement procedures to mitigate these risks.

17.1 Procedure on Managing Behaviour

Behaviour management strategies should be in place to support positive behaviour among children. This can be achieved by supporting and promoting children's social and emotional development. For further information, see [The Tulsa Quality and Regulatory Framework](#), Appendix 5 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#).

17.2 Staff Training Procedure (in addition to Child Safeguarding Training)

Management in Early Years services have a responsibility to identify and address the training needs of staff in their service. This includes supporting staff to access training and keeping up to date staff training records. For further information, see [The Tulsa Quality and Regulatory Framework](#) Appendix 19 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#).

17.3 Inclusion Procedure

An Inclusion Policy should specifically outline how all needs of all children are met in the service, regardless of physical, emotional, intellectual needs and should be inclusive of cultural or religious beliefs. For further information, see [The Tulsa Quality and Regulatory Framework](#) and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services A Practical Guide](#) and [Diversity, Equality and Inclusion Charter and Guidelines for Early Childhood Care and Education](#).

17.4 Retention of Records Procedure

Early years services are required to maintain and retain records for certain periods of time. [The Tulsa Quality and Regulatory Framework](#), Appendix 22 outlines the retention periods required for different records. Also see [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#). Also refer to Section 6 of this document – Managing Child Safeguarding Records.

17.5 Health and Safety Risk Management Procedure

A health and safety risk management procedure is required to outline the procedures to be followed to reduce or eliminate risks to the health and safety of children. Appendix 17 of [The Tulsa Quality and Regulatory Framework](#) outlines the key components of a risk management policy. Further information can also be found in [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)

17.6 Staff Absences Procedure

Staff absences can result in services being outside of their ratios under regulations. The policy on staff absences should outline how ratios will be maintained in such situations. For further information, see [The Tulsa Quality and Regulatory Framework](#) Appendix 14 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)



17.7 Safety Statement Procedure/ Policy

Services must have a written Safety Statement in place that is in line with the Safety, Health and Welfare at Work Act, 2015. This must include a Health and Safety risk assessment. A copy of the Safety Statement must be furnished to all workers, parents and stakeholders in the service that may be exposed to any risks. The Safety Statement should be reviewed yearly, or whenever it is changed or updated. For further information please see [The Tulsa Quality and Regulatory Framework](#) Appendix 21 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#). Section 14 (b.) of this document will provide further information on the Safety Statement.

- If the visitor is coming from another organisation, has that organisation met their obligations under Children First?
- Visitors who are coming from other organisations must be clear on appropriate child safeguarding and reporting procedures

It must be ensured that this information is recorded for all visitors and visitors must not have unsupervised access to the children in the service. If there is a regular visitor to the service, parents must be informed of the purpose of the recurring visit.

This information should be included in the service's risk assessment.



17.8 Visitor Procedure

ELC and SAC services must have a procedure in place to ensure that a record of all visitors is maintained. This procedure must outline who approves visitors to the service. Visits to the service should be pre-planned where possible, unless there is an immediate need and is in the best interests of children. Maintenance work should take place when children are not on the premises where possible. Workers must not engage in conversation with visitors about the children.

The following information on visitors to the service should include:

- The date of the visit
- The person's name
- The person's contact number
- The reason for their visit
- The person's check in time
- The person's check out time
- The name of the worker who approved access to the service
- Name of worker who accompanied the visitor throughout their visit
- Purpose of the visit – is it a one off visit or a regular visit
- Is the person conducting relevant work on their visit – such as children's yoga, sport or other activities? If so have they been Garda Vetted and recruited appropriately?

PART C



DEVELOPING, IMPLEMENTING AND REVIEWING YOUR CHILD SAFEGUARDING STATEMENT AND PROCEDURES

1. DEVELOPING

Developing your Child Safeguarding Statement and Procedures is the first step towards safeguarding children.

2. IMPLEMENT

An implementation plan sets out the tasks necessary to ensure that your Child Safeguarding Statement and procedures are implemented in full and are effective. Implementation is an ongoing process. It is a continuous cycle of development, response to change, and review of policies, procedures and practice relevant to meeting the requirements of current legislation and good practice. This can be achieved by ensuring that workers who hold key child safeguarding roles such as Named Person, Designated Liaison Person and Relevant Person will work with the Provider of a Relevant Service to review and evaluate child safeguarding in the service.

3. REVIEW

The Provider of a Relevant Service under the Children First Act, 2015, must review the Child Safeguarding Statement, Risk Assessment and Specified Procedures every two years, or sooner if there has been any new legislation or best practice guidelines, or if there has been any relevant change in the operating of the service. The Provider of a Relevant Service may appoint a Named Person to conduct this review. This process should include the involvement of workers at all levels within the service. This process should ensure that all obligations under the Children First Act, 2015 and Children First National Guidance for the Protection and Welfare of Children, 2017 are met. This may involve identifying gaps, and/or procedures that are too loose or stringent, and may need to be updated and/or developed.

PART D



APPENDIX 1:

CHILD SAFEGUARDING STATEMENT TEMPLATE AND RISK ASSESSMENT TEMPLATE FOR EARLY LEARNING AND CARE AND SCHOOL AGED CHILDCARE SERVICES

A word document template is available [HERE.](#)

This sample template is provided as a guide only. It is a standardised format for a Child Safeguarding Statement and Risk Assessment Statement. Please insert relevant information and delete any examples that do not apply to your service.



Child Safeguarding Statement Information Sheet and Template

October 2020

Cosaint Leaná



National Child
Safeguarding Programme;
Early Learning and Care

CHILD SAFEGUARDING STATEMENT TEMPLATE FOR EARLY LEARNING AND CARE SERVICES

[START of CSS template]

This sample template is provided as a guide only. It is a standardised format for a Child Safeguarding Statement. Please insert relevant information and delete any examples that do not apply to your service.

All guidance notes (in blue) should be deleted before finalising the CSS.

CHILD SAFEGUARDING STATEMENT (CSS)

1. Name of service being provided:

E.g. XXX Early Learning and Care Service or School Aged Childcare Service

2. Nature of service and principles to safeguard children from harm

Guidance note: Describe the nature of your service and the guiding principles that you will observe to keep children safe from harm whilst availing of the service.

(a.) Nature of the Service

For example:

At XXX Early Learning and Care or School Aged Childcare Service we deliver a high quality, child centred service for children and young people.

- We provide a full day care service to children aged 0-12 including full day care, ECCE programme and school aged childcare.
- We take children on trips and outings. The nature of our outings are determined by the appropriate regulations under the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018.
- We have a designated, secure outdoor area where we provide learning activities for children.
- We have outdoor activities for children and young people.
- We provide additional support under the AIM model to smaller groups to allow all children to meaningfully participate in this ELC service.

Guidance note: Include the following in your guiding principles but outline additional principles if these are relevant for your service.

(b.) Guiding principles to safeguard children from harm:

We believe that:

1. Our priority to ensure the welfare and safety of every child and young person who attends our service, is paramount.
2. Our guiding principles and procedures to safeguard children and young people reflect national policy and legislation and we will review our guiding principles and Child Safeguarding Procedures every two years.
3. All children and young people have an equal right to attend a service that respects them as individuals and encourages them to reach their potential, regardless of their background.

4. We are committed to upholding the rights of every child and young person who attends our service, including the right to be kept safe and protected from harm, to be listened to and to be heard.
5. Our guiding principles apply to everyone in our service.
6. Workers must conduct themselves in a way that reflects the principles of our service.

3. Risk Assessment Template

We have carried out an assessment of any potential for harm (*as defined in the Children First Act 2015*) to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

Guidance note: Insert below areas where risks have been identified and where procedures are in place to manage the identified risk. Procedures may need to be developed to manage the identified risk

The following areas below are examples, Each Early Learning and Care and School Aged Childcare Service must ensure that the risks identified are relevant to their settings and the activities they provide. The examples provided below are for consideration only and should be expanded on or added to as appropriate.

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
1	<p>For example: Risk of harm of abuse by workers..</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Rough handling of children by staff in a way that causes harm to a child • Staff/volunteers shouting at or chastising children to the extent that it causes harm to a child • On-going provision of inadequate food and/or nutrition to the extent that it causes harm to a child 	<ul style="list-style-type: none"> • Recruitment and Selection Procedure • Complaints Procedure • Procedure on Managing Behaviour • Staff Training Procedure • Staff Induction Procedure • Reporting Procedure • Child Safeguarding Training Strategy • Garda Vetting Procedure • Code of Behaviour for Workers • Allegation of Abuse Against Workers Procedure
2	<p>For example: Risk of abuse by staff and volunteers not knowing or failing to follow correct procedures.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Children placed at risk due to inadequate supervision • Children being harmed as a result of staff not reporting appropriate concerns • Children being harmed by inappropriate actions or interactions by staff 	<ul style="list-style-type: none"> • Child Safeguarding Training Strategy • Staff Supervision Procedure • Reporting Procedure • Allegations of Abuse against Staff/Students/Volunteers Procedure • Complaints Procedure • Code of Behaviour for staff and volunteers Procedures • Procedure on Managing Behaviour

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
3	<p>For example: Risk of abuse during lone working/1:1 working (personal care and intimate care).</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • An incident of sexual abuse by a worker for example, during nappy changing or intimate care routines • An incident of physical abuse by a worker during one-to-one work • Emotional abuse by a worker taking place during one to one work 	<ul style="list-style-type: none"> • Staff Child Safeguarding Training Procedure • Staff Supervision Procedure • Recruitment and Selection Procedure • Garda Vetting Procedure • Personal and Intimate Care Procedure • Inclusion Procedure • Code of Behaviour for workers • Allegation of Abuse Against workers Procedure
4	<p>For example: Risk of harm by use of unauthorised photography or from online abuse through social media or internet access.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Poor management of images or recordings of children, including those shared publicly or on social media 	<ul style="list-style-type: none"> • Procedure on Safe Internet Use, Including the Use of Photographic and Recording Devices • Social Media Procedure • Retention of Records Procedure
5	<p>For example: Risk of harm from unannounced visitors to services (e.g. maintenance/ repairs/deliveries).</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Risk of children absconding from services due to procedures for entering and exiting buildings not being adhered to, such as doors being closed etc. • Risk of physical, sexual or emotional abuse to children from visitors • Children placed at risk of harm due to inadequate supervision 	<ul style="list-style-type: none"> • Staff Absences Procedure • Risk Management Procedure • Supervision of Children Procedure • Visitor Signing in Procedure • Safety Statement Procedure

	Risk of harm (as defined in the Children First Act 2015)	Procedure in place to manage identified risk
6	<p>For example: Risk of harm from peer-to-peer abuse.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Repeated, extreme acts of bullying (i.e., verbal, psychological or physical aggression between children) • Children using social media platforms to post derogatory comments or pictures of other children 	<ul style="list-style-type: none"> • Anti-bullying Procedure • Supervision of Children Procedure • Complaints Procedure • Staff Child Safeguarding Training Strategy
7	<p>For example: Risk of harm on outings.</p> <p>Examples of risk include, but are not limited to:</p> <ul style="list-style-type: none"> • Children placed at risk of harm due to inadequate supervision on outings • A child going missing, or is unaccounted for, for any period of time 	<ul style="list-style-type: none"> • Outings Procedure • Risk Management Procedure • Staff Child Safeguarding Training Strategy • Critical Incident Procedure

4. Procedures

Guidance note: The following text outlines the procedures which are specified in the Children First Act, 2015 and must appear in the Child Safeguarding Statement.

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, Children First: National Guidance for the Protection and Welfare of Children 2017, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd Edition.

The procedures listed in our Risk Assessment and the Specified Procedures below support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service;
- Procedure for the safe recruitment and selection of workers and volunteers to work with children;
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm;
- Procedure for the reporting of child protection or welfare concerns to Tusla;
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons;
- Procedure for appointing a Relevant Person.

This Child Safeguarding Statement will be displayed prominently.

All procedures will be made available to staff, parents, young people, members of the public and Tusla, if requested.

5. Implementation and Review

Guidance note: At a minimum, reviews must be carried out every 24 months. The Provider of the Relevant Service is the person who has overall responsibility for the organisation. This may be the Chief Executive Officer, chairperson of a Board of Management, owner/operator, etc.

We recognise that implementation is an on-going 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.

This Child Safeguarding Statement will be reviewed on _____ or sooner if there has been a material change in any matter to which the statement refers.

Signed: _____ (Provider of the Relevant Service)

[Insert the name and contact details of the Provider of the Relevant Service]

Guidance note: You must include the name and contact details of the Relevant Person, who is the first point of contact regarding your Child Safeguarding Statement.

For queries, please contact [insert name and role], Relevant Person under the Children First Act 2015.

[END OF CSS template]

CHILD SAFEGUARDING STATEMENT INFORMATION SHEET



REQUIREMENT FOR ALL EARLY LEARNING AND CARE SERVICES AND SCHOOL AGED CHILDCARE SERVICES TO HAVE IN PLACE A CHILD SAFEGUARDING STATEMENT UNDER THE CHILDREN FIRST ACT, 2015

What is required in a Child Safeguarding Statement?

The Child Safeguarding Statement specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child availing of the service is safe from harm. It also includes an assessment of the risk of harm to a child while availing of the service and specifies the procedures in place to manage any identified risks.

Why do Early Learning and Care and School Aged Childcare Services need to have a Child Safeguarding Statement?

Under the Children First Act, 2015, providers of “relevant services” are required to have a Child Safeguarding Statement. Services that meet the criteria below are legally required to have a Child Safeguarding Statement:

- *An establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991*
- *An establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991*

OR

An establishment which provides educational, research, training, cultural, recreational, leisure, social or physical activities to children, care or supervision of children

OR

Employs one, or more than one other person whether through contract or otherwise.

All early learning and care and school aged childcare services, as providers of relevant services, are required to have a Child Safeguarding Statement

The legal obligation to develop a Child Safeguarding Statement rests with the provider of the relevant service (e.g., the owner/BOM).

When do services need to have a Child Safeguarding Statement?

This has been a legal requirement for existing services since 11th March 2018. New services established after this date have 3 months from opening to put a Child Safeguarding Statement in place. Child Safeguarding Statements must also be reviewed every 24 months, or sooner if there is a material change in the service.

Do I need to make the Child Safeguarding Statement available?

Yes, the Child Safeguarding Statement must be circulated to all workers. It must be displayed publicly and made available to parents and guardians, children, Tusla and members of the public, upon request.

I previously had a Child Protection and Welfare Policy. Do I need to develop a Child Safeguarding Statement?

Yes. All ELC and SAC services are legally required to have a Child Safeguarding Statement and accompanying Child Safeguarding Policies and Procedures. Your existing Child Protection and Welfare Policy will now be called your Child Safeguarding

Policies and Procedures and may already contain many of the Policies and Procedures required.

What happens if I don't have a Child Safeguarding Statement?

In line with the Children First Act 2015, Tusla has established and maintains a register of non-compliance for service providers who fail to provide a copy of the Child Safeguarding Statement to Tusla when requested to do so. Any provider or member of the public can report information (unsolicited information or concerns about a service) to Tusla's Child Safeguarding Statement Compliance Unit, (CSSCU) regarding a provider of a relevant service which does not have a Child Safeguarding Statement in place or has a Child Safeguarding Statement which is not in line with the requirements of the Act.

Tusla's CSSCU may contact any service which it has information about and may request a copy of the Child Safeguarding Statement at any time. If you fail to provide a copy of the Child Safeguarding Statement to Tusla when requested to do so, steps will be taken in line with the Children First Act, which may result in your service being added to a Register of Non-Compliance which is a publicly held register.

Your Child Safeguarding Statement must include the following information:

- 1 **Name of services being provided to children should be outlined**
- 2 **Nature of service and principles to safeguard children from harm:**

Your Child Safeguarding Statement should outline your principles to safeguard children and the various activities and services you provide to children. It should state your commitment to keep children safe (*there are examples of these principles in the Child Safeguarding Statement template and appendix 1 of this document*).

- 3 **Risk assessment**

Your Child Safeguarding Statement must include a written assessment of the risk of 'harm' to a child **while availing of your service**.

Harm in the Children First Act is defined as

Assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise

All risks identified and stated in the risk assessment must be accompanied by a list of procedures in place to manage those risks.

The risk assessment contained in the Child Safeguarding Statement is solely for the purposes of meeting the requirements of the Children First Act, 2015 and will not include risks to children that may occur in relation to general issues of health and safety. The risk assessment must include procedures to manage any risk identified, as required by the Children First Act.

4 Child Safeguarding Procedures

The Children First Act lists a number of procedures which must be specified in your Child Safeguarding Statement:

- Procedures to manage any risks identified
- Procedure for the management of allegations of abuse or misconduct against workers/volunteers
- Procedure for the safe recruitment and selection of workers and volunteers to work with children
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm
- Procedure for the reporting of child protection or welfare concerns to Tusla
- Procedure for maintaining a list of persons (if any) in the relevant service who are mandated persons
- Procedure for appointing a relevant person

Remember that for each risk identified, there must be a procedure in place to mitigate this risk

Many of the policies and procedures required in a Child Safeguarding Statement will already be in operation in your service. Parts 2 & 3 of this document will provide further information on how to develop or update these policies and procedures.

5 Implementation and Review

Implementation of all **Child Safeguarding Policies and Procedures** within your service should involve induction, training and supervision of all staff. Services should have an Implementation Plan which outlines who will be responsible for ensuring the plan is effective. At a minimum, reviews must be carried out every 24 months, or sooner if there has been a material change in relation to any matter to which the statement refers.



APPENDIX 2: SAMPLE DECLARATION OF GUIDING PRINCIPLES

Samples of how you might present guiding principles are provided here and can be adapted and tailored for your service.

SAMPLE 1

Declaration of Guiding Principles

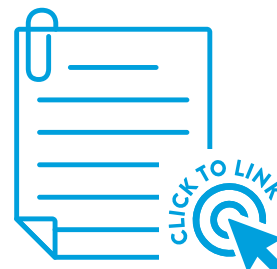
A word document
template is
available **HERE.**



SAMPLE 2

Declaration of Guiding Principles

A word document
template is
available **HERE.**





APPENDIX 3: TYPES OF ABUSE AND HOW THEY MAY BE RECOGNISED (AS OUTLINED IN THE CHILDREN FIRST NATIONAL GUIDANCE FOR THE PROTECTION AND WELFARE OF CHILDREN, 2017).

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. 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. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

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/carer. 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.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse.

Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in chapter 3 of [The Children First National Guidance for the Protection and Welfare of Children 2017](#).





APPENDIX 4: GUIDANCE ON RESPONDING TO A CHILD WHO DISCLOSES ABUSE

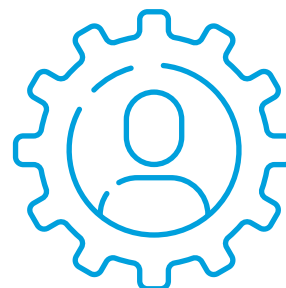
A child may make a disclosure to a trusted worker that they have been or are being harmed or abused. Children will have different ways of disclosing this information and all workers should be prepared to respond to this information in a supportive and sensitive way.

- Be as calm and natural as possible
- Remember that you have been approached because you are trusted and possibly liked. Do not panic
- Do not promise to keep secrets
- Be aware that disclosures can be very difficult for the child
- Remember, the child may initially be testing your reactions and may only fully open up over a period of time
- Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to
- Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language
- Conceal any signs of disgust, anger or disbelief
- Accept what the child has to say – false disclosures are very rare
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement of, or anger towards the alleged perpetrator while talking with the child
- It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed
- Reassure the child that they have taken the right action in talking to you

- Questions should be supportive and for the purpose of clarification only. Do not ask leading questions
- Explain to the child that this information will only be shared with people who can help.

At the earliest possible opportunity

- Record in writing, in a factual manner, what the child has said, including, as far as possible, the exact words used by the child
- Inform the DLP immediately and agree measures to protect the child, e.g. report the matter directly to Tusla
- Maintain appropriate confidentiality.



On-going support

Following a disclosure by a child, it is important that the worker continues in a supportive relationship with the child. Disclosure is a huge step for a child. Workers should continue to offer support, particularly by:

- Maintaining a positive relationship with the child
- Keeping lines of communication open by listening carefully to the child
- Continuing to include the child in the usual activities.

Any further disclosure should be treated as a first disclosure and responded to as indicated above. Where necessary, immediate action should be taken to ensure the child's safety.

Useful Phrases When Responding to a Disclosure



What to Say

I want to listen to what you have to say

I am going to do my best to help you

You did the right thing by telling me, this is what I am going to do next...

You are not to blame

Is there anything else you want to share?



What not to Say

Wait until I get my manager so you can tell her/him too

I can't believe it, I'm shocked!

I can't do anything

This is your fault

Don't tell me any more



APPENDIX 5: FORM FOR RECORDING OF CONCERNS

Outline of the Child Safeguarding Concerns Record Form

This form should be stored in a child safeguarding section of a secure filing cabinet, which is managed by the DLP and should be separate to other files.

1. The full name of the service that the child attends

2. The full name of the appointed Designated Liaison Person in the service

3. The full name of the worker within the service that has raised the concern in relation to a child

4. Is the worker named in section 4 a mandated person?

5. Role of the worker

6. Full name of the child to whom the concern relates to

7. The date of birth of the child, to whom the concern relates to

8. A full, factual detailed description of the concern in relation to the named child

9. Has the worker or DLP spoken to the parent of child at the centre of the concern?

You are required to provide the name and role of the person who has spoke to the child's parent. There should also be a written record of this conversation.

10. If the worker or DLP has spoken to the child's parent, a comprehensive outcome of the conversation must be outlined here. Alternatively, if the worker or DLP hasn't spoken to the parent/guardian, a comprehensive reason must be outlined

11. Existing (if any) 'Forms for Recording Concerns' should be reviewed by the DLP to establish if there are other concerns that may form a pattern to indicate that a child is at risk of harm?

12. Please outline the next steps in supporting this child and their family. Outline if the DLP sought Informal Consultation with Tusla and if a report will be made to Tusla based on concerns. If a report is not being made to Tusla please outline reasons why.

CONCERNS FORM

Form /

1. Service Name
2. Name of DLP
3. Name of Worker with Concern
4. Is this worker a mandated person? (please tick relevant box) Yes ☐ No ☐
5. Role of the worker
6. Child's name
7. Child's date of birth
8. Nature of the concern relating to the child
9. Has the worker or DLP spoken to the parent of child at the centre of the concern? Yes ☐ No ☐
Name of Person Who Has Spoken with Parent
Role
Signature
10. If yes, what is the outcome of this conversation?

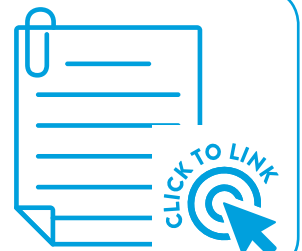
If no – please record why the parent hasn't been informed about this concern

THIS SECTION IS TO BE COMPLETED BY THE DLP AFTER DISCUSSING THE INCIDENT WITH THE WORKER WITH THE CONCERN

11. Has the DLP reviewed previous Recording Concerns Forms to see if there are other concerns relating to this child or a sibling of this child? Yes ☐ No ☐
12. What are the service's next steps in supporting the child/parent/family?

CONCERNS FORM

A fillable pdf of this concerns form is available **HERE**





APPENDIX 6:

GUIDANCE ON TALKING TO PARENTS ABOUT CHILD PROTECTION OR WELFARE CONCERNS

If you have a concern regarding the protection or welfare of a child in your service, you should follow your service's child safeguarding reporting procedure. The DLP in your setting is a resource person to support you if you have child protection and welfare concerns about children.

Your Child Safeguarding Policy should outline who will speak to parents/carers about concerns that arise. Best practice is that this is the role of the DLP. There may be situations where other staff members may be better placed to speak to parents and this decision should be made in conjunction with the DLP.

There are a number of situations where the DLP may need to speak to parents. One such situation is where there are concerns about a child's welfare or protection in their own home or about their safety or welfare elsewhere in the community. Concerns may also arise regarding a child being bullied or are engaging in bullying themselves.

These concerns need to be discussed with parents.

REMEMBER: IF A REPORT NEEDS TO BE MADE TO TUSLA, DO NOT DELAY

It is best practice that parents/guardians are informed if a report is to be made to Tusla, unless doing so might:

- Further endanger the child
- Impair Tusla's ability to carry out an assessment
- Put the reporter at risk of harm.

The unique relationship between ELC and SAC practitioners and parents is a protective factor for children who may be at risk. Informal and formal discussions can be used to check in with parents if you are concerned about a child. This discussion can be useful in helping you to establish your level of concern for the child.

Talking to Parents

- Parents should be given a copy of the service's Child Safeguarding Statement
- Make sure parents/guardians have prior awareness of your guiding principles, procedures and duties to safeguard children
- Be straightforward and clearly explain the nature of the concern or issue, e.g. by using facts and records of observations made
- Think about the time and place to have the conversation. Find a time when parents/guardians are not in a hurry
- Find a place that is quiet and allows privacy
- Consider making an appointment to meet with parents
- The DLP should consider who is best placed to have the conversation with the parents/guardians
- Use a calm and gentle tone, consider the language used
- Start with positive comments and observations about the child. Ensure that the parents/guardians know that you care about the welfare of their child and recognise their strengths
- Refer to how the situation may be affecting the child/young person
- Include positive comments and observations about the parents/guardians. Most parents/guardians are trying to do their best for their children and will appreciate your acknowledgement of how challenging parenting can be at times
- Give the parents/ guardians an opportunity to talk; ask them for an explanation and acknowledge their feelings
- Take the approach that you are working together to address any issues in the best interests of the child

- Don't blame, don't get defensive and don't take things personally. Ensure that you are supportive but also address the issue
- Refer to your guiding principles and Child Safeguarding Procedures for support
- Offer possible solutions, where appropriate
- Advise parents/guardians how you plan to follow up and keep them informed and involved, where appropriate.

Parents/guardians should be made aware of your guiding principles and Child Safeguarding Procedures on initial contact with your service. You should consider including your declaration of guiding principles in literature about your service and activities that you give to families (e.g. handbook for parents/guardians).

For more information, please see Tusla: A Child Safeguarding; A Guide for Policy, Procedure and Practice

<https://www.tusla.ie/uploads/content/Tusla - Child Safeguarding - A Guide for Policy, Procedure and Practice.pdf>



APPENDIX 7: FURTHER INFORMATION AND SUPPORT FOR DEVELOPING PROCEDURES TO MITIGATE RISK – AS OUTLINED IN THE TUSLA QUALITY AND REGULATORY FRAMEWORK

- Staff Absences - [The Tulsa Quality and Regulatory Framework](#) Appendix 14 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)
- Health, Safety and Welfare at Work, Safety Statement - [The Tulsa Quality and Regulatory Framework](#) Appendix 21 and also [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)
- Internet and Social Media Use - [The Tulsa Quality and Regulatory Framework](#) Appendix 15 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)
- Record Retention - [The Tulsa Quality and Regulatory Framework](#) Appendix 22 and [Developing Policies, Procedures and Statements in Early Childhood Education and Care Services: A Practical Guide](#)



