

	Leitrim County Council	
Title	Child Protection Policy and Guidelines for Working with Children/Young People	Rev. 0

Introduction and Scope

Children, because of their dependency and immaturity, are vulnerable to abuse in various forms. Parents or guardians have primary responsibility for the care and protection of their children. However, Leitrim County Council has a responsibility to ensure the protection of children/young people participating in any Council activities. The Council is committed to safeguarding the rights of children/young people with whom we work.

All employees must be sensitive to the vulnerability of children during the course of their duties and act in a responsible manner at all times. It is recognised that most staff members do not have expertise in this area; it is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities and shall not be undertaken by the Council’s Child Protection Liaison Officer(s) or other Local Authority employees

The Council’s Child Protection Policy and Guidelines for Working with Children/Young People have been developed in accordance with Government guidelines *Children First: National Guidelines for the Protection and Welfare of Children*, a copy of which can be found on the website of the Department of Health and Children – www.dohc.ie. The policy extends to all staff and volunteers.

The Guidelines are directed at all those who have contact with children in the normal course of their duties, to provide guidance on appropriate behaviour around children and what to do if physical, sexual, emotional or neglect abuse is suspected.

In the guidelines "child" means a person under the age of 18 years, excluding a person who is or has been married.

The Policy and Guidelines are not a legal interpretation of the legislation.

Policy Statement

Leitrim County Council is fully committed to safeguarding the rights of children and young people with whom we work. We undertake to provide a safe environment where the welfare of the child and young person is paramount. We will adhere to the “Children First” National Guidelines for the Protection and Welfare of Children.

Everybody who works with children/young people has a duty of care and this is a responsibility which should be taken seriously.

The range of activities which the Council may be involved in with Children/Young People include the following:-

- Comhairle na nÓg
- Activities/Events organised under the Council's Arts Programme
- Activities/Events organised through the Libraries

This involvement may take a number of forms – in some instances children and young people travel to Council offices/premises for events/meetings or in other cases the event/activity takes place at a central venue. On other occasions the children or young people may travel with Council staff and volunteers to different parts of the Country. .

A set of guidelines have been developed by the Council for all staff and volunteers involved in any activity/event with young participants. These guidelines are set out in this document and cover all the activities and the varying circumstances in our work with Children and Young People. The aim of the Guidelines is to promote good practice for those working with Children/Young People and provide information on what to do in situations where the safety or welfare of a child may be at risk.

In some cases, Leitrim County Council will work collaboratively with other organisations in organising events/activities involving Children/Young People. Where the event/activity is being run in the name of Leitrim County Council, our Child Protection Policy and Guidelines will apply.

Good Practice Framework/Code of Behaviour for Working with Children/Young People

The Council aims to create an environment in which children are listened to, given a sense of belonging, and kept safe; parents are supported and encouraged; and employees and volunteers who work with children and young people are supported and protected. In order to meet this aim, the Council requires all staff, volunteers, facilitators working with Children/Young People to adhere to the following good practice framework and code of behaviour.

Good Practice Framework

The Council aims to work within the following good practice framework:-

- Ensure all employees and volunteers aware of the Good Practice Guidelines and are familiar with the Council's overall Child Protection Policy.
- Ensure parents/guardians, children, young people and facilitators are aware of our child protection guidelines and procedures.
- A Child Protection Liaison Officer and a Deputy Child Protection Liaison Officer have been appointed to deal with any complaints or issues concerning the safety or welfare of any child/young person attending any event or activity organised by Leitrim County Council.
- When organising events/activities for children/young people, the following information/documentation is requested by the Council in relation to each child/young person attending the event/activity:
 - A Parental Consent Form – particularly for events involving long distance travel or overnight stays; (see sample in Appendix1)
 - Contact details for the family/guardians, including emergency contact numbers;
 - All relevant medical information;

- Information relating to any special needs which the child or young person may have in terms of access, diet, language assistance, etc.
- An appropriate ratio of adults to young people is put in place for each event or activity organised by the Council. The ratio may vary depending on the particular situation, the age of the participants and their disability/ability or other special needs (Where activities involve being away from home overnight, appropriate gender based supervision will be provided - see section ?).
- A clear system of registration and departure of participants is in place for all activities/events.
- A system is in place for recording any incidents or accidents while the child is in the care of the Council (see sample form at Appendix 5);
- Staff and facilitators show respect and understanding for the rights, safety and welfare of the children and young people.
- Inappropriate behaviour/language by the children/young people will not go unchallenged
- Every effort will be made to ensure that during events/activities, the physical surroundings will be comfortable, fully accessible and appropriate for the activity/event being undertaken.
- Employees and volunteers should not take one young person alone in a car on journeys. Where this is unavoidable, it should be with the full consent and knowledge of the parents/guardians and a senior official of the Council.
- While it is recognised that sometimes it is appropriate for staff to work on a one to one basis with a child or young person, staff/volunteers should not spend excessive amounts of time alone with an individual child/young person. Where an adult needs to meet with a child/young person alone, the door should be left open and another adult informed of the meeting.
- There should be no unnecessary physical contact between an adult and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child.
- Complying with the Council's Data Protection Policy in respect of personal and sensitive data regarding children/young people and their parents/guardians subject to child protection concerns.
- Having procedures in place for dealing with accidents/injuries or emergencies.
- Ensuring that partner organisations are familiar with the Council's Child Protection Policy and Guidelines
- Not photographing/filming or otherwise recording, or permitting the photographing/ filming or otherwise recording of children/young people without the written consent of the parent/guardian
- Review and updating of policy, guidelines and procedures on a regular basis.

The Council's Child-Centred Approach

All Council activities involving children shall be guided by what is best for children. Children's activities shall be conducted in a safe, positive and encouraging atmosphere. Standards of excellence should extend to personal conduct. Taking a child-centred approach means to:

- Treat all children/young people equally;
- Actively listen to children/young people
- Value and respect children/young people;
- Involve children/young people in decisions in as participative and appropriate manner as possible;
- Provide encouragement, support and praise (regardless of ability);

- Use appropriate language (physical and verbal);
- Respect a child's personal space;
- Use age-appropriate teaching aids;
- Lead by example;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Respect and be aware of differences of ability, culture, religion, race and sexual orientation and membership of the Traveller Community;

Inappropriate Behaviour – Checklist for Employees/Volunteers

- Avoid spending excessive amounts of time alone with children;
- Avoid taking children on journeys alone in a car where possible and never without the consent of the parent/guardian;
- Where possible employees/volunteers should avoid being in a one to one situation with a child;
- Do not use/allow offensive or sexually suggestive physical conduct and/or verbal language;
- Do not single out a particular child (for unfair favouritism, criticism or ridicule);
- Do not allow/engage in inappropriate touching of any form;
- Do not hit or physically chastise children;
- Do not socialise inappropriately with children e.g. outside of structured organisational activities;
- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation)
- avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;
- Not revealing personal information about children in any way, subject to child protection concerns;
- Considerations for the Health and Safety of Children/Young Persons
- Do not leave children unattended/unsupervised;
- Ensure that children are not in contact with any dangerous materials;
- Provide a safe environment and where feasible ensure another employee/volunteer is present;
- Be aware of and comply with the Council's policy on Safety, Health and Welfare at Work;
- Ensure that you are familiar with and comply with the Council's procedures in relation to accidents;
- Familiarise yourself with and where necessary comply with the emergency evacuation procedures particular to the location in which you are located and brief the children in your care on what they are to do/where they must go in an emergency;
- Be familiar with the particular risks associated with the activity and/or location at which you are based. Read and understand the Safety Statement for that location;
- When undertaking a risk assessment take account of a child's natural curiosity and include appropriate precautions to safeguard a child's potential exposure;
- For any further advice in relation to health and safety issues contact the Council's Safety Advisor.

Consideration for Children with Special Needs or Disabilities

Adhere to national legislation including Disability Act 2005, and Equal Status Acts 2000-2007 in relation to children with disabilities or special needs to ensure access to all Local Authority services and activities.

General Supervision

Employees/volunteers shall endeavour to ensure that there are adequate adult/child ratios. The appropriate ratio will depend on the nature of the activity, the age of the children and any special needs of the group. A general guide may be 1:8 for under 12 years of age and 1:10 for over 12 years of age (good practice is a minimum of two or more adults). There shall be at least one adult of each gender with mixed parties. This ratio may not be appropriate at service points as distinct from organised activities.

- Employees/volunteers shall endeavour to avoid being left alone with children;
- If an adult needs to talk separately to a child this should be done in an open environment in view of others whilst offering the child confidentiality;
- Employees should not be left alone with children at the end of an activity;
- Times for start and finish of activities should be clearly stated;
- Late collection of children by parents/guardians presents a potentially difficult situation, and employees/volunteers shall attempt to contact the child's parent/guardian on their contact number;
- Use an alternative contact name/number agreed with the child's parent/ guardian if necessary;
- Wait with the child with another employee member/volunteer present where possible;
- Make it clear to parents/guardians that it is not the Authority's responsibility to transport children home on behalf of parents/guardians who have been delayed;

Employees/volunteers shall not:

- Take the child home or to another location without permission from a parent /guardian;
- Send the child home with another person without permission from a parent/guardian;
- Leave a child unaccompanied.

Dealing with Challenging or Disruptive Behaviour

Disruptive behaviour is unacceptable, and disruptive children will be asked by employees/volunteers to behave. Disruptive behaviour will be reported to parent/guardian. If a child continues to be disruptive s/he will be advised that s/he is causing a disturbance and given a warning. A warning letter may be sent to the parent/guardian stating that further disruptions may result in withdrawal of facilities or services to the child. If a child is in danger to themselves or others further action may be required i.e. parent/gardaí to be contacted.

When dealing with a disruptive child it is recommended that where possible more than one employee or volunteer be present. Instances of disruptive behaviour that require the intervention of the employee, and which put at risk the safety and well being of others, must be documented. The report shall describe:

- The programme or activity running at the time;
- What happened;
- Who was involved;
- Where and when it happened;
- What was said, if significant;

- Any injury to person or property;
- How the situation was resolved;
- An Incident Report Form shall be completed. A template is provided in Appendix III.

Bullying

Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical which is conducted by an individual or group against others.

Examples of bullying include:

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion
- Exclusion.

Leitrim County Council will not tolerate any bullying behaviour by children/young people or adults and will deal with any incidents immediately in accordance with the Council's anti-bullying policy when working with children and young people (to be developed).

Activities involving overnight stays

Where the activities involve staying away from home overnight a number of additional concerns need to be taken into account. In all cases the guidelines below will be followed:

General guidelines

- Adequate and safe transport arrangements will be made;
- There will be adequate insurance cover for the activities being undertaken;
- Parent/guardian consent will be obtained for each participant, prior to the trip, including information on each participant about the following:
 - Contact details of parent/guardian and another person named by the parent/guardian in the event of the parent/guardian not being available in an emergency
 - All relevant medical information for the participant and consent for medical intervention, if necessary
 - Any special needs which the participant may have, including diet, medical needs, support needs, etc;
- All relevant information including contact details, allergies, medicines, dietary needs etc. for the child or young person will be kept with a leader/staff member on the trip.
- Parents/guardians will be fully informed of the programme or timetable for the event and will receive a copy of the programme;
- Parents will be given full contact details of the centre/hotel/accommodation and also of the staff member in charge of the event;

- The Council will ensure that the physical surroundings are safe, comfortable, accessible and appropriate for the work being undertaken;
- There will be an appropriate ratio of adults to young people at the event – this may vary depending on the age and ability of the group involved;
- There will be appropriate gender based supervision for the event;
- Accommodation will be provided in single sex rooms, and dormitories will not be shared with non-group members;
- All Council staff, who work on a residential event with young people, will have received Garda vetting;
- A system is in place for recording any accidents or incidents while in the care of the Council;
- One staff person will be designated as the ‘key contact person’ for the event and parents/guardians and participants will be given contact details of this person. All complaints, concerns, etc should be directed to this person (with the exception of complaints in relation to the safety and welfare of the children/young people).
- Parents/guardians will also be given the contact details of the Council’s Child Protection Officer. Complaints in relation to the safety and welfare of the children/young people should be made to the Child Protection Officer.

Keeping Parents and Guardians informed

Leitrim County Council will keep parents and guardians informed of all aspects of the events/activities that their child is involved in. It is the Council’s policy to share information relating to events/activities, trips away, transport arrangements, etc with parents/guardians.

Recruitment and Training

Recruitment

The Council has a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined by An Garda Síochána and the Department of Environment, Heritage and Local Government.

All applicants for appointment or engagement will be required to supply information in writing on the prescribed Consent Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records (see Sample Declaration Form Appendix IV)

When a candidate is being considered for appointment or is being placed on a panel, the completed Consent Form will be sent to the Garda Central Vetting Unit by the Council’s Authorised Signatory as appointed under the Garda Vetting Procedure.

Volunteers may be required to supply information in writing on the prescribed Consent Form with a view to being vetted by An Garda Síochána. This requirement will be determined through liaison with the Council’s Authorised Signatory..

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.

All Staff will be given a copy of the Child Protection Policy and Guidelines and asked to certify that they have read it and agree to abide by its contents. Staff working with children/young person will be requested to certify that there is no reason why they should be considered unsuitable for working with children/young people.

When working with staff/volunteers from other agencies/organisations in facilitating events/activities with Children/Young People, such staff/volunteers will be given a copy of the Child Protection Policy and Guidelines and asked to certify that they have read it and agree to abide by its contents and that there is no reason why they should be considered unsuitable for working with children/young people

Training

All staff will be expected to participate in awareness training on the Child Protection Policy and Guidelines. Staff working directly with children will be expected to participate in relevant training from time to time.

Induction training for new staff will include training on the Council's Child Protection Policy and Guidelines.

Reporting Child Protection & Welfare Concerns

Recognising Child Abuse

Child abuse can often be difficult to identify and may present in different forms (see **Appendix III** for guidance on categories of child abuse). Early detection is important and individuals working with children should share their concerns about child protection or welfare with the Council's designated Child Protection Liaison Officer.

Guidelines for Recognition of abuse

The ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child abuse.

These are:

- considering the possibility;
- looking out for signs of abuse;
- recording of information.

The possibility of child abuse should be considered if any of the signs or symptoms referred to above are presented. Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/guardians or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, without direct questioning. Play situations such as drawing or story telling may reveal information.

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

If abuse is suspected, it is important to establish the grounds for concern (see examples from the 'Childrens First' National Child Protection Guidelines below). The HSE should always be informed when a person has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse.

The following examples would constitute reasonable grounds for concern.

- Specific indication from the child that (s)he was abused;
- An account by a person who saw the child being abused;
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour;
- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

Observations should be accurately recorded and should include dates, times, names, and locations.

Dealing with a disclosure of abuse

In the event of a child/young person disclosing an incident of abuse it is essential that this is dealt with in a sensitive and professional manner by the staff member/volunteer involved.

If a child hints at or tells you that he or she is being abused, it must be handled very sensitively, and the following guidelines should be adopted:-

- Stay calm and listen – give the child time to say what she or he wants;
- Do not ask leading questions or details, or make suggestions;
- Do not stop the child recalling significant events, but do not make him or her repeat the story unnecessarily;
- Reassure the child, but do not promise to keep it a secret;
- Explain what needs to be done next;
- Record the discussion as carefully as possible. Sign and date the record.
- Ensure the child/young person understands the procedures that will follow.
- Pass the information to the Child Protection Officer, do no attempt to deal with the matter alone
- Treat the information confidentially.

Role of the Child Protection Liaison Officer

The Council has appointed a Child Protection Liaison Officer to:

- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority; and with any other Child Protection Liaison Officers;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The person(s) designated shall ensure that s/he is knowledgeable about child protection and that s/he undertakes any training considered necessary to keep updated on new development.

The role of the Child Protection Liaison Officer(s) is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority’s catchment area, i.e. Child Care Manager or Principal Social Worker;
- Provide information and advice on child protection within the Authority;
- Ensure that the Authority’s child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See Appendix I);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, particularly the County/City Manager, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs.

Leitrim County Council Child Protection Liaison Officer	Leitrim County Council Deputy Child Protection Liaison Officer
Ms Mary Quinn Director of Services Leitrim County Council Aras an Chontae Carrick on Shannon Co. Leitrim Phone 071 9620005 Email mquinn@leitrimcoco.ie	Mr Shane Tiernan Senior Executive Officer Leitrim County Council Aras an Chontae Carrick on Shannon Co. Leitrim Phone 071 9620005 Email stiernan@leitrimcoco.ie

Responsibility to Report Child Abuse

Everyone must be alert to the possibility that children with whom they are in contact may be experiencing abuse or have been abused in the past. Staff/volunteers working with children/young people have an important responsibility in this regard. The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority;
- Reports should be made without delay to the HSE;
- While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse.

Reporting procedure

- An employee/volunteer who knows or suspects that a child has been or is at risk of being harmed has a duty to convey this concern to the Child Protection Liaison Officer(s) without delay;
- The Child Protection Liaison Officer(s) will assess and review the information which has been provided. He/she will report the information to the Health Service Executive, who in turn, notifies An Garda Síochána;
- In an emergency, a report must be made directly to An Garda Síochána;
- If the suspected abuser is an employee/volunteer of the Council, the matter should be brought to the immediate attention of the Manager;
- The person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Health Service Executive or An Garda Síochána;
- Under no circumstances should any individual member of employee or volunteer attempt to intervene or deal with the problem of abuse alone.

Steps to be taken by the Child Protection Liaison Officer

- When the designated Child Protection Liaison Officer receives a report about suspected or actual child abuse, they should consider whether there are reasonable grounds for reporting it to the Health Service Executive. It may be helpful to discuss the matter with a professional, such as a social worker, who can assist in deciding whether or not to formally report concerns to the Health Service Executive.

This may involve:

- Clarifying or getting more information about the matter. Recording and treating the information as confidential
- Where there is any doubt or uncertainty, consult informally initially with a HSE Duty Social Work Department to hear its view of the situation; (See Appendix IV for a list of HSE Area Social Work Contact Details);
- Making a formal referral to the Health Service Executive or An Garda Síochána.
- Informing parents about making the referral unless this would endanger the child;

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances, earlier suspicions may provide important information.

Standard reporting procedure

Where reasonable grounds exist for the reporting of suspected or actual child abuse a report shall be made to the Health Service Executive in person, by telephone or in writing by the Child Protection Liaison Officer. Reports may be made to the HSE Duty Social Worker Department or directly to the social worker. Each Health Service Executive office has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns. In the event of an emergency, or the non-availability of HSE employees, the report

should be made to An Garda Síochána. This may be done at any Garda Station. Under no circumstances should a child be left in a dangerous situation pending the intervention of the Health Service Executive

Information required when a report is being made

The ability of the Health Service Executive and/or An Garda Síochána to assess suspicions or allegations of child abuse will depend on the amount and quality of information conveyed to them by persons reporting their concerns.

A Template Form for Reporting Child Protection and/or Welfare Concerns is attached in Appendix II, and should be used for reporting suspected child abuse to the Health Service Executive or An Garda Síochána. If a report is made by phone, this form should be forwarded subsequently to the Health Service Executive. Any employee/volunteer/Child Protection Liaison Officer(s) who suspects child abuse should inform the parents/guardians if a report is to be submitted to the Health Service Executive or An Garda Síochána unless doing so is likely to endanger the child or undermine an investigation. Guidance may be obtained from the Health Service Executive or An Garda Síochána on how this might be undertaken.

Any Council employee/volunteer who suspects child abuse shall not interview the child or the child's parents/guardians in any detail about the alleged abuse.

Additional guidance on the arrangements for reporting child abuse can be found in Chapter 4 of Children First – National Guidelines for the Protection and Welfare of Children issued by the Department of Health and Children.

All actions taken and outcomes should be recorded.

Cases where concerns are not referred on

In those cases where the Council decides that it should not refer concerns to the Health Service Executive or An Garda Síochána, the employee/volunteer who raised the concern must be given a clear written statement, from the Child Protection Liaison Officer, of the reasons why the Council is not doing so. The employee/ volunteer should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, the Health Service Executive or An Garda Síochána.

Malicious or vexatious allegations of child abuse made by employees/volunteers may be considered to be a disciplinary matter and dealt with accordingly, subject to 'The Protections for Persons Reporting Child Abuse Act , 1998' (see below).

Common Impediments to the Reporting of Child Abuse

Child abuse is a difficult and, to some people, distasteful subject. There is a common tendency to believe that it happens only to 'other people'. The identification of child abuse is frequently linked to personal experiences, values and beliefs, and there may be a reluctance to acknowledge its existence. The belief that parents or other persons in charge of children would actually hurt or neglect them is not easy to sustain. It is easy, therefore, to deny, minimise or explain away any signs that a child is being harmed, even when evidence exists. At times, it is hard to distinguish between abusive situations and those where other social problems such as unemployment, poverty, poor housing, mental illness or isolation are present. Sympathy for families in difficult circumstances can sometimes dilute personal or professional concerns about the safety and welfare of children. Reluctance to act on suspicions about child abuse can often stem from uncertainty and fear. Individuals may be afraid of repercussions, afraid of being thought insensitive, afraid of breaking confidence, or afraid of being disloyal. Knowledge and information about child abuse will help to overcome reluctance to take action.

The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers, the HSE or any member of An Garda Síochána. This means that, even if a reported suspicion of child abuse proves

unfounded, a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

Dealing with Complaints/Allegations against the Council, Employees and Volunteers

Allegations of a general nature

Allegations of a general nature (not related to the alleged abuse or neglect of a child) which are made against the Council, its employees or volunteers must be investigated, dealt with and managed by the Council in accordance with the Council's Complaints Procedure. Employees/volunteers are required to co-operate with investigations by or on behalf of the Council in accordance with the Complaints Procedure. The Council's Disciplinary Procedure may be invoked in circumstances where it is found that an employee/volunteer has engaged in negligent, unsafe or otherwise inappropriate behaviour in respect of the allegation.

Allegations against an Employee or Volunteer

Where an allegation of abuse of a child is made against an employee or volunteer the reporting procedure must be dealt with and managed by the Council, guided by the Council's Child Protection Liaison Officer(s) as outlined under Children First: National Guidelines for the Protection and Welfare of Children. It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities i.e. Health Service Executive/An Garda Síochána and shall not be undertaken by the Council's Child Protection Liaison Officer(s) or other Local Authority employees. Where such an allegation is made against an employee, or volunteer contact and consultation with the Health Service Executive and An Garda Síochána will take place as soon as reasonably practical. This may be done through the Council's Child Protection Liaison Officer(s). Following these consultations any action will be guided by the relevant Statutory Body. Procedures for the reporting of such incidents are set out in Section 12 of Children First: National Guidelines for the Protection and Welfare of Children a copy of which can be made available on request or can be found on the website of the Department of Health and Children – www.dohc.ie

The Council will, as a matter of urgency, take any necessary protective measures that are proportionate to the level of risk and will balance its obligations to its employee with its obligations in respect of the best interests of children.

When an allegation is made against an employee, the following steps shall be taken:

- (i) The first priority shall be to ensure that no child is exposed to unnecessary risk. The employer should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk.
- (ii) Action shall be guided by the agreed internal procedures i.e. Council's Grievance and Disciplinary Procedures, the applicable employment contract and the rules of natural justice, where appropriate;
- (iii) The Manager shall be informed as soon as possible;
- (iv) The follow up on an allegation of abuse against an employee shall be made in consultation with the Health Service Executive and An Garda Síochána. An immediate meeting shall be arranged with these two agencies for this purpose;
- (v) When pursuing the question of the future position of the employee, the Child Protection Liaison Officer shall advise the person accused of the allegation and the agreed procedures shall be followed;

- (vi) Local Authorities/Managers shall take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the Health Service Executive or An Garda Síochána. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

Employees/volunteer's may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse will be dealt with sensitively and support will be offered to employees including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the employee/volunteer fairly.

Grant Funding

In circumstances where there is grant assistance to festivals or community groups under the Arts or any grant scheme, the Council will ensure that the group or festival has appropriate policies in place as regards child protection. The Council will also require confirmation that the appropriate insurance policies are in place.

Confidentiality

All information regarding concerns of child abuse shall be shared only on "a need to know" basis in the interests of the child. No undertakings regarding secrecy can be given. Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.

Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.

Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.