

# Teagasc Child Safeguarding Policy (Statement) 2019



# **Teagasc Child Safeguarding Policy (Statement) 2019**

*12<sup>th</sup> December 2019*

# Contents

	Page
<b>1. Child Safeguarding Policy . . . . .</b>	<b>4</b>
<b>2. Relevant Services Provided . . . . .</b>	<b>7</b>
<b>3. Obligations under the Children First Act 2015 . . . . .</b>	<b>8</b>
<b>4. Relevant Persons . . . . .</b>	<b>10</b>
<b>5. Assessment of Risks. . . . .</b>	<b>15</b>
<b>6. Mitigation of Risk . . . . .</b>	<b>16</b>
6.1 Children enrolled in Teagasc education programmes . . . . .	16
6.2 Children on Practical Learning Periods . . . . .	20
6.3 Children on work placement at Teagasc Offices . . . . .	20
6.4 Children attending Teagasc Public Events . . . . .	24
<b>7. Training Programme . . . . .</b>	<b>25</b>
<b>8. Reporting Procedures . . . . .</b>	<b>26</b>
<b>9. Employees under the age of 18 . . . . .</b>	<b>27</b>
<b>10. Review . . . . .</b>	<b>27</b>
<b>11. Appendices - Checklists and Consent Forms . . . . .</b>	<b>28</b>

# 1. Teagasc Child Safeguarding Policy

Teagasc is committed to the safeguarding of all children<sup>1</sup>, working or training in Teagasc. This Child Safeguarding Policy is prepared in accordance with the Children First Act 2015 and the Children First: National Guidance together with the other legal provisions set out below. It sets out the principles and procedures to be observed to ensure, as far as possible, that a child availing of Teagasc's services is safe from harm<sup>2</sup>. Teagasc may also, in its discretion, adapt and apply certain provisions of this document for use in the safeguarding of vulnerable adults.

## Legal Context

This Child Safeguarding Policy has been developed having regard to and in line with the following legislation and guidance documents which seek to protect and safeguard children:-

- Child Care Act 1991
- Protection for Persons Reporting Child Abuse Act 1998
- Criminal Justice Act 2006
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- National Vetting Bureau (Children and Vulnerable Persons Act), 2012 - 2016
- Children First Act 2015
- Criminal Law (Sexual Offences) Act 2017
- Children First: National Guidance for the Protection and Welfare of Children 2017 (Department of Children and Youth Affairs)
- Child Protection and Welfare Practice Handbook 2011 (Health Service Executive)
- Child Safeguarding: A Guide for Policy, Procedure and Practice 2018 (Tusla)

<sup>1</sup> A 'child' means a person under 18 years excluding a person who is or has been married, as set out in section 2 of the Child Care Act 1991.

<sup>2</sup> Harm is used as defined in the Children First Act 2015. That definition sets out that 'harm' means, in this context:-

“(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”.

## Aims

Some of the aims of this Child Safeguarding Policy include (but are not limited to) the following:-

- To create a safe environment for children in their interactions with Teagasc and minimise the possibility of harm, either deliberate or accidental.
- To encourage safe practices for those who work with children.
- To set out appropriate responses and procedures to adverse events or disclosures.

## Best Practice

Teagasc will seek to safeguard children by:-

- Valuing them, listening to them and respecting them;
- Adopting and encouraging good child protection practices;
- Implementing robust recruitment and selection procedures including required vetting and reference checks, as set out further below;
- Providing effective management for staff through supervision, training and support;
- Reporting concerns to statutory agencies;
- Sharing information about child protection and good practice with children, parents or guardians and staff;
- Ensuring adherence to safety procedures;
- Reporting and recording any incidents or accidents;
- Updating and reviewing policies and procedures regularly;
- Keeping parents or guardians informed of any issues that concern their children;
- Ensuring proper supervision for children.

## Inappropriate Behaviour

In interacting with children in the course of their work with Teagasc, staff should comply with the following guidelines, which are not exhaustive but instead designed to provide general principles:-


- Do not spend excessive amounts of time alone with children;
- Do not use or allow language that is offensive, abusive or sexually suggestive - physical and/or verbal;
- Do not single out a particular child for favouritism, criticism, unwelcome focus or attention;

- Do not hit or physically chastise children;
- Do not socialise inappropriately with children, for example, socialising outside of structured organisational activities.

## Physical Contact

- Always seek the consent of a child to any physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate physical contact;
- Check with children about their comfort when doing activities that might involve physical contact.
- Some staff are likely to come into physical contact with the children from time to time in the course of their activities, for example when showing a child how to use a piece of equipment. Staff should be aware of the limits within which such contact should properly take place.
- Staff who have to administer first-aid should ensure wherever possible that other children or another adult are present.

## Health and Safety

- Ensure that supervision is provided where required;
  - Ensure that steps are taken to manage dangerous materials;
  - Be aware of and follow accident and incident procedures.
  - Follow the provisions of the general health and safety guidance for activities involving children set out at Appendix 6.
  - Adhere to Teagasc's general Health and Safety policies and guidance.
  - Ensure the individual has completed the on-line Student Health and Safety Induction.
- 

## 2. Relevant Services Provided

Schedule 1 of the Children First Act 2015 provides a list of ‘work or activities’ that constitute a ‘relevant service’. For the most part, Teagasc does not provide full time services directly to children (like other specialist agencies); however, we do provide services to children and engage with children at public events. These services and events are summarised below.

Services are provided directly to children under the Teagasc Education Programme where persons under 18 years of age may be enrolled in one of the further education courses provided through our colleges and local education centre network.

On occasion Teagasc may employ staff who are under 18 years of age as well as facilitating the placement on work experience of children in order to support the development of children and young people (eg: transition year programme). This placement may be formal or informal and the duration of such placements can vary. The nature of work experience placement and in particular the aim to provide the broadest working experience, means that these children may come into contact with a range of people including staff, colleagues from other departments, public representatives, members of the public, suppliers, contractors, clients, etc.

Teagasc also engages with children at various science Outreach Events such as Science Week, BTYSTE and SmartFutures and AgriAware road-shows, etc. some of which are on Teagasc premises and others at external venues. Teagasc also participates in schools visits; where either the schools visit Teagasc or a Teagasc staff member makes classroom visits. And of course Teagasc engage with children at Teagasc public events.

## 3. Obligations under the Children First Act 2015 in Relation to Relevant Services

### 3.1 Teagasc Services

#### 3.1.1 Children (<18 years) enrolled in education programmes.

Teagasc is fully committed to ensuring that children (learners under 18 years of age) are protected and kept safe when attending Teagasc education and training courses and residing in college accommodation as per the *Children First Act 2015*.

#### 3.1.2 Practical Learning Periods on Host Farms/Units.

Practical learning periods as part of work practice/work experience are mandatory components of QQI validated Level 5 and 6 further education programmes provided by Teagasc. Learners on Teagasc full-time Level 5 and 6 programmes are required to complete Practical Learning Periods on host farms/units. The Teagasc Child Safeguarding Policy extends to host farm based Practical Learning Periods.

#### 3.1.3 Children on work placement at Teagasc Centres.

Where a person under 18 years of age is supported by Teagasc through a placement on work experience they are assigned to a unit or units and are the responsibility of the manager of the unit or other designated staff member for the duration of the placement. The **Teagasc Child Safeguarding Policy** extends to such placements, as the placement of a child on work experience is considered to be a relevant service to Children under the Act.

#### 3.1.4 Children attending Teagasc public events.

Teagasc is committed to ensuring that any person under 18 years of age who attends a Teagasc public event are protected and kept safe and therefore the **Teagasc Child Safeguarding Policy** extends to public events.



## 3.2 Teagasc Child Safeguarding Principles

The following principles and obligations apply under *Teagasc Child Safeguarding Policy*.

- To keep the child safe from harm while receiving the service;
- To assess the risks;
- To address those risks, as required by the Act;
- Teagasc will ensure as far as is practically possible that the child will not be required to have unsupervised one-to-one contact with any member of staff, host farmer, client or contractor of Teagasc.
- On occasion it will be necessary for one-to-one contact, for example a child that wishes to discuss a confidential matter with the access officer in a college, and in these situations the protocol around one-to-one contact will be followed (reference appendix 3)
- New Teagasc staff will be advised as part of their on-boarding (induction) to complete the Tusla Children First E-Learning Programme.
- **Principles around Garda Vetting**

On 29<sup>th</sup> April 2016 the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 commenced into law. Teagasc is now considered by the National Vetting Bureau to be a **non-Act Organisation**. There is no legal basis for Teagasc to conduct Garda Vetting, therefore Teagasc will only Garda Vet staff who carry out roles where there is frequent one to one interaction with children. All other staff will complete a character self-declaration in advance of commencing employment.

Host farmers who take children on placement will be required to be garda vetted before a placement commences. And further, Teagasc subcontractors who provide services to Teagasc that involve some contact with children, will be required to ensure that character self-declarations or Garda Vetting (if required) is carried out on their staff before they commence providing services to Teagasc.

## 4. Relevant Persons

### Mandated Persons

The Children First Act 2015 places a legal obligation on certain categories of people to report child protection concerns at or above a defined threshold to Tusla (“Mandated Persons”). These Mandated Persons must also assist Tusla, if requested, in their assessment of child protection concerns about children who have been subject of a mandated report. Broadly, the obligation to report child protection concerns to Tusla is triggered where a mandated person knows, believes or has reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed, or where a child discloses to the Mandated Person his or her own belief that he or she has been harmed, is being harmed, or is at risk of being harmed.

Mandated Persons are people who have contact with children and/or families and who because of their qualifications, training and/or employment role are in a key position to help protect children from harm. Mandated Persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also Mandated Persons. The list also includes registered foster carers and members of the clergy or pastoral care workers of a church or other religious community.

Having reviewed its organisation, Teagasc is satisfied that it does not, as of the date of this Child Safeguarding Policy, have within its organisation any ‘Mandated Persons’ as defined in Schedule 2 of the Children First Act 2015.

## Designated Liaison Person(s)

Teagasc has assigned as relevant persons for the purposes of the Act a Designated Liaison Person (DLP) and Deputy Designated Liaison Person (Deputy DLP) in keeping with best practice in children safeguarding. The DLP and Deputy DLP are the contact persons for any children protection concerns within Teagasc. They are responsible for ensuring that reporting procedures within the organisation are followed so that child welfare and protection concerns are referred promptly to Tusla. Reporting procedures are summarised on the TUSLA website - <https://www.tusla.ie/services/child-protection-welfare/concerns/>.

The DLP's will act as a point of contact for reporting child protection concerns and will liaise with outside agencies, as required. If an alleged concern involves a Teagasc staff member, the DLP should contact the HR Department for advice.

The Designated Liaison Person (DLP) is Mary O'Shaughnessy, Teagasc, Grange, Dunsany, Co. Meath. T: 076-1113202.

E: [mary.oshaughnessy@teagasc.ie](mailto:mary.oshaughnessy@teagasc.ie)

The Deputy Designated Liaison Person (Deputy DLP) is Karen O'Connell, Teagasc, Clonakilty College, Cork. T: 023-8832500

E: [karen.oconnell@teagasc.ie](mailto:karen.oconnell@teagasc.ie)

The local College Liaison Person(s) for the colleges are as follows:

- Kildalton College – Tim Ashmore
- Clonakilty College – Karen O'Connell and Michael White, Placement Officer
- Ballyhaise College – John Kelly and Oliver Tierney
- National College of Amenities and Horticulture – John Mulhern and Louise Jones

## Reporting Procedures

Any staff member who has child protection concerns should report those immediately to the relevant DLP and, in doing so, should try to provide the following information if possible:-

- the name, address and age of any child in respect of whom such concerns arise;
- the nature of any injury;
- any need for medical attention;
- the reason for suspicions or concerns;
- any practical information, such as the name of the child's GP, school, etc.

It is the role of the DLP to receive child protection and welfare concerns from staff, to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla and to provide support to staff who report concerns about a child. On receipt of a concern, the DLP will decide if the threshold of reasonable grounds for concern is met. A written record should be kept of this decision-making process.

Broadly, there are three main avenues available to the DLP following this decision-making process:-

- 1.If reasonable grounds for concern exist the DLP will report to the Tusla duty social worker (see <https://www.tusla.ie/children-first/contact/>). As much information as possible should be provided to Tusla on the Child Protection and Welfare Report form <https://www.tusla.ie/uploads/content/Child Protection and Welfare Report Form FINAL.pdf>
- 2.If the DLP is uncertain whether the threshold is met, he or she can contact Tusla to informally discuss the concern. This provides an opportunity to discuss the query in general (without identifying details) and to seek advice as to whether a formal report of the concern to Tusla is appropriate at this stage. A written record of any advice received from Tusla should be kept, which should identify the advice given, the date and the person from Tusla from whom advice was received.
- 3.If the DLP decides not to make a report the following steps should be taken:-
  - The reasons for not reporting should be recorded;
  - Any actions taken as a result of the concern should be recorded;

- The employee who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla;
- The employee 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 person who raised the concern should also be reassured that if they do choose to further pursue the matter, they are covered by the Protection for Persons Reporting Child Abuse Act 1998.<sup>3</sup> The 1998 Act provides that a person who, would otherwise be liable in damages in respect of a communication by him or her to an appropriate person of his or her opinion that child has been or is being assaulted, ill-treated, neglected or sexually abused, or that a child's health, development or welfare has been or is being avoidably impaired or neglected, shall not be liable for communicating it to the appropriate person once this is done on a reasonable basis and in good faith.

In a situation where a staff member and the DLP feel that a child is in immediate danger and Tusla cannot be contacted, they should make a report to the Gardaí without delay. Where it is not possible to contact a DLP in this situation or there is not sufficient time to contact the DLP due to the urgency of the imminent danger, the staff member/volunteer should contact the Gardaí immediately and thereafter inform the DLP of the report made to the Gardaí. A written record should be kept of this report.

Staff should bear in mind that the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 ("the 2012 Act") incorporates additional mandatory reporting where a person knows or believes that a 'scheduled' offence<sup>4</sup> has been committed against a child and they have information on that offence which would assist prosecution. Where a person has such information it must be reported to Gardai.

---

<sup>3</sup> *Child Safeguarding: A Guide for Policy, Procedure and Practice* (2018, Tusla) p.32

<sup>4</sup> These are the specific offences, including murder, manslaughter, rape and a large number of sexual offences. However, some relatively less serious offences such as reckless endangerment of children, assault and threats to cause serious harm are also included. Please consult the 2012 Act itself or the DLP for further information.

The legal obligation to report under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 applies to any information which comes to a person's attention in any context and that person themselves is responsible for reporting the information to Gardai. However, if you require guidance on this issue or if you are in doubt as to whether a mandatory report is required, please consult with the relevant DLP.

It is best practice that parents are informed where a report is made to Tusla, unless:

- Doing so, could put the child at further risk of harm;
- The family's knowledge of the report could impair Tusla's ability to carry out an assessment;
- The person making the report reasonably believes that it may place them at risk of harm from the family.

## **Confidentiality and Sharing Information**

All information about a child and family should be handled by staff in a confidential and sensitive manner. It is important to note that whilst staff should do their utmost to ensure the confidentiality of information there are occasions where confidentiality is not possible and, accordingly, personal information will be shared in certain situations.

Where a child protection or welfare concern arises, information will be shared on a need to know basis in the best interest of a child with the relevant statutory authorities and with parents/guardians. Data protection and privacy principles recognise that in certain circumstances information can be shared in the interests of child protection or for other reasons giving rise to legitimate reasons to do so, but that such sharing should be necessary and proportionate. This involves a balancing of the competing interests which are involved; but where information relates to child protection concerns, the protection of children through information sharing as appropriate must be given paramount.

Therefore, staff working with children should make it clear to children and their parents/guardians that they cannot give undertakings regarding confidentiality or secrecy.

Of course confidentiality is also paramount where any concern or issue potentially involves a staff member. These matters will be handled in the strictest of confidence to fully protect staff and their reputation.

## 5. Assessment of Risks

Teagasc has carried out an assessment of any potential for harm to a child while availing of our services. Below is a list of risks which have been identified. In preparing this assessment of potential risk, Teagasc has had regard to the matters specified by section 11 of the Children First Act 2015:-

- a. to manage any risk identified,
- b. to address procedures for any member of staff or volunteer who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service,
- c. for the selection or recruitment of any person as a member of staff or volunteer with regard to that person's suitability to work with children,
- d. for the provision of information and, where necessary, instruction and training, to members of staff or volunteers in relation to the identification of the occurrence of harm,
- e. for reporting to Tusla where required by the Children First Act 2015 and reporting to An Garda Síochána in accordance with Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Adults) Act 2012,
- f. for maintaining a list of the persons (if any) in the relevant service who are Mandated Persons, and
- g. for appointing a relevant person for the purposes of section 11 of the Children First Act 2015.

A discussion of Teagasc's assessment that there are no Mandated Person(s) within its organisation appears above at Section 4. The procedures in place to mitigate these risks are outlined in Section 6. Procedures are broken into 4 categories based on the services Teagasc provide or where Teagasc interact with children.

- √ Children enrolled in Teagasc education programmes (6.1)
- √ Children on Host Farms (6.2)
- √ Children on work experience/placement with Teagasc (6.3)
- √ Children attending Teagasc Public Events (6.4)

The identified risks are assessed under 6 headings and mitigating actions are detailed below where relevant.

- a. Risk of harm to a child from a member of staff,
- b. Risk of harm to a child from a non-member of staff
- c. Risk of harm or concern not being recognised or reported
- d. Risk that the nature of the work the child is exposed to could be inappropriate or potentially harmful
- e. Risk of physical harm to the child while on Teagasc premises
- f. Risk that the unit to which the child is assigned would not be aware that the person is under 18 years of age.

## 6. Mitigation of Risks

The following is an outline of the procedures in place to mitigate each of the risks as identified in Section 5 above.

### 6.1 Children (< 18 years) enrolled in Education Programmes

Each college management has a responsibility to mitigate the potential risks indicated at section 5 above. Key steps include:

The procedures in place to mitigate the risk of the above-mentioned risks are:

#### 6 a) Risk of harm to a child from a member of staff:

- Provide access to a Learner Handbook as part of the learner induction process outlining key College requirements, processes and guidelines and learner supports. This Handbook will include a link to this *Teagasc Child Safeguarding Policy*.
- In case of children, acceptance of the Learner Handbook conditions should be countersigned by the child's parents/guardians.



- Make learners aware of key aspects of the **Teagasc Child Safeguarding Policy** as part of the learner induction process.
- Provide to learners the contact details for the Local College DLP, Teagasc DLP and Deputy DLP (and include same in the Learner Handbook); who will be accessible at reasonable hours should children have concerns/issues around abuse, bullying, inappropriate behaviour or any issue of concern they may have.
- Brief staff on key guidelines and provisions of the *Childrens First National Guidance for the Protection and Welfare of Children* document as it relates to college operational practice and reporting structures.
- Follow the protocol if and when there is one-to-one contact with children (reference appendix 3).
- To ensure that child protection and welfare issues are considered in regard to college operation and educational and training activities.

#### 6 b) Risk of harm to a child from a non-member of staff:

- Ensure that information and concerns relating in respect of child protection issues arising at the College are treated with the utmost confidentiality and the details shared only on a need-to-know basis within Teagasc. Be aware of and follow the guidance on information sharing set out elsewhere in this document.
- Provide a copy of the **Teagasc Children Safeguarding Policy** to contractors on site that may have contact with children (e.g. contractors: education, security, catering, cleaning and others).
- Ensure that the personal details/data of children are not shared with third parties outside of normal education and training requirements.
- College contractors, suppliers and other agents of Teagasc should not have direct interaction with learners unless this is deemed essential to the service being provided and should be supervised by a staff member.
- Individuals or entities other than Teagasc and its agents should not be provided with access to children unless for bona fide reasons and that such access is authorised in advance and should be supervised by a staff member.

### 6 c) Risk of harm or concern not being recognised or reported:

- Provide all staff with a copy of the **Teagasc Child Safeguarding Policy** which outlines the reporting procedures for child protection concerns and provides guidance for recognising and dealing with situations which may involve potential harm to children.
- Make available a copy of *Children First National Guidance for the Protection and Welfare of Children* document to all staff.
- The contact details for the Local College DLP, Teagasc DLP and Deputy DLP will be provided to any staff member who will be dealing with the child during their placement. Such staff members will be advised that any child protection concerns raised with them by the child on placement must be reported to the DLP or Deputy DLP.
- Inform the Teagasc education HR partner (and DLP if appropriate) in the event of a significant child issue arising at the college.
- Adhere promptly to the *Children First National Guidance for the Protection and Welfare of Children* guidelines and procedures in the event that an issue of concern arises pertaining to child protection and welfare.
- Brief staff on key guidelines and provisions of the Guidance document as it relates to college operational practice and reporting structures.
- Ensure that designated staff have undertaken Tusla's Children First E-Learning Programme and additional appropriate DLP training as necessary.
- Encourage all staff to undertake Tusla's Children First E-Learning Programme.
- Review the College's practices and procedures relating to children protection on an on-going basis and to do so at college staff meetings as necessary.
- Review the **Teagasc Child Safeguarding Policy** at College Principals' meetings as necessary.
- Identify management and staff training needs that may arise in respect of *Children First*.

### 6 d) Risk that the nature of the work the child is exposed to could be inappropriate or potentially harmful:

- Ascertain from children / learners any relevant medical conditions/ disabilities that could impact on the education and training.
- In the case of young persons (< 18 years) that disclose conditions that could limit a young person's education and training, activities should

be discussed with the parents/guardians and, if appropriate, the young person themselves.

- Provide reasonable accommodation for situations where such conditions could restrict the undertaking of certain learning activities.
- Ensure best health and safety practice to avoid situations that might compromise child safety, including the guidance provided at Appendix 6.
- Accidents and incidents should be recorded through the Flex Health and Safety System.

#### 6 e) Risk of physical harm to the child while on Teagasc premises:

- Provide an induction programme to learners incorporating college health and safety and fire safety/evacuation procedures and emergency contact details.
- Provide a Learner Handbook as part of the Learner induction process outlining key College requirements, processes and guidelines and learner supports. In case of children the acceptance of the Learner Handbook conditions should be countersigned by the child's parents/guardians.

#### 6 f) Risk that the unit to which the Young Person is assigned would not be aware that the person is under 18 years of age:

- Learners enrolling in Teagasc Level 5 and Level 6 full-time/part-time/programmes and distance programmes validated by QQI are required to provide their date of birth.
- Colleges to identify enrolees who are children (<18 years) and to inform relevant staff and, if necessary, contractors of such learners.
- Parents/guardians to co-sign acceptance of the college rules and regulations as per the college Learner Handbook.

## 6.2 Practical Learning Periods on Host Farms/ Units

Teagasc requires that learners complete their Practical Learning Period (“PLP”) on Teagasc registered/approve host farms/units. In addition to requirements at 6.1, the following additional mitigation actions are required for the safe operation of practical learning periods on host farms/units:-

- Children (< 18) will be prioritised for host farms where there are either two students on the farm, or more than 1 adult contact person.
- If this cannot be accommodated, parents will be asked to confirm in writing their acceptance of the proposed PLP arrangements. Records of such written parental consent shall be carefully retained by Teagasc.
- Residential placement on host farms/unit is not permitted in the case of children.
- Requiring that the registered host farmer(s) be Garda Vetted.
- Staff shall also ensure that any information about the children which may be relevant, e.g. allergies, medical problems, special needs, etc are communicated to the host farmer.
- Host farmers will be briefed on the *Teagasc Child Safeguarding Policy* and shall agree in writing to comply with its provisions, and the resident host farmer will be required to complete the TUSLA e-learning programme (<https://www.tusla.ie/Children-first/Children-first-e-learning-programme/>) and forward a copy of the certificate of completion to Teagasc. A central log of these certificates should be maintained by colleges.
- Children (< 18) will be encouraged to maintain contact with the Practical Learning Period Placement Co-ordinator.

## 6.3 Work Placement of Children at Teagasc Offices/Centres

The following additional mitigation actions are required when children are on work experience in Teagasc Offices/Centres. Managers are free to liaise with schools/colleges to plan the work experience dates/ intervals to a schedule that is more practicable for the staff that will be involved in mentoring the students.

The procedures in place to mitigate the risk at.

### 6 a) Risk of harm to a child from a member of staff are:

- On induction the child on work experience placement will be given a copy of the following documents which will be explained to them as they relate to the placement:
  - **Teagasc Child Safeguarding Policy**
  - Teagasc Dignity at Work Policy
  - Relevant Teagasc IT policies (if the child will have computer / IT access during the placement)
  - Teagasc Code of Conduct
- The student will be required to complete the relevant on-line safety induction prior to commencing their placement.
- Children on work experience placements will not be left alone / unsupervised whilst on Teagasc premises during that placement.
- At the start of their placement they will be provided with the name and contact details of the Teagasc DLP and Deputy DLP who will be a contact person for them, to raise any concerns/issues around abuse, bullying, inappropriate behaviour or any issue of concern they may have. A copy of the **Teagasc Child Safeguarding Policy** and the contact details for the Teagasc DLP, Deputy DLP and Local College DLP where relevant, will also be provided to their parents/guardians.
- The contact details for the Teagasc DLP, Deputy DLP and Local College DLP where relevant will be provided to any staff member who will be dealing with the child during their placement. Such staff members will be advised that any child protection concerns raised with them by the child on placement must reported to the Teagasc DLP or Deputy DLP.
- The manager of the business unit in which the child is placed must ensure that a copy of the **Teagasc Child Safeguarding Policy** is issued to all staff members in that business unit.
- During the placement a supervisor will be appointed to manage the placement/allocate appropriate work. For transition year students, the student placement guidelines set out at Appendix 2 shall be adhered to where relevant.
- This supervisor will have undertaken [Tusla's Children First E-Learning Programme](#).

- The supervisor will ensure that the child will not be required to have unsupervised one-to-one contact with any member of staff, including themselves. Reference appendix 3 which has guidance on how to deal with exceptions to this position.

The procedures in place to mitigate the risk at

### 6 b) Risk of harm to a child from a non-member of staff:

- **Teagasc Child Safeguarding Policy** will be made available to all non-staff members on the Teagasc website.
- The supervisor of the child on placement will ensure that the child will not be required to have unsupervised one-to-one contact with members of the public, suppliers, contractors, clients or any other non-staff member in the course of their placement.

### 6 c) Risk of harm or concern not being recognised or reported:

- Managers must ensure that all staff in their area of responsibility who will be dealing with a child in the course of a work experience placement, whatever the duration, have received a copy of the **Teagasc Child Safeguarding Policy** which outlines the reporting procedures for children protection concerns.
- The contact details for the Teagasc DLP and Deputy DLP will be provided to any staff member who will be dealing with a child during their placement. Such staff members will be advised that any child protection concerns raised with them by the child on placement must be reported to the Teagasc DLP or Deputy DLP.
- Teagasc has raised awareness of child protection and the importance of reporting any child protection concerns through various forms of communication with staff including email, Teagasc Table Talk, Teagasc staff intranet, policies relating to work experience placements, staff meetings, manager meetings etc.
- Any supervisor appointed to a child for the duration of their work experience placement will have undertaken [Tusla's Children First E-Learning Programme](#).
- The Teagasc DLP and Deputy DLP will have undertaken appropriate training in the area of child welfare and protection.

#### 6 d) Risk that the nature of the work the child is exposed to could be inappropriate or potentially harmful:

- In determining the placement of a child on work experience the unit manager and supervisor appointed to the child will be responsible for ensuring that care is taken to avoid placements in units where exposure to the nature of the work may be distressing or inappropriate for children. Clearly, the concept of whether certain items of work may be distressing or inappropriate is very broad and does not allow for a general definition of what might amount to distressing or inappropriate work. However, this should be carefully considered and assessed on a case-by-case basis by the unit manager and supervisor.
- Any work proposed to be undertaken by the child during the course of the placement must be assigned through the supervisor appointed to the child during their placement.
- If a risk assessment is in place in relation to that work activity then the supervisor will ensure that the child will be provided with any identified training, PPE etc as per the risk assessment.
- Any matters of doubt arising as to the appropriateness of the work assigned should be discussed in advance with the parents/guardians of the child concerned and their permission obtained and documented where appropriate.

The procedures in place to mitigate the risk at

#### 6 e) Risk of physical harm to the child while on Teagasc premises:

- The supervisor appointed to the child will ensure that the relevant unit's Safety Policy will be provided to the child at the start of their placement and will explain it as it relates to the placement.
- The supervisor will also ensure that the child is made aware of the appropriate evacuation procedure in the case of an emergency.
- The child on placement or their parents/guardians should report to the supervisor any medical condition that may compromise their own or others health & safety.
- The guidance provided at Appendix 6 of this document should be observed.

The procedures in place to mitigate the risk at

#### 6 f) Risk that the unit to which the child is assigned would not be aware that the person is under 18 years of age:

- HR policies in relation to work experience placement will be updated to include a requirement to provide a date of birth (or confirmation that they are over or under 18) for any person who is being offered a placement on work experience, whatever the duration.
- Managers of units proposing to offer a work experience placement are responsible for ensuring that the person to whom the placement is being offered has provided them with their date of birth/or whether they are over or under 18.
- Managers of units offering a work experience placement to a child must ensure that the supervisor appointed is aware that the person is a child.
- Managers of units offering a work experience placement to a child must ensure that all staff who will come into contact with that child are aware of his or her status as a child.

## 6.4 Children attending Teagasc Public Events

Children may attend a public event either with their parent(s) or as part of their secondary school or third level education programme.

Additionally primary or secondary schools may visit Teagasc premises in educational events organised by those schools. In addition to relevant requirements at 6.2 and 6.3 the following additional mitigation actions are required for the safe operation of Teagasc events.

- Brief key staff involved in public events on key guidelines and provisions of the *Children's First National Guidance for the Protection and Welfare of Children* document as it relates to Teagasc public events.
- Hosts (eg: Schools/Universities and Farmers) are provided with/briefed on the current *Teagasc Children Safeguarding Policy* as necessary.
- Adhere promptly to the Children First National Guidance for the Protection and Welfare of Children guidelines and procedures in the event that an issue of concern pertaining to child protection and welfare arises.
- Ensure that key staff who have regular contact with schools and young adult educational events undertake [Tusla's Children First E-Learning Programme](#) and additional appropriate DLP training as necessary.



- **Photos and or Video Production at Events:**
  - Teagasc will ensure that before any photos or videos are taken of children, consent forms must be signed by a parent/guardian and presented to Teagasc by the adult who is responsible for the group. If this is not possible, photos cannot be taken and used. The person that takes the photo needs to send the signed consent form along with the photos to Teagasc. If the child in question is of secondary level age or older the child's own consent should also be recorded in a consent form signed by them.
  - Any person taking photographs or video at Teagasc events must be authorised in advance to do so and must comply with Teagasc's relevant policies relating to such activities.
  - It should be understood by parents that when bringing children to Teagasc public events that group photos/videos will be taken and it is unavoidable when taking large group shots to exclude children. It is Teagasc policy that where group photos/videos are taken they will only be published where children are largely not recognisable (unless consent is obtained, see points above).
  - In cases where Teagasc personnel are taking photos/videos at non-Teagasc events, and the footage is to be used for promotional purposes, the points of permission and consent above also apply.

## 7. Training Programme

An important part of implementation of this policy and ensuring the protection and safety of children is creating awareness of our obligations amongst staff and managers of Teagasc. A training programme has been put in place and will include:

- Training for DLP's
- Training for all managers
- Training for senior administrators
- Training for all staff carrying out an education role
- Training for members of the HR and PR department
- Training for staff who have regular contact with children

The training programme will include completing the Tusla e-learning programme, attending in-house training delivered by the DLP's and or HR. A video will be shared on the Teagasc T-Net to raise awareness of the main obligations and ways to mitigate risks.

## 8. Reporting Procedure

All staff have a responsibility to safeguard children and young people and to report any concerns that they may have for the protection or welfare of a young person. Regardless of how a concern comes to a staff member's attention it must be reported to the Designated Liaison Person (DLP) or Deputy Designated Liaison Person (Deputy DLP). If a concern relates to the Teagasc DLP or Deputy DLP it should be reported to the Head of Human Resources. The person reporting a concern should complete a report with the details of the concern. The HR Department should be consulted where appropriate.

All persons involved in this process must ensure that they maintain appropriate levels of confidentiality. A report of a concern to the DLP by a staff member about another person will not result in penalisation by Teagasc against the person reporting the concern where the report is made in good faith. If the concern relates to a staff member, HR should be advised. Where this is the case, HR will take appropriate action in this regard (e.g. reporting to An Garda Síochána and/or progressing the issue via the Teagasc Investigatory & Disciplinary Code as appropriate).

As set out above (see p. 11) individuals sometimes come under an obligation under the Criminal Justice (Withholding of Information On Offences Against Children and Vulnerable Persons) Act 2012 (“the 2012 Act”) where they know or believe that a ‘scheduled’ offence<sup>5</sup> has been committed against a child and they have information on that offence which would assist prosecution. Where a person has such information it must be reported to Gardai and it is a criminal offence not to do so. Please consult with the DLP for guidance if you have a query or concern in that regard.

The role of the Teagasc DLP and Deputy DLP is to receive child protection and welfare concerns from staff and to report concerns that meet the threshold of ‘reasonable grounds for concern’ to Tusla. [The Children First: National Guidance](#) provides more information in relation to reporting a concern about a child and defines what is meant by ‘reasonable grounds for concern’.

---

<sup>5</sup>These are the specific offences, including murder, manslaughter, rape and a large number of sexual offences. However, some relatively less serious offences such as reckless endangerment of children, assault and threats to cause serious harm are also included. Please consult the 2012 Act itself or the DLP for further information.

Action must be taken where there is thought to be an immediate risk to the child. If the person reporting the concern notes it relates to the workplace, appropriate steps must be taken in accordance with Teagasc's policies and procedures including the children safeguarding procedures.

## 9. Employees under the Age of 18 Years

The employment of staff does not fall within the definition of the provision of relevant services to Children as set out in Schedule 1 of the Children First Act 2015. However, in the case of staff who may be under 18 years of age, Teagasc is committed to best practice in relation to child safeguarding.

The risks to underage staff are considered to be very similar, if not identical to those applying to children on work experience placement (as set out in Section 5 of this Child Safeguarding Policy) and in that context the mitigating of risks as set out in Section 6 will be adopted as appropriate to be applied to all staff under 18 years of age.

## 10. Review

This *Teagasc Child Safeguarding Policy* will be reviewed every two years, or sooner, if there has been a material change to any of the issues to which it refers or relevant legislation.

The next review is scheduled for Q2 2021.

## APPENDIX 1

### Role of DLP

Every organisation, both public and private, that is providing services for children or that is in regular direct contact with children should:

- i. Identify a designated liaison person to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns.
- ii. The designated liaison person is responsible for ensuring that the standard reporting procedure is followed, so that suspected cases of Young Person neglect or abuse are referred promptly to Tusla; or in the event of an emergency and the unavailability of Tusla, to An Garda Síochána.
- iii. The designated liaison person should ensure that they are knowledgeable about children protection and undertake any training considered necessary to keep themselves updated on new developments.

The Guidelines provided in the Children First National Guidance for the Protection and Welfare of Children.

<https://www.dcy.gov.ie/documents/Publications/ChildrenFirst.pdf>

The designated liaison person is responsible for ensuring that reporting procedures within Teagasc are followed, so that child welfare and protection concerns are referred promptly to Tusla. Details on what is a reasonable concern and how to report it to Tusla can be found in Chapter 2 of Children First 2017.

The designated liaison person should record all concerns or allegations of child abuse brought to his or her attention, and the actions taken in relation to a concern or allegation of child abuse.

If, as a designated liaison person, you decide not to report a concern to Tusla, the following steps should be taken:

- The reasons for not reporting should be recorded;
- Any actions taken as a result of the concern should be recorded;
- The employee or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla;
- The employee or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or An Garda Síochána.

Mary O'Shaughnessy is a HR Specialist located in Grange. She has extensive experience in staff relations and providing supports to staff. Mary is also the equality officer for Teagasc and she arranges any accommodation required (eg: technology, special equipment) for staff with disabilities. Mary can be contacted at 076-1113202 and emailed at [mary.oshaughnessy@teagasc.ie](mailto:mary.oshaughnessy@teagasc.ie).

The Deputy Designated Liaison Person (Deputy DLP) is Karen O'Connell. Karen has been dealing with students for many years and is one of our student access officers, Karen can be contacted at 023-8832500 and emailed at [karen.oconnell@teagasc.ie](mailto:karen.oconnell@teagasc.ie)

## APPENDIX 2

### Checklists

#### Checklist for Managers before/during work experience placement on Teagasc premises

The following Checklist is relevant for TY students, but some tasks may not be required. Note - managers are free to negotiate the work schedule for TY students so that it is more practicable to operationalize, eg: block weeks rather than single days.

	<b>Task</b>	<b>Status (tick when completed)</b>
1	Agree the work that the student is assigned and ensure it is compliant with the <i>Teagasc Child Safeguarding Policy</i> .	
2	Get proof of age from the student and if the student is under 18 ensure that all of the procedures below are followed.	
3	Identify the supervisor for the student on work experience/ placement and ensure they complete the Tusla's Children First E-Learning Programme.	
4	Provide copy of Teagasc Child Safeguarding Policy to student and store written acknowledgement from student	
5	Provide copy of Teagasc Dignity at Work, Code of Conduct, IT Policies to the student (and ensure they are informed of fire evacuation procedures).	
6	Ensure that the student has completed the relevant on-line safety induction prior to commencing their placement and ensure Health & Safety Induction E-Learning certificate is supplied (Lab Training or General Training depending on the role).	
7	Provide student with name and contact details of the Teagasc DLP and Deputy DLP.	
8	Put a plan in place on where the student will be based and how Teagasc will ensure that s/he does not have unsupervised one-to-one contact with adults.	
9	Provide a copy of the Teagasc Child Safeguarding Policy to all staff members in the business unit that may have contact with the student. Best practice is that the relevant staff will be required to provide written confirmation that they have been issued with the Teagasc Child Safeguarding Policy and this confirmation will be held on file by the manager.	
10	Ensure E-Learning Manual Handling is completed if relevant	
11	The supervisor will also ensure that the child is made aware of the appropriate evacuation procedure in the case of an emergency. The supervisor will also ensure that the presence and location of the child is known to office/centre Fire Marshall.	
12	Complete all other relevant pieces of the Induction Checklist as it applies to placement students (not relevant for TY).	
13	Refer to the principles outlined in Appendix 3 where there is one-to-one contact.	
14	Obtain written parental consent, if required by this Policy	
15	Send an email to all staff in the department in which the placement will take place, informing them that the student is a child.	

## Checklist for Event Organiser

	<b>Task</b>	<b>Status (tick when completed)</b>
1	Send Children's First National Guidance for the Protection and Welfare of Children <a href="https://www.dcy.gov.ie/documents/Publications/Children-First.pdf">https://www.dcy.gov.ie/documents/Publications/Children-First.pdf</a> and <i>Teagasc Child Safeguarding Policy</i> to key Teagasc personnel involved in a major Teagasc Event.	
2	Identify the key Teagasc personnel involved who are leading the event or will have the most contact with Children/young adults and ensure they complete the Tusla's Children First E-Learning Programme. Training certificates should be held locally.	
3	Provide the Host with the <i>Teagasc Child Safeguarding Policy</i>	
4	Ensure that if photos or videos are taken of children, that permission forms are obtained for use in Teagasc communications (see section 6.4 and Appendix 4).	

## APPENDIX 3

# Protocol for occasional one-to-one contact with children

This Protocol for managing staff communication and contact with children (learners <18) has been developed for Teagasc colleges, however these principles should also be applied to other relevant areas where one-to-one contact could possibly arise, eg: one-to-one contact with transition year students.

- Staff should be aware of the identity of children in the college who are under 18.
- All staff in colleges who will have one-to-one contact with children must have completed the TUSLA e-learning programme and a copy of the certificate submitted to the staff officer. (<https://www.tusla.ie/Children-first/Children-first-e-learning-programme/>).
- Day to day education delivery to groups in classrooms/labs/farms should not be affected by the presence of children.
- Where possible, another employee or adult should be present when meeting or interacting with children. However, it is acknowledged that this will not always be possible for a number of reasons. If a meeting alone with a child is necessitated by circumstances and is of concern to a staff member, a record should be kept of these meetings including names, dates, times, location, reason for the meeting and outcome. A copy of this record should be kept locally.
- Staff however need to be conscious of proper protocols in dealing with children which could result in one-to-one contact such as the following:
  - » Staff providing reader/scribe support/mentoring/PLP planning/ assignment support and counselling' and personal support to students or any other situation in which one-to-one contact could arise:-
    - Establish if the student is a child
    - Provide the support in a room with door open
    - Student should sit at the open door side of the desk/table with the staff person on the far side from the door
    - Student should be advised that this arrangement is part of child safeguarding protocol.



- » Staff conducting skills assessments on a **one-to-one** basis
  - There must always be other students or staff in the vicinity
  - Avoid direct contact/touching the student while providing assistance in completing the skill – e.g. showing a sample/restraining an animal/showing machine controls.
- » Staff conducting disciplinary/conduct enquiries
  - Inform the student that you wish to carry out an investigation/enquiry
  - Inform the students parent/next of kin and inform them that they should attend the meeting/interview
  - All interviews should include two staff members
  - Follow college policy/guidelines regarding penalties/suspensions etc. as per Student Handbook
- » Staff dealing with injuries/medical issues
  - Where possible (ie. other than in cases where urgent/emergency assistance is required and consent is not possible) inform the student that you wish to provide medical assistance and get their verbal approval
  - Have another staff member or student > 18 years old present
  - Inform the students parent/next of kin as soon as is practical to do so
  - Where the student requires transportation to the doctor/hospital ensure that another staff member or student > 18 years old present

## APPENDIX 4

# Protocol for photographers for Teagasc Events

Please note that due to new GDPR and Child Protection regulations it is very important to ensure permission forms are completed and submitted with photos. These must be signed by parents (for under 18s) and not the teachers. Where the child is of secondary school age, their own written consent should also be obtained and recorded at the relevant point in the permission form. For schools events, we have recommended that event organisers discuss with the school in advance and arrange to have photos taken with a small number of students. For public events, Teagasc will assign a volunteer to accompany the photographer to obtain signed permission forms. These must accompany the photos sent to Public Relations.



## Consent for those under the age of 18

In accordance with the requirements of the GDPR and Data Protection Act 2018 regarding the use of children's personal data and consent to same, Teagasc will not permit photographs, video or other images of children to be taken or captured without the consent of the parents/guardians of those children involved in our activities. Such videos or photographs may be used on the Teagasc website ([www.teagasc.ie](http://www.teagasc.ie)), Teagasc publications, media releases and associated social media channels.

I hereby consent to photographs and/or video footage of my child being taken.

Name of Child: \_\_\_\_\_

I confirm that I have read this Consent Form in full and understand the proposed uses for the photographs and/or video footage of my child. I am the legal parent/guardian of the above-named child/ and I hereby give permission for my child to be photographed / recorded in video footage for the purposes outlined.

Full Name: \_\_\_\_\_

Phone No.: \_\_\_\_\_

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

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

### Child's consent (if of secondary level age)

I consent to photographing or recording of my involvement in activities run by Teagasc for use on the Teagasc website ([www.teagasc.ie](http://www.teagasc.ie)), Teagasc publications, media releases and associated social media channels. I understand that my consent may be withdrawn at any time.

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

For completion by Teagasc:

Recording Name/Subject: \_\_\_\_\_

Recording Type (e.g. Audio/Video): \_\_\_\_\_

Recording requested by\*: \_\_\_\_\_

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

## **WITHDRAWAL OF CONSENT**

I can withdraw consent regarding the above use of my personal data at any time by emailing [dpo@teagasc.ie](mailto:dpo@teagasc.ie). I acknowledge and understand that this will not apply to material already published as Teagasc cannot control such material.

In line with Data Protection regulations, we are committed to protecting the personal information given on this form. By providing the information requested, you are giving us permission (consent) to use this information for safeguarding, legal or regulatory purposes and we will use it for no other purpose without further consent unless mandated or required to do so under the Data Protection Act 2018 or equivalent legislation. If you have any questions about how we process your personal data, please contact [dpo@teagasc.ie](mailto:dpo@teagasc.ie).

Teagasc,  
Oak Park, Carlow.



## APPENDIX 5

# Acknowledgement Form

I the undersigned confirm that I have been provided with a copy of *The Teagasc Child Safeguarding Policy*.

I also confirm that I have been provided with the details of the Designated Liaison Person

Signed: \_\_\_\_\_

Name of Person (<18) \_\_\_\_\_

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

I the parents of \_\_\_\_\_ confirm that I have been provided with a copy of *The Teagasc Child Safeguarding Policy* and I am in agreement with the placement of my son/daughter on work experience in Teagasc.

My contact details in case of emergency are:

Phone: \_\_\_\_\_

I confirm that I irrevocably consent to first-aid being provided to my son/daughter if and when required during placement in Teagasc. My son/daughter has the following health issues / allergies, details of which I consent to being provided to Teagasc staff or third parties who need to be appraised of this information in order to supervise and safeguard my son/daughter:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_

Parent/Guardian      Print Name      \_\_\_\_\_

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

## APPENDIX 6

# General Health and Safety Guidance for Activities Involving Children

Where activities take place on a Teagasc premises, Teagasc, as controller of that premises, have a duty under the Safety Health and Welfare at Work Act 2005 and other legislation such as the Occupiers Liability Act 1995 to ensure that the premises are safe. Staff should ensure that a Health & Safety Policy is in place and a Health & Safety risk assessment of the activities is undertaken if necessary. If children are on farms the HSA Code of Practice should be referred to:

[https://www.hsa.ie/eng/Publications and Forms/Publications/Codes of Practice/Code of Practice on Preventing Accidents to Children and Young Persons in Agriculture.pdf](https://www.hsa.ie/eng/Publications_and_Forms/Publications/Codes_of_Practice/Code_of_Practice_on_Preventing_Accidents_to_Children_and_Young_Persons_in_Agriculture.pdf)

Safety is of prime importance during any activity. This is the responsibility of every member of staff. Staff should be aware of the following guidelines:-

- Always have a quick initial look around the premises you are about to use to identify any possible dangers, e.g. a stack of chairs which could topple, an electric cable which could trip, etc.
- Be aware of the location of fire exits and ensure that they are not obstructed. Regular fire drills should be conducted to ensure that all children know what evacuation procedure to follow in the event of a real fire. Know where the nearest fire extinguishers are located. In the event of a fire, evacuating the building and saving life is much more important than fighting a fire. The assembly point should be clearly identified.
- Where any activities involving children are taking place at the same time as other activities are taking place, staff should be aware of the other groups using the premises and the potential threats that this may raise.
- There should be adequate supervision by a member of staff for any activities that give rise to risk by virtue of their nature.
- Check that equipment is safe and do not use items that you believe are not fit for the purpose.
- Areas where maintenance work is taking place should never be used.
- Know where the first-aid provisions are located.
- Know how to report an accident or near miss through the Flex Manager H & S system.

In the event of an accident or incident, staff should administer any necessary first aid in the presence of another person.

All facts relating to any accident or incident, contact details of all concerned and medical/other intervention (if same was necessary) should be accurately recorded on the incident report book.

## APPENDIX 7

# Assessing and Dealing with Child Protection Concerns

### (i) Recognising Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect 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, it should be considered a child welfare and protection issue for both children and the reporting procedures should be followed 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/guardian.

The definitions of neglect and abuse outlined above are not legal definitions but are taken from Children First: National Guidance for Protection and Welfare of Children 2017. They are intended to describe, in a plain-English way, the ways in which a child might experience abuse and how this abuse may be recognised.

In dealing with children, staff need to be alert to the possibility that a welfare or protection concern may arise in relation to children they come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need.

Without these things, they may be vulnerable to continuing abuse.

## (ii) Reasonable grounds for concern<sup>6</sup>

There are many reasons staff may be concerned about the welfare or protection of a child. Tusla should be informed if there are reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. It is not necessary to prove that abuse has occurred to report a concern to Tusla, all that is required is that reasonable grounds for concern exist. It is Tusla's role to assess concerns that are reported to it by carefully considering any information reported along with any other information available and a child protection assessment is carried out where sufficient risk is identified.

Reasonable grounds for a child protection or welfare concerns may include:-

- 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.
- A child saying or indicating by other means that he or she has been abused.
- 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.

Where appropriate, any issues should be checked with the parents/guardians when considering whether a concern exists, unless doing so may further endanger the child or person considering making a report. Consider, for example, whether the parent(s)/guardian(s) themselves are the person(s) in respect of whom the reasonable grounds for concern of child abuse has arisen.



### (iii) Responding to a child who discloses abuse<sup>7</sup>

A child may disclose to a staff member that they have been or are being harmed or abused. Children will often have different ways of communicating that they are being abused. If a child hints at or tells a staff member/volunteer that he or she is being harmed by someone, be it a parent/guardian, another adult or by a child (peer abuse), it should be treated in a sensitive way.

Remember, a child may disclose abuse to a staff member as a trusted adult at any time during their work with them. It is important that staff and volunteers are aware and prepared for this.

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the child.
- Listen to what the child has to say. Give them 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 at face value and do not 'judge' the veracity of the disclosure.
- It is important to differentiate between the person who allegedly carried out the abuse and the act of abuse itself. The child quite possibly may love or strongly like the alleged abuser whilst also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards the alleged perpetrator while talking to 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.

<sup>7</sup>Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.34-35.

When asking questions:-

- Questions should be supportive and for the purpose of clarification only.
- Avoid leading questions, which are questions which suggest the answer themselves. For example, asking whether a specific named person carried out the abuse (a leading question) as opposed to asking who carried out the abuse without suggesting a name (an open question).
- Avoid offering assistance to the child in terms of language to be used to describe the relevant events and their impact. It is important that the child's own direct account is not capable of being contaminated by language offered from another person.

Confidentiality – Do not promise to maintain confidentiality / keep secrets

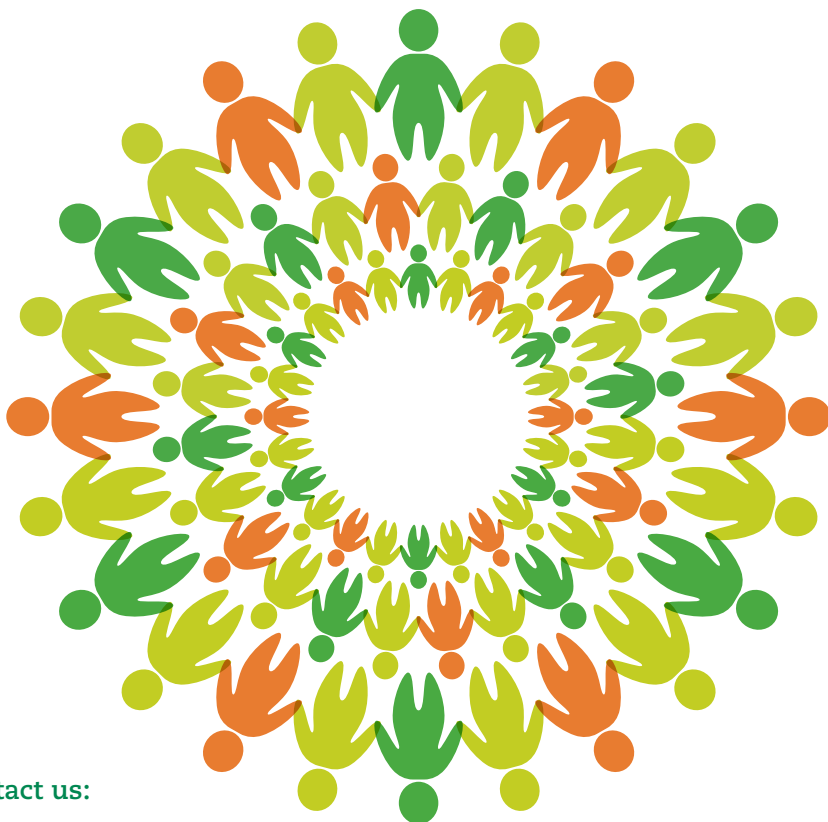
At the earliest opportunity, tell the child that:-

- You acknowledge that they have come to you because they trust you.
- You will be sharing this information only with people who understand this area and 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 and An Garda Síochána if appropriate.
- Maintain appropriate confidentiality.
- Do not investigate the matter – that is a function for the statutory authorities.





Contact us:

Teagasc,  
Head Office,  
Oak Park,  
Carlow.

Tel: 059-9170200

Email: [info@teagasc.ie](mailto:info@teagasc.ie)